

## **Eleanor Rathbone lecture, University of Liverpool**

### **Omar Khan, Director, Runnymede Trust**

Thank you for the honour of delivering the Eleanor Rathbone lecture address at the University of Liverpool. I am very pleased to be speaking at the University, and to give this address. Although I am no expert on Eleanor Rathbone, her commitment to gender equality is one I obviously admire, and also her willingness to raise not just challenging or unpopular ideas, but radical social policy measures too. and to raising challenging see the establishment of this centre, and am delighted to be speaking here this evening..

The title of this talk is 'Social Justice and the Lessons from the Stephen Lawrence Inquiry Report: 20 years on.' I will, more or less, address that statement, though less through a detailed overview of the Lawrence report and it's recommendations, and more through raising wider questions or challenges of how we can better tackle racial injustice in the UK generally.

I'm speaking as the Director of the Runnymede Trust, which was founded 50 years ago in 1968. I thought I'd say some preliminaries about myself, and how I

got to be standing in front of you today to talk about the use of research in social justice.

As you can hear from my accent, I was born and initially educated in the United States. I first moved to the UK over two decades ago, in 1996. I have now lived longer here than I did in the United States, though I haven't managed to lose the accent. While my speech to you is informed by my experience of growing up and studying in the United States, my thinking and work on race equality has been developed here in the UK, most prominently at the Runnymede Trust, where I first started working in December 1999. I was fortunate enough to work on the dissemination activities of the Future of Multi Ethnic Britain report in 2000-01 and to learn from Bhikhu Parekh as chair of that commission as well as commissioners including Stuart Hall. This was also, just a year after the publication of the Stephen Lawrence Inquiry report, about which I will say more below.

My landing in Britain wasn't exactly an accident. My father, all of my grandparents, all eight of my great-grandparents and all sixteen of my great-great-grandparents were born British subjects, and my first academic interest –

the history and politics of South Asia – recommended to me to study at the School of Oriental and African Studies.

In between my two stints at Runnymede, I completed my doctorate in political theory at Oxford, focusing on the justifiability of preferential policies or affirmative action – but not in the US; rather in India. Political theorists, especially Oxford theorists, are often criticised for arguing in an excessively abstract manner, and for ignoring the particular conditions, human relationships, institutions, and history of actually existing societies.

However political theory's focus on and careful exposition of principles, concepts and arguments is a useful one, but the point I made in my doctoral dissertation was a different one. Most assessments of the moral justifiability of preferential policies have affirmative action and the American case as their default. Even those who argue more abstractly about it, tend to make assumptions that apply to the specific American case, with the attendant history of enslavement, the original US constitutional principle that black people were not fully persons, the Civil War, Reconstruction, Jim Crow, and the particular form of racialisation that this all entailed. I happen to think that

British commentators are too quick to deny any relevance of this history for considerations of affirmative action in the UK (after all, it was mainly British ships that transported Africans to the British colonies of North America in the first place), but that was not and is not my main argument.

In my doctorate I foregrounded and explained the Indian experience of preferential policies, and in a Runnymede briefing I extracted some lessons from that case, considering whether and how a similar policy might be applied here in Britain. My aim was to ask those debating the applicability of affirmative action in Britain to step away from the American case, to think more carefully about the principles underpinning how and when preferential policies such as affirmative action are justifiable generally, and if and how those arguments could apply in the case of Britain or other countries in Europe.

The question of how policy should respond to racial inequalities is one of the main themes of my remarks today. The other main theme is that of analysis, and as I've already suggested, research isn't only about statistics or data, but

the tools, concepts and values used to understand the world. And among those concepts or social phenomena is racism.

### **Understanding and analysing: race and racism**

Reflecting on the wider recommendations and follow up of the Lawrence Inquiry report, I diagnose how we it usefully disrupts how we commonly understand what racism is. I also suggest how research might better connect how we analyse structural injustice, to the difficult questions of how we more effectively mobilise and respond to injustice.

Evidence continues to show significant ethnic and racial inequalities in the UK. Over 100 BME people have been killed since the murder of Stephen Lawrence, there are only 20-odd Black female professors, Black and Asian students need better marks to get into university, half of Bangladeshi men earn less than £8/hour, violence against migrants, Jews and Muslims is rising, and the entire Muslim population is being framed as a fifth column.

I'm now going to turn to a series of slides further outlining this evidence, and what it means for our analysis or understanding of race and racism in Britain today.

**[TURN TO PRESENTATION]**

As these data show, ethnic inequalities in Britain are persistent and extensive. But as these data also suggest, the nature of ethnic inequalities does now vary, with some groups doing well in some areas – for example Chinese and Indian pupils in our schools. At the same time even Indian and Chinese pupils are less likely to get into British universities with equivalent A level results, and despite these higher A levels they are less likely to get a first, earn less in their graduate jobs, and are also still subject to racist abuse, harassment and even violence on the street.

In other words, ethnic minorities are still subject to structural inequalities, and to what the Lawrence Inquiry report called 'institutional racism'. I will come on to how the report defines institutional racism, but I first want to explain and

contrast the more commonplace understanding or focus on racism. This helps explain why 20 years on from its publication we need to refocus on the report's analysis and conclusions.

The most common discussion of racism in the public and among policymakers is on inter-personal prejudice. Politicians in particular tend to focus on racism as an 'extreme' view held by a small minority, and that is of most concern in terms of violence on the street. In this narrative, the primary perpetrators of racism are far right thugs, stereotypically depicted as working class.

Now it's obviously important and urgent to respond to hate crime, not least given the threat to ethnic minority people's safety, something I'm especially conscious of speaking in the context of Stephen Lawrence, who was of course brutally murdered in a racist attack. We must never stop challenging and seeking justice in response to those who commit violence, particularly murder, and holding them to account for their actions.

At the same time, racist attitudes don't emerge from nowhere. Racial prejudice isn't just randomly found in small pockets of our society, but is woven through our collective consciousness, even when we're not aware of it. The attitudes in question aren't randomly patterned, and individuals terrifyingly but predictably continue to reproduce the same racist tropes – whether about Jewish, Muslim or Black people – that have existed for centuries.

In fact, racist attitudes and prejudices emerge after, and are a consequence of, the domination or exclusion of particular groups. That is, racist attitudes and stereotypes were developed to justify the economic and political domination of people of colour, not the other way around. So while education will always play an enormous role in tackling racist attitudes and stereotypes, those stereotypes will only truly disappear once the economic and political inequalities that justify and sustain racist beliefs are eliminated.

The Lawrence inquiry report was clear about this. I don't have time to address the report's many and important recommendations about the police, but re-examining the police's failings remains a shocking read. Those failings, and the injustice and hurt it inflicted on the Lawrence family, and every black family, demonstrate why we must focus not just on those who perpetrate racist



violence, but on the institutions charged to protect us, to provide justice, and to treat us fairly when we access public services, send our children to school, or choose where to live.

Returning to the issue of institutional racism, the report defined it as follows.

Institutional racism is:

*the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance thoughtlessness and racist stereotyping which disadvantage minority ethnic people. (paragraph 6.34)*

This definition is important for understanding what racism is, which also leads us to asking how best we respond to its ongoing consequences in our society.

In previous speeches over the years I've said that it is somewhat unfortunate that the police were the only institution so examined in the follow up to the Lawrence inquiry report. Of course the police deserved particular scrutiny for

their appalling failure to bring Stephen Lawrence's murderers – and many previous racist murders – to justice.

At the same time the application of the term 'institutionally racist', even where accepted, was seen mainly if not exclusively to apply to the police. This arguably fits with middle class views or prejudices about the police, as being staffed with less tolerant or educated rank and file, unlike their middle class colleagues or having much to do with their institutions. If the term institutional racism was to have stuck, and been more widely understood, it needed to apply more widely, including to institutions such as the BBC or universities. After all, it's not the white working class, but the white middle class, who makes BME people send in twice as many CVs just to get an interview, even when they have the same qualifications for the job. If we ask the question of which people in which institutions should be the focus, the answer will inevitably turn on those who are disproportionately represented among decision-makers today.

The Labour government of the time deserves credit for seeking to extend the lessons of the Lawrence inquiry report beyond the police, at least to the public

sector. This is sometimes missed in discussions of the consequences of the Lawrence inquiry report, in part because it was a somewhat unseen policy that affected state institutional practice, and in part because the Coalition and Conservative governments have diluted the measures.

Following the Lawrence inquiry report's publication in 1999, the Labour government sought to act to ensure that all public institutions – not just the police – learned from its findings, and sought to provide a better, fairer service to Britain's BME population. By December 1999, the government had introduced a bill to amend the Race Relations Act to prohibit direct race discrimination by all public authorities, omitting indirect discrimination – often the consequence of institutional racism. Following months of strenuous lobbying, at the final stage Parliament approved the bill prohibiting both direct and indirect race discrimination by all public authorities and imposing on public authorities a statutory race equality duty. This amended RRA was immediately seen as a ground-breaking equality law, not only for Britain but internationally.

The amended RRA s. 71 provided that every specified or defined public authority 'shall, in carrying out its functions have due regard to the need – a) to eliminate unlawful racial discrimination; and b) to promote equality of

opportunity and good relations between persons of different racial groups.’ In October 2001, an order by the Home Secretary imposed ‘specific duties’ on public authorities to ensure ‘the better performance’ of their s. 71 duty. A central requirement was to publish a race equality scheme showing how the authority would fulfil its race equality duty by identifying which of its functions were relevant to the duty, and how it would assess and consult on race equality impact, train staff, and monitor workforce matters.

In the aftermath of the 2000 RRA there were a number of cases showing how it could affect processes and outcomes for ethnic minorities in Britain. When David Cameron was Prime Minister, he sought to review the public sector equality duty as part of his government’s ‘red tape challenge’ and suggested that ‘smart people in Whitehall’ would never deliberately make decisions to worsen outcomes for any particular group. This argument somewhat ironically commits the policy-thinking error that the PSED was set up to deal with: that institutional practices and policies could *indirectly* lead to unequal outcomes, whatever the intent of a politician and policymaker.

During the Windrush injustice revealed a year ago now ministers, including the Prime Minister Theresa May, suggested the same argument, including in her partial apology to Caribbean Prime Ministers. They suggested that it wasn't the 'intent' for immigration policy to affect older Caribbean people, and that it was merely accidental and unfortunate.

But no-one had suggested that Theresa May as Home Secretary deliberately intended to target black people for deportation, or that Philip Hammond designed his budgets deliberately to hit the poorest Black and Asian women hardest. Among others, Runnymede had been arguing since the hostile environment immigration measures were announced that whatever their intent, they would lead to racial discrimination in their application. It's bizarre and infuriating that politicians still use this defence of 'it wasn't our intent' when the predicted consequences of their actions have actually happened.

What this - and other examples - shows is that the public sector equality duty, designed so that public bodies would not just learn from but act on the lessons of the Lawrence inquiry report, is not working as intended.

In other words racism still isn't understood in structural terms. Research is necessary for outlining the facts of racial inequalities, and for articulating the concepts or reasons why these inequalities persist. From Runnymede's perspective, the lesson is clear: 20 years on we need to refocus on institutions as the engines that reproduce both racist attitudes and unequal outcomes, and research will continue have a role in doing so. But in the second half of my talk I'm going to turn to a second theme, namely that of mobilisation. No argument, no matter how persuasive or how well underpinned by research, can make social change happen all by itself, and so although it strays beyond the title of my talk, I think it's important to focus on how we collectively mobilise against and challenge racism – in civil society as well as more politically.

## **Policy**

If we were able to mobilise more effectively to challenge racism, what policies should we adopt? One key issue for developing policy to address racial inequalities is data. Without good research or data collection we cannot measure and so evaluate the efficiency and equity of government policy and service delivery. The government deserves some credit here for publishing the

race disparity audit. Although much of these data were available before, they were not available all in one place. Furthermore, while I might have cited these data before, many would question the objectivity of those data. 'Of course you'd say that, Omar, you're the director of a race equality organisation.' For the government to publish this on an official website means the only people who can object to these data are cranks and trolls. By publishing these data, the government also sends a signal to every government department that these outcomes are or should be a focus of government policy.

However, data needs to be interpreted and used effectively to hold government to account. From the budget to welfare reform to voting rights to apprenticeships to immigration, government indicated the disproportionate effects of these measures on Black and minority ethnic people, but failed to explain or justify these effects, much less to mitigate this predicted increase in racial inequalities. This also reflects a lack of serious political leadership on race.

Another general policy push should be on targets or even affirmative action.

FTSE 100 companies have adopted a race target for their boards in much the

same way they have done for women. Similarly the judiciary should be required to improve BME representation, and it is hard to see how the 20-odd black female professors can be improved upon even in the medium term without much more drastic action. The under-representation is so severe, and the people on the next rung of the ladder too few, that it will take 50 or even 100 years for many of our institutions to reflect our society.

I often hear across whatever sector of the labour market that the proportion of BME people among the over-50 population is lower, and that is true. But the 35-44 year old population matched the GB average of 14% in the last census 7 years ago, and it's far from uncommon to find Chief Executives and full Professors, to say nothing of senior managers or senior lecturers, in their mid-40s. In the case of barristers, it appears the most recently qualified cohort is if anything less representative than the one qualified 15-20 years ago, given the rise in the BME population and the number of BME law graduates.

Situating the current data in the context of the future pipeline if anything suggests less optimism for the future representation of senior lecturers compared to senior managers or solicitors.



Recent data suggests black graduates are three times less likely to get a first than white graduates, while the current child poverty rates – 49% for black children and Pakistani children, and 59% for Bangladeshi children, suggests that Britain will still be facing the consequences of racial inequalities into the 22<sup>nd</sup> century . Given the lifelong scarring effects of child poverty, and that a child born in the past 5-10 years has a life expectancy that means they will live beyond the year 2100.

All major British social institutions should therefore adopt a 10-year strategy to ensure that they better reflect the diversity of our society and tackle discrimination, based on the research or evidence that I've sketched out earlier. For those opposed to targets or affirmative action the question is: what else do you propose to do, or are you satisfied to wait for 50 years or more to remove racial inequalities?

## **Conclusion**

The popular story we tell about race and migration in postwar Britain usually goes like this: after 1948 Britain was ruined by war and for the first time significant numbers of black and Asian people arrived in Britain, invited to build our public services, especially in the NHS and on public transport. Those immigrants were welcomed but did face racial discrimination especially in the 1950s and 1960s, though nothing like that of Jim Crow America. The 'no dogs, no blacks, no Irish' signs are both a key image in this narrative, but also one that glosses over the extent and legality of racial discrimination across British society, affecting not just housing and employment, but personal relationships and of course physical security. In the popular narrative the passage of liberalising race relations legislation in the 1960s and 1970s and generational change gradually eroded the worse forms of racism and by the 1990s and 2000s BME Britons were offered roughly equal opportunities. There are some hiccoughs along the way, even in this more optimistic telling, notably the Brixton riots and the murder of Stephen Lawrence, but these appear as exceptions and indeed extreme cases, and but for a short period after the Lawrence inquiry report in 2000 are not viewed as going to the heart of who Britain is, or of how far we need to tackle racism and its consequences in not just the Metropolitan police but all our public, private and charitable institutions, including of course the university.

In this more popular narrative Enoch Powell's Rivers of Blood speech then becomes an exception to what otherwise emerges as British pragmatism and tolerance, or indeed even as an affirmation of it, with Ted Heath almost immediately sacking Powell from the Conservative front bench.

The popular narrative as I've described it is obviously simplified and obviously wrong in various respects. One particular consequence or aspect of this narrative is that we've learned the wrong lessons about Powell and the extent of racism in our public institutions and discourse.

Much of the discussion on Powell and race since 1968 focuses on the distinctive violence of the imagery of his speech, but his view that being British meant being white was and remains a more mainstream one, and the graver danger. When British Caribbean residents are deported and threatened with deportation by the Home Office, actions that Powell would have applauded, we must revise our understanding of the marginality of Powell's views, or of racism's role in our country's past and present. Here it's worth reflecting on

another important but unimplemented recommendation from the Lawrence inquiry: the need to research and teach our history better.

Britain's selective amnesia about our past means we have somehow part-forgotten that people who arrived from, say, Barbados in 1961 arrived 5 years before that island's independence: they arrived British, and have remained British ever since but for some reason the Home Office refused to recognise this even as it lectures migrants about integration and British values such as the rule of law. We appear to have forgotten how often we failed and continue to fail to affirm those values in practice, and have yet to finally accept the responsibility for the Empire and all its attendant consequences. While we give out membership to an order of an imaginary British Empire, we somehow cannot fathom that there are millions of living residents in Britain who were actual members of a really-existing British Empire, and millions more who like me can trace all of their recent ancestors to that polity that applied rights and responsibilities in a racially unequal way. Fifty years on from rivers of blood Enoch Powell would be congratulating the British government for deporting black people to their country of birth: such is the state of our domestic and global amnesia that my making this point is somehow revealing or controversial.

Powell's speech and vision was more mainstream for another reason too: he was first motivated to speak out against the 1968 race relations act. His objection was that the English legal tradition guaranteed ancient liberties, among them the liberty to discriminate. In a way Powell was right about this: there is no free-standing right to equality in our unwritten constitutional tradition and his argument has at least as much pedigree in Britain as does a commitment to universal civil or human rights. For example at the same moment as we celebrate the Glorious Revolution in 1689 for endorsing civil rights, pamphleteers were objecting to the Royal African Company's monopoly on the trade in enslaved African people on the grounds that under Magna Carta all Englishman should be free to participate in that immoral trade.

During the debates in Parliament on the 1968 Race Relations Act, the Conservative opposition affirmed a version of the principle that Englishmen were free to discriminate on grounds of race. They often conceded this was distasteful, but such was the price of liberty. In the last few years Nigel Farage has updated this Powellite argument to justify discriminating against gay people when they purchase wedding cakes or stay in local B and Bs.

As James Baldwin said

‘History is far from a dead thing. We carry it within us. We are unconsciously controlled by it in many ways, and history is literally present in all that we do... It is to history that we owe our frame of reference, our identities and our aspirations’.

It’s therefore no surprise that racism and its consequences hasn’t gone away in Britain. Addressing our history isn’t about self-flagellation but understanding who we are today and how we can better affirm the values of liberty and equality we claim to hold.

Over the next decade or more we need to refine our message to ensure it reaches a wider audience who will then mobilise to demand and achieve change on racial justice. Researchers here clearly have much to contribute to this challenge, both intellectually, to connect our analysis of racial justice to our mobilisation against it, but also politically, by working with others inside and outside the university to challenge racial inequalities in their neighbourhoods, local schools, and workplaces. If enough people mobilise and

if we focus clearly and collectively, especially on changing key institutions, we will make it more likely that the next generation of BME people in Britain finally achieve equal opportunities and outcomes.