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Race Relations in Britain

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Preface

The structure of British society has changed considerably since the last major reform was made to British race relations legislation (in 1976). New economic and social relationships have developed as a result of the settlement of a new wave of immigrants to Britain and, more recently, as a consequence of Britain's attempts to negotiate new relationships on the world stage.

Yet any consideration of the contribution of the Race Relations Act of 1976 cannot begin without some explanation as to the purpose of the legislation itself and the factors which brought the legislation into being. The 1976 Act is rooted within a clear historical context. It is no accident that the nature and scope of the legislation passed in Britain took the form it did nor that the public response to the legislation itself has remained deeply ambivalent to this day.

Before the passing of the 1976 Act several attempts, successful and unsuccessful, had been made to introduce controls in response to the arrival of labour from the New Commonwealth. Indeed, throughout the 1960s and 1970s, a small number of dedicated policy-makers struggled to establish a race relations legislative framework against the background of ever-tightening and increasingly oppressive immigration controls which were being introduced at frequent intervals. For some, the struggle for race relations legislation was necessary to establish at least a minimum level of protection for newly arrived minority communities. For others, the framework to address the problem of racial discrimination would always remain fundamentally flawed in so far as it remained tied to the central principles behind immigration control.

In the decade which passed between the Race Relations Act 1965 and the enactment of the Race Relations Act 1976 four major instruments of immigration control were also put into place. Moreover, since the Commonwealth Immigrants Act 1962 several major pieces of immigration legislation and numerous changes to immigration rules have been introduced to date.

Throughout the 1960s, 1970s and 1980s, the fundamental question of the status of Britain's black and ethnic minorities
was being defined and transformed not as a result of new race relations legislation but as a consequence of the passing of complex immigration controls – measures designed to stem mainly the tide of black and Asian immigration to Britain as a prerequisite to the maintenance of social order. Immigration legislation established over three decades continued to define the problem of ‘race relations’ in terms of the ‘black’ presence within ‘white’ society. Black immigration was a problem to be controlled; its effects were regarded as potentially destabilising to notions of Britishness and the effective operation of British society.

Moreover, it is no accident that immigration control was determined to be outside the scope and remit of the Race Relations Act. In this way racially discriminatory immigration controls were allowed to continue to operate and such practice was effectively enshrined by law. However, some degree of fairness of treatment also came to be regarded as a necessary response to those black and ethnic minorities who had already arrived and settled in Britain and who were British citizens. It is within this historical context that the Race Relations Acts of 1965, 1968 and 1976 emerged.

It cannot be assumed, therefore, that the emergent race relations framework was determined solely by the desire to protect the rights of newly arrived immigrant populations. It has been argued that the legislation itself performed three functions: first, to afford protection from racial discrimination; secondly, to provide a further mechanism for social control; and thirdly, to limit political and civic legitimacy to specific social groups. However, its limited scope placed constraints on the processes available to citizens seeking to challenge racially discriminatory practice, and afforded direct protection under the law to certain groups but not to others, i.e. religious minorities.

Assessing the contribution of the 1976 Act poses some challenging questions. What were the objectives of the legislation? Is it possible to determine what British society would have been like without a race relations legislative framework? Is it possible to reach an agreement on all sides that legislation has indeed made a difference? What indicators could be used to assess the relative success or failure of the legislation? Could Britain have achieved more had its legislators adopted a different approach? These and other questions are addressed by the contributors to this book. Some of the papers included in the book were
presented at a conference organised by the Centre for Research in Ethnic Relations (CRER), University of Warwick, jointly with the Commission for Racial Equality and the Runnymede Trust, in September 1996. The conference discussed the contribution made by the Race Relations Act 1976 to the development of British race relations over the last two decades. In order to gain a wider range of views on the subject, the editors have deliberately sought contributors from very different backgrounds, all of whom have achieved eminence in their own professional fields. They include a politician, lawyer, political philosopher, journalist, race relations experts, academics, researchers and even a retired Chairman of the Commission for Racial Equality (CRE). Their distinct disciplines, unique sets of experiences, and different styles combine to provide a book that has coherence, depth and character.

In reaching any conclusions as to the contribution made by the existing legislation, it is necessary to remember also that the CRE – as the agency charged with statutory responsibility for reviewing the effectiveness of the 1976 Act – has also repeatedly argued for a substantial reform of the law. During the 1980s the CRE’s recommendations were virtually ignored by the Government. Whilst no assurances have so far been given, there are indications that a more sympathetic response may be taken by the present Government.

As we look towards the future of race relations in Britain in the twenty-first century, there are a number of trends which also need to be borne in mind. The spectre of economic recession – and its attendant consequence of rising levels of unemployment and poverty – within the states of Europe and globally, will continue to heighten the appeal of extremist political parties and lead to increased ethnic tensions around the globe. This may require definitive action from governments – singly and in concert – to address the problems of social and economic inequality, poverty and alienation through more effective programmes for the redistribution of social and cultural resources. At the same time, trends towards ethnicism and fundamentalism are increasingly becoming a global feature and signal the need for new policy responses for the creation of inclusive societies which extend beyond the framework for equal opportunities and immigration control, which has been deployed by Britain over the past three decades.
We would like to thank all the contributors for their cooperation in the preparation of this book. We would also like to thank the CRE for a small grant for the administrative help. We are grateful to many colleagues at CRER for their help, in particular Zig Layton-Henry and Beryl Pinc-Coffin. Finally, we would like to thank Rose Goodwin and Gurbakhsh Hundal for preparing the manuscript.

MUHAMMAD ANWAR
PATRICK ROACH
RANJIT SONDHI
## List of Abbreviations

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<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADA</td>
<td>Americans with Disability Act</td>
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<tr>
<td>BSA survey</td>
<td>British Social Attitudes</td>
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<td>CARD</td>
<td>Campaign Against Racial Discrimination</td>
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<td>CRC</td>
<td>Community Relations Commission</td>
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<td>CRCs</td>
<td>Community Relations Councils</td>
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<td>CRE</td>
<td>Commission for Racial Equality</td>
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<td>CRER</td>
<td>Centre for Research in Ethnic Relations</td>
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<tr>
<td>ECOA</td>
<td>Equal Credit Opportunity Act (US)</td>
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<td>EEC</td>
<td>European Economic Community</td>
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<td>EEOC</td>
<td>Equal Employment Opportunity Commission (US)</td>
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<td>EFTA</td>
<td>European Free Trade Association</td>
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<td>EOC</td>
<td>Equal Opportunities Commission</td>
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<tr>
<td>GLC</td>
<td>Greater London Council</td>
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<td>HUD</td>
<td>The United States Department of Housing and Urban Development</td>
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<td>ICERD</td>
<td>International Convention on the Elimination of All Forms of Racial Discrimination</td>
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<tr>
<td>IPPR</td>
<td>Institute for Public Policy Research</td>
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<tr>
<td>JCWI</td>
<td>Joint Council for the Welfare of Immigrants</td>
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<td>NACRC</td>
<td>National Association of Community Relations Councils</td>
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<tr>
<td>NASUWT</td>
<td>National Association of Schoolmasters and Union of Women Teachers</td>
</tr>
<tr>
<td>NCCI</td>
<td>National Committee for Commonwealth Immigrants</td>
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<tr>
<td>NEMDA</td>
<td>National Ethnic Minority Data Archive</td>
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<tr>
<td>OCR</td>
<td>Office for Civil Rights (US)</td>
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<tr>
<td>OFCC</td>
<td>Office of Federal Contract Compliance (US)</td>
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<tr>
<td>PEP report</td>
<td>Political and Economic Planning</td>
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<tr>
<td>PSI</td>
<td>Policy Studies Institute</td>
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<td>RECs</td>
<td>Racial Equality Councils</td>
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<td>RRA</td>
<td>Race Relations Act</td>
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<td>RRB</td>
<td>Race Relations Board</td>
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<td>SCORE</td>
<td>Standing Conference on Race Relations in Europe</td>
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<tr>
<td>UCCA</td>
<td>Universities' Central Council on Admissions</td>
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</tbody>
</table>
Notes on the Contributors

Yasmin Alibhai-Brown came to this country in 1972 from Uganda. She completed her M.Phil. in literature at Oxford in 1975 and then went into teaching adults, particularly immigrants and refugees. Since 1985 she has been a journalist writing for the Guardian, New Statesman and other newspapers and is now a regular columnist on The Independent. She is also a radio and television broadcaster and author of several books. At present she is Research Fellow at the Institute for Public Policy Research and has recently published ‘True Colours: Public Attitudes to Multiculturalism and the Role of Government (1999). She is a member of the Home Office Race Forum and advises various key institutions on race matters. She is currently working on a book on mixed-race Britons, having been awarded a fellowship by the Rowntree Foundation to work on this project.


Michael Banton was Professor of Sociology in the University of Bristol from 1965 to 1992. Since 1986 he has been a member of the UN Committee on the Elimination of Racial Discrimination

**Geoffrey Bindman** is a solicitor and senior partner of Bindman & Partners which he founded in 1974. He has specialised in civil liberty and human rights issues. From 1966 to 1976 he was Legal Adviser to the Race Relations Board and thereafter, until 1983, to the Commission for Racial Equality. He is a Visiting Professor of Law at University College, London, and an Honorary Fellow in Civil Legal Process at the University of Kent. In 1982 he was Visiting Professor of Law at the University of California at Los Angeles. He has contributed many articles in journals and edited the report of the International Commission of Jurists’ 1987 mission to South Africa (published as *South Africa: Human Rights and the Rule of Law in 1988*, revised edition 1989). He is co-author with Lord Lester of Herne Hill, QC, of *Race and Law* (1972). He has contributed chapters to several books, including *Halsbury’s Laws of England* (4th edition).

**Sir Michael Day, OBE,** read English at Cambridge and Social Studies at LSE, and joined the Probation Service in 1960. He was appointed Chief Officer of Surrey in 1968 and moved to manage the West Midlands Service in 1976. He encouraged developments relevant to the needs of an ethnically more diverse population. In cooperation with the CRE he published *Probation and After-Care in a Multi-Racial Society* (1981). Prominent in probation and penal concerns at a national level, he was the first chairman of the Association of Chief Officers of Probation, and served as Chairman of the Commission for Racial Equality from 1988 to 1993. In retirement he has continued to play an active part in the Telford and Shropshire Race Equality Council and other community provisions.

**Ann Dummett** has worked in the race relations field for over thirty years, as a local Community Relations Officer, researcher and later Director at the Runnymede Trust, research officer and lobbyist for the Joint Council for the Welfare of Immigrants (JCWI), and most recently as a consultant, working chiefly for
the CRE, on European law concerning minorities. She is the author of numerous books, pamphlets and articles on racism, immigration and nationality law.

John Goering is currently Acting Deputy Director for Policy and Research for the President’s Initiative on Race at the White House, while on secondment from the Office of Research at the US Department of Housing and Urban Development (HUD). He received his PhD in sociology and demography at Brown University and has taught at the University of Leicester in England, Washington University in St Louis, and at the Graduate Center of the City University of New York. He has conducted and managed research for the US Department of Housing and Urban Development where his research has focused on housing discrimination, segregation and civil rights policies. He is currently managing the multi-year implementation and research on HUD’s ‘Moving to Opportunity’ demonstration which makes use of an experimental design to address neighbourhood and household effects changes on low-income public housing families as they move into non-distressed neighbourhoods. His latest book is Mortgage Lending, Racial Discrimination and Federal Policy (1996). He is currently completing a collection of essays analysing the thirtieth anniversary of the Fair Housing Act and another book, Choosing a Better Life: The Impacts of the ‘Moving to Opportunity’ Demonstration (forthcoming). He has served on the editorial boards of the journals Ethnic and Migration Studies, Urban Affairs Review and Housing Studies.

Lord Lester of Herne Hill, QC, is a practising member of the English Bar and Liberal Democrat peer. He specialises in constitutional and administrative law and European human rights law. He has argued many leading cases not only before English courts, but also before both European and Commonwealth courts. Lord Lester is President of Interights (the International Centre for the Legal Protection of Human Rights) and Honorary Professor of Public Law at University College London. He is co-editor of the forthcoming book Human Rights Law and Practice.

Bhikhu Parekh is Professor of Political Theory at the University of Hull. He has been Visiting Professor at several

**Patrick Roach** is Principal Officer for Education and Equal Opportunities at the NASUWT and Associate Fellow at the Centre for Research in Ethnic Relations. He was formerly Research and Development Officer at the University of Warwick and prior to that spent over ten years as a policy and research officer within local government. His main interests concern the development of responses to ethnic diversity and equal opportunities in the provision of education and information services as a prerequisite for active citizenship and democratic participation. He is currently engaged in research into ethnic minority youth transitions, racism and leisure and examining the factors which impact on the educational attainment of ethnic minority children. His recent publications include *Public Libraries and Ethnic Diversity: A Baseline for Good Practice* (with M. Morrison, 1998), *Public Libraries, Ethnic Diversity and Citizenship* (with M. Morrison, 1997), *Education Interventions: Local Measures to Improve the Educational Attainment of Ethnic Minority School Pupils* (with R. Sondhi, 1997), and *Monitoring and Evaluating Organisational Performance: Developing Good Practice in the Voluntary Sector* (1997).

**Ranjit Sondhi** was born in India and has lived, studied and worked in Birmingham for over thirty years. Since 1969 he has worked on a number of community action projects in inner-city areas. In 1976, he founded the Asian Resource Centre in Handsworth and worked there until 1985. He left to join Westhill College as a Senior Lecturer in the Department of Community and Youth Studies where he is also coordinating a new degree in race and ethnic studies. He has served on a number of public bodies and until recently he was Deputy
Chairman of the Commission for Racial Equality, Chairman of the Refugee Employment, Training and Education Forum, and a member of the Ethnic Minority Advisory Committee of the Judicial Studies Board. He is presently serving on the Lord Chancellor’s Advisory Committee on Legal Education and Conduct, on the DfEE’s Task Force on Disability Rights, and on the Home Secretary’s Race Relations Forum. He has recently been appointed as a Governor of the BBC with special responsibility for the English Regions. He remains involved in various local projects involving the mentoring of pupils at risk of school exclusions, South Asian arts and black oral history.