The London School of Economics and Political Science

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Dissertation for MSc International Social and Public Policy (General Stream)

To what extent can the Equality Act 2010 be considered a 'radical' Act, contributing to Black liberation and recognition in Britain?

Abstract

Extensive research by formal policy institutions and the Runnymede Trust in the last forty years, have described the manifestations of racial and ethnic inequality in the UK. Key policy areas, including housing, criminal justice, labour market outcomes, education and discrimination have been particularly disparate. Responding to persistent inequalities, the Equality Act 2010 aimed to harmonise nine major statutes and strengthen provisions to minimise inequalities for marginalised groups in Britain. Ten years on, the transnational Black Lives Matter protests of 2020 provided a focusing event that highlighted the continual structural violence experienced by Black communities. This research piece explores the underpinning ideas that have perpetuated anti-Blackness in Britain across a range of institutions, both historically and contemporarily, by bringing theories of policy change into conversation with Critical Race Theory.

The analysis found that the Equality Bill was radical in its codification of Black liberatory theories, such as Crenshaw's (1987) intersectionality; Robinson's (2000) racial capitalism; and Ture and Hamilton's (1967) institutional racism. However, due to the ad hoc implementation by the succeeding Coalition Government, the emerging Act has been considerably less radical. This is largely because the policy idea embodied in the Equality Act 2010 focuses on discrimination to individuals – an internationally established model – rather than addressing structural violence directed toward communities. To truly achieve Black liberation in Britain, it would be necessary to acknowledge the harm of anti-Black values within society through decolonising. From here, policy institutions which strive towards efficiency must be replaced with institutions that aspire towards love and care (hooks, 2000; Tronto, 2001).

'There are too many versions of this story, where the taunting mouth of fear keeps me quiet.

But if I do not speak, who knows what star's possible blooming I silence.'

Thuli Zuma (2014)

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I. Introduction

I.I Setting the Narrative

Social policy is fundamentally concerned with asking whether a particular innovation has been good or bad (Smith, 1978). This question is premised on a belief that a society where people are free to thrive is good morally, socially, economically, and politically. Despite this, the mainstream discipline has failed to either focus on racism as a core inequality to ameliorate, or recognise the centrality of colonialism to the construction of the European welfare state (Williams, 2016; Bhambara and Holmwood, 2018). At the heart of this question, is the challenge as to whether the Equality Act 2010 – the main legislative instrument addressing racism in the UK – has contributed to bringing about liberation for Black people.

Looking across social science disciplines, a wealth of research exists on the inequalities experienced by Black people in Britain. The Scarman Report (1981), Macpherson Report (1999), Parekh Report (2000), Cantle Report (2001), Mubarek Report (2006), Our Shared Future Report (Singh, 2007), Lammy Report (2017), the Colour of Money report (Khan, 2020) the Joint Committee on Human Rights report (2020), have exposed racial inequalities in key policy areas including housing, education, the labour market, criminal justice, immigration, and healthcare. The tendency – in policy research and practice – has been to compartmentalise policy areas without interrogating the underpinning ideas which have legitimised and perpetuated anti-Blackness through policy institutions. The anomaly is the Commission for Race and Ethnic Disparities (2021) report which analysed a range of policy areas and declared systemic inequality in Britain largely reversed. This project explores the ideas cross-cutting different policy areas that have obstructed Black liberation.

The landmark Equality Act 2010 had ambitions of uprooting systemic inequalities and is, therefore, the closest national policy to pursuing liberation. The Equality Act 2010

prohibits direct and indirect discrimination based on nine protected characteristics including race. During the second reading of the Equality Bill in the House of Lords, Baroness Royall asserted 'this is a radical Bill, a Bill brimming with ideas, a Bill with measures for the benefit of people across the United Kingdom' (House of Lords, 2009). Oxford Learner's Dictionary (2021) defines 'radical' as being 'in favour of extreme and complete political or social change'. As such, describing the Bill as radical, implies a relationship with critical scholarship, ambitious policy ideas and even activism. A decade on, the radical impact of the Equality Act is contested in British public discourse. While the Act codified liberatory theories and ideas, there is debate as to whether Black communities have noted improved lived experiences. To evaluate how radical the Equality Act 2010 has been regarding Black liberation, it is important to outline these terms.

I.II Conceptualising Blackness and Anti-Blackness

Jung and Vargas (2021) contextualise Blackness as a category developing following the abolition of slavery to recognise a population who had been considered socially non-people. As a result, Black has largely become synonymous with people of African descent. 'Black' references people from Black African, Black Caribbean and other Black communities (Joint Committee on Human Rights, 2020). Fredrickson (1995) argues Black communities experience similar oppression emanating from global white supremacy. Thus, rather than being innate or natural, Blackness was formed by white supremacist structures and institutions. Nevertheless, concepts of Blackness have been reclaimed and defined within the community through transnational activism (Garvey, 1937; Donnelly, 2015; Fanon, 2017). The word Black will be capitalised throughout, as has been advocated for by Black liberation activists throughout the 20th Century to recognise cultures as well as a race (Coleman, 2020).

If Blackness is best understood in relation to communities that share oppressive experiences, questions arise as to what anti-Blackness and Black liberation mean. Succinctly, we can understand anti-Blackness as the racialised capitalistic structures which sustain inequalities negatively impacting Black people (Fredrickson, 1995). Racial capitalism was a socioeconomic system designed to uphold the colonial empire, starting as early as the 16th Century through imperial pursuits including chattel slavery (Bhambra and Holmwood, 2018). Leading on from this, Black liberation is a political consciousness which pursues the freedom of all people to thrive and shape their lives in majority white countries and ex-colonies (Fredrickson 1995). This pursuit has adopted different rhetoric including anti-slavery; rights to suffrage; civil rights; decolonial independence; Black Internationalism; and Pan-Africanism among others (Fredrickson, 1995; Robinson, 2000; Lewis, 2011). The core desire of Black liberation is for people of African descent to shirk political, social, and economic disempowerment (Fredrickson, 1995). The Oxford Languages Dictionary (2021) defines liberation as 'the action of setting someone free from imprisonment, slavery, or oppression', in this case structural oppression. Hayward (1998:3) defines freedom as a state where choice is exempt from external influence and 'the product of... authentic desires, interests and wants'. Thus, Black liberation can be understood as the pursuit of freedom.

I.IV Relevance and Structure

At the supranational level, global anti-Blackness has been a priority since 2014, with the UN Resolution 68/237 declaring 2015-2024 the Decade for People of African Descent. This resolution highlighted anti-Blackness as one of the most significant manifestations of racism. In Britain the experiences of Black people have been particularly high on the public agenda since 2020, following the global Black Lives Matter protests prompted by the police murder of George Floyd. Hundreds of thousands of grassroots movements sprung up against structural violence towards Black people (Haworth, 2020). As passionately as people protested for Black Lives Matter, cabinet ministers and citizens contested the 'gesture politics' of taking the knee and the raised right fist (Babu, 2021). In response to protests, the national government endorsed *Commission for Race and*

Ethnic Disparities: The Report (2021), which published findings that there was no structural racism in the UK. This could arguably be an assertion by conservative thinkers that policy initiatives, including the Equality Act, have succeeded in overcoming racism against Black people. The findings prompted a wave of disappointment and was dismissed by activist groups, unions, business groups, and the United Nations who recognise preceding research about persistent inequalities in Britain (Merick and White, 2021).

To answer the central question – *how has the Equality Act 2010 contributed to Black liberation in Britain?* – this piece asks three sub-questions. Firstly, Section III explores preceding debates and political context of the Equality Act 2010. Section IV asks: *how are Black liberatory theories translated into the Act?* Section V asks: *to what extent do the conceptions of personhood contained in the Equality Act 2010 demonstrate change?* Finally, Section VI asks: *what alternative policy approaches could facilitate more success in achieving Black liberation in Britain?*

II. Methodology

Increasingly, rigorous social science research seeks to make transparent the epistemological relationship between researcher and subject. Central to this relationship is the positionality of the researcher, which may influence the questions asked, methodological approaches, and interpretations (Phillips and Earle, 2010). Aspiring to practice active reflexivity, this section opens with a brief biography of the author. As a Black woman raised in Britain researching Black British experiences, I consider myself an insider to this research, embodying a passionate agenda for achieving Black liberation. This piece challenges Simmel's (1950) view that being a 'stranger' equates to objectivity because this argument de-racialises policy and academic narratives. By deracialising methodologies, people of colour are excluded from being considered reputable contributors to scholarship on race. Insider status positions me favourably with access to Black activism spaces. Utilising this access, I conducted a round table hosted on 11th August 2021 with pro-liberation activists, students, and members of the community to interrogate the themes of this research and robustness of arguments. Despite its utility, the benefit of insider status should not be overstated (Phillips and Earle, 2010). Black communities in Britain are heterogeneous with a range of different perspectives. The author has a responsibility not to essentialise or reinforce harmful narratives about said communities due to personal connection (Okech, 2021).

Contemporary social policy strives to understand patterns of inequality. However, the root causes of these inequalities remain under-researched in the discipline. Seeking to *rerum cognoscere causas* (understand the cause of things) the intention here is to explore how far the Equality Act 2010 has contributed to Black liberation by analysing the intention of the Act, the interaction with Black liberation scholarship, the degree of continuity and change from existing policy paradigms. This question suited literature-based analysis – using models from Critical Race scholarship (by Crenshaw, Robinson,

Ture and Hamilton) – as a lens to evaluate the content and ideas underpinning the Equality Act 2010. A significant challenge has been the modelling of Black liberation and Critical Race Theory on the American context, while the scope of this research is Britain. However, the under-representation of Black liberatory scholarship modelled on Britain is demonstrative of the motivation to investigate this question.

Chapters will be framed by proverbs, poetry and quotations by Black authors as an homage to the knowledges conventionally devalued in academia. Similarly, hooks' Black feminist practice of spelling pennames in lower-case to decentre the author will be respected. Though integrating proverbs does not overturn the epistemic dominance of the Global North, the symbolism is significant (De, 2006). Additionally, in recognition of the obstructed access of Black people to the academy, this research will be presented freely to the public at an event after submission.

III.   Understanding the Equality Act 2010.

Where there are experts there will be no lack of learners.

Swahili Proverb

III.I Policy Formation and Intention

In order to evaluate the radical nature of the Equality Act 2010, it is important to first analyse the intention behind the Act and context that shaped it. Advancing equality legislation was a priority first outlined in Labour's 2005 manifesto. After some delay, the Equality Bill was brought to the floor in 2009. Due to the short period before the end of the Parliamentary session, the timing was considered political game-playing by the opposition, prompting resistance (Great Britain, House of Lords, 2010). The Labour Party manifesto's commitments, relevant to Black liberation, included '[forging] an even stronger bond between the goals of economic progress and social justice' and 'leading on Africa' (Blair, 2005:8). The manifesto proposal centred equality in employment, within public services, and an equalities review in 2006 (Blair, 2005).

The equalities review manifest as the *Equality, Diversity and Prejudice in Britain* report, which analysed whether Britain was becoming more tolerant as it became increasingly diverse (Abrams and Houson, 2006). The report found prejudice was expressed differently towards various groups and more than 50% of people of colour experienced racism. The British population demonstrated commitment to equality, particularly where disadvantaged groups were perceived as 'deserving' (Abrams and Houson, 2006:10). Perceptions of entitlement prompted hostility to policies that aided disadvantaged groups but seemingly infringed upon meritocracy and individualism (Abrams and Houson, 2006).

The Equality Act was introduced to Parliament by the Labour MP Harriet Harman, then Minister for Women and Equalities. Drawing from the long title of the Equality Act 2010, the main intentions were to: harmonise nine major pieces of existing legislation; eliminate pay gaps; prohibit victimisation; eliminate discrimination; impose duties during public procurement functions; and increase equality of opportunity. For our purposes, the relevant statutes that were absorbed into the Equality Act included the Race Relations Act(s) 1968 and 1972. The ideological underpinning of the Act – reiterated both by Labour MPs and opposition MPs throughout the Bill's second reading – was predominantly equality of opportunity (Great Britain, House of Commons, 2009). This is based on the argument that equality is the birthright of every individual person and stimulates an internationally competitive economy (Great Britain, House of Commons, 2009). Secondarily, Labour MP Julie Morgan alluded to the relationship between equality and happiness in society. Emerging from subsequent debates in the House of Commons, there was hope that the Equality Act would bring about more transparency in social disparities (Great Britain, House of Commons, 2009).

Delivery of Equality Act provisions was allocated to the Equality and Human Rights Commission (ECHR), leading to the dissolution of the primary institution for racial justice, the Commission for Race Equality, in 2007. Bercow criticised the reform of the ECHR, arguing that while the tribunal standardises practice for protected groups, it also obstructs access to justice for those who may not have the biographical availability to raise claims (Great Britain, House of Commons, 2009). Biographical availability was conceptualised by Milkman et al (2014) to recognise the domestic and employment demands that can constrain the time citizens have available to challenge systemic inequalities.

III.II The Equality Act in the International Context

The Equality Act 2010 was perceived as an opportunity to fulfil the UN Human Rights Convention on the Elimination of all Forms of Racial Discrimination, which the UK ratified in 1969 (Great Britain, House of Commons, 2009). This convention leans into the human rights model, within which rights are awarded on an individual condition of personhood, the significance of which will be explored in Section V. Equality of opportunity has been selected as the primary international approach to anti-discrimination because it is deemed less politically polarising. The equality of opportunity model was largely driven by the World Bank. The intention of this choice was outlined by Marcelo Giugale who argued equality of opportunity bypassed left-right debates that could be an obstacle (Morabito et al, 2013). Though depoliticising inequality is strategic for diplomatic relationships, it contorts problem structuring by erasing the inherently political causes of inequality.

The economic context was also significant with the Bill being introduced during a global recession. This timing inspired criticism from Conservative opposition in Parliament who were concerned about the burdens imposed on the private sector to comply with new employment practices introduced by the legislation (Great Britain, House of Commons, 2009).

III.III Perceptions and Outcomes

Parliament passed the Equality Act in 2010, the same year the Conservative Coalition government came into power and adopted responsibility for implementation. The majority of the Act was implemented according to the Labour timeline. However, Section 1 was scrapped and Section 14 left unenforced due to a belief that parts of the Act were examples of 'pointless political correctness and social engineering' (Great Britain, Home Office, 2010).

Public responses remain fraught. Self-declared conservative citizens argue that the Equality Act 2010 is the 'legal underpinning of identity politics in the UK' and criticise the Conservative party for being 'progressive' cheerleaders for not overturning the Act in its entirety (Jones, 2019). Contrastingly, some citizens call for a more radical approach, that achieves a revolution in civil liberties (Mos-Shogbamimu, 2018). Formal institutions mirror this debate. The *Commission for Race and Ethnic Disparities report* (2021) boasted the Equality Act as the most advanced anti-racism policy in Europe, while the *Black People, Racism and Human Rights report* evidenced persistent inequalities in housing, education, the economy and criminal justice (Great Britain, Joint Committee on Human Rights, 2020). This demonstrates that the greatest question in evaluating the radical nature of the Equality Act 2010 is: radical to whom? During the Parliamentary debates, then Shadow Home secretary, Theresa May, argued that 'fairness is a very straightforward concept' (The House of Commons, 2009). However, in practice, the pursuit of Black liberation in Britain is anything but straightforward.

IV. How are Black liberatory theories translated into the substantive sections of the Equality Act 2010?

We have lived a painful history,
we know the shameful past,
but I keep on marching forward,
and you keep on coming last.

Maya Angelou (Equality, 1990)

Though the Equality Act 2010 establishes rights for nine protected characteristics, some substantive sections of the Act can be traced to Black liberation theories countering systemic anti-Blackness. This section aims to explore the translation of racial capitalism, intersectionality, and institutional racism into the substantive sections of the Equality Act, with a focus on Sections 1, 14 and 149 respectively. The translation of Black liberation theories into a British statute is indicative of a radical policy approach, departing from the approaches that existed prior. Recognising the significance of problem structuring in understanding policies, this section opens with a definition of anti-Blackness (Blackmore and Lauder, 2005).

IV.I. Understanding Anti-Blackness

There is contestation around the degree of synonymy between 'racism experienced by Black people' and 'anti-Blackness'. If anti-Blackness is understood as the racism experienced by Black people, we are simply honing-in on one aspect of a broader picture of racial discrimination, an experience shared by multiple racialised groups. However, Jung and Vargas (2021:19) argue that not only are racism and anti-Blackness distinct, but they require different models of change. A world without racism requires deep transformations in social practices and structures. Contrastingly a world without anti-

Blackness requires 'an entirely new conception of the social... a radically different world altogether' (Jung and Vargas, 2021:9).

Anti-Blackness is inherently associated with histories of white supremacy and racialised capitalist models. Fanon argues, anti-Blackness (negrophobia) is rooted in a fear and hatred of Black people that sits at the core of modern collective consciousness (Fanon, 2017). Anti-Blackness is removes political, economic and social power from Black people (Fredrickson, 1995). Looking at historical narratives, white supremacist ideologies perceived Black people as being 'intellectually and morally inferior... and therefore unfit to... associate with whites on a basis of equality' (Fredrickson, 1995:5). While these narratives may have softened in the modern world, residue of these stereotypes remain in the popular consciousness and contribute to the manifestations of anti-Blackness (Jardina and Piston, 2021). Overall, anti-Blackness encapsulates the ways Black lives are devalued and made more difficult by racialised social structures (Jung and Vargas, 2021).

The Equality Act 2010 mostly uses an equality model, which aims to reform social practices to treat people identically. However, it has borrowed concepts of intersectionality and institutional racism from Critical Race Theory, which is well-respected as more radical and transformative. Critical Race Theory recognises the ways in which law and policy have been historically anti-Black and attempts to transform these values (Reid, 2021). Thus, the borrowed principles in Sections 1, 14 and 149 arguably demonstrate learning from radical Black liberatory thought.

IV.II. Section 1: Deconstructing Racial Capitalism

Section 1 of the Equality Act 2010 commits authorities to *'have due regard to the desirability of exercising [strategic decisions] in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage'*. This section

was particularly controversial during the reading of the Bill and almost led to the blocking of the Act by Conservative opposition in the House of Commons (2009). Two strong challenges were made. Firstly, Section 1 is no more than a declaration because it lacks mechanisms – such as redistributive taxation policies – by which this can be practically achieved. The second argument was that Section 1 had been 'tacked on' in a way that was unworkable (Great Britain, house of Commons, 2009). While these criticisms hold some weight, MP Judy Mallaber and Baroness Royall meaningfully retorted that the socioeconomic duty sits with ministers as a meaningful commitment to reduce inequalities for disadvantaged socioeconomic groups, which would translate into mechanisms differently depending on the policy area (Great Britain, House of Commons; House of Lords 2009).

Though the phrasing of Section 1 is race neutral, considering Black people are more likely to be in low-income households, this section had the potential to positively benefit Black communities in Britain disproportionately. According to the Runnymede Trust, for every £1 of income for a White British household, Black African households receive 10p, and Black Caribbean households receive 20p (Khan, 2020). This demonstrates a correlation between ethnicity and income in Britain, which is significant as economic capital is a core tenant of class (O'Brien, 2013). Bhambara and Holmwood (2018) argue that beyond the correlation between race and class, race explains the re-emergence of class in the late 20th Century as Black communities claimed more welfare rights. Their argument continues that Britain's free-market economy is racialised and influences social dynamics (Bhambara and Holmwood, 2018). Seminal Black liberation theorist Robinson (2000) developed the concept of racial capitalism, which acknowledged the embedding of racial hierarchies in modern capitalism traceable to feudal economic structures. Despite the empirical overlap and reputable theorising, British public discourse bifurcates race and class through pervasive narratives such as the 'white working class' (Taylor, 2009). As such, combining these social inequalities into one Act was also a

radical statement of intent to recognise the relationship between inequalities and socioeconomic disadvantage.

While this section is radically progressive in language, opposition prevented this provision from being impactful in practice. Conservative MP Philip Davies resisted Section One as an inherently 'socialist' and 'outmoded agenda' (Great Britain, House of Commons, 2009). This is consistent with the increasing liberalisation of the British welfare state in which privatisation has extended in the 21st Century (Thelen, 2012). The consequence of increased liberalisation is the exacerbating of wealth disparities and, therefore, upholding of class divisions. Increasing wealth disparities were highlighted by MP Mark Harper who disapproved of Britain's position among the lowest rates of social mobility in the Global North (Great Britain, House of Commons, 2009). Despite this counterargument, disapproval was worsened by the contentious language of 'equality of outcomes' in Section 1. During Parliamentary debates, then shadow Home Secretary, Theresa May, argued Section 1 was 'unworkable' (Great Britain, House of Commons, 2009). May later scrapped Section 1 in her capacity as Home Secretary of the Coalition government.

Overall, Section 1 of the Equality Act was extremely ambitious in relation to Black liberation because anti-Blackness is foregrounded on racial capitalism. The attempts to mitigate socioeconomic inequality through an equality of outcomes model departs from the established equality of opportunity approach, satisfying our definition of radical. However, political resistance to this innovation thwarted potentially radical impact.

IV.III. Section 14: Intersectionality and Dual Discrimination

A second provision in which the Equality Act 2010 radically integrated Critical Race Theory, was the Dual Discrimination provision in Section 14 (Hand, 2011). This provided

a novel avenue to redress for instances of 'discrimination [that result] as a combination of protected characteristics' (Government Equalities Office, 2009). The lack of access to justice for minorities within minorities arose as feedback from the formal consultation, *Framework for a Fairer Future* (Harman, 2008). Additionally, in the evidential *Equality, Diversity and Prejudice in Britain report*, Black people experienced more sexism than white and Asian groups (Abrams and Houson, 2006). In recognition of these two reports, drafters integrated the Dual Discrimination clause. This prompted criticism that the Bill had ranked some inequalities as more important by excluding marital status and maternity from the characteristics eligible for this section (Great Britain, House of Commons, 2009).

Section 14 recognises two forms of dual discrimination, consecutive and additive. Consecutive dual discrimination occurs when an individual experiences instances of discrimination based on two protected characteristics in turn. Additive discrimination is when an individual is treated worse because of two protected characteristics at the same time and the types of discrimination are distinct (Hand, 2011). Adopting Crenshaw et al's (2014) understanding of intersectionality as a tool for analysing the way that discrimination can be multiplied, Section 14 appears to legitimately integrate intersectionality. However, there are limitations to how successful this codification of intersectionality has been. Section 14 limited claims to two protected characteristics because only 113 of 13,000 case submissions to the consultation included 3 or more characteristics (Government Equalities Office, 2009). Arguably, this limits the access to Section 14 for those with more than two protected characteristics, who are likely to be more vulnerable to discrimination. Another critique of Section 14 is that intersectionality is a reflexive tool which ought to be used continually (Crenshaw et al 2014:10). Accordingly, codifying such a principle ironically diminishes its utility by freezing what is intended to be dynamic.

While there were drawbacks to the dual discrimination provision, its potentially radical impact has been obstructed by the failure of successive governments to enforce the instrument. Unlike Section 1 that was publicly scrapped, plans for the future of Section 14 have not been announced. Thus, the opportunity remains for future governments to implement and expand the dual discrimination clause due to the progression of public discourse since the passage of the Act (Bourne, 2020; Mos-Shogbamimu, 2018).

IV.IV. Section 149: Public Sector Equality Duty (PSED) and Institutional Racism

Another example of the Equality Act 2010 being informed by liberatory concepts is the Section 149 (1) Public Sector Equality Duty. This provision learns from the concept of institutional racism which entered mainstream public discourse in the 1980s following the Scarman Report into the Brixton riots. Scarman (1981) defined institutional racism as 'unwittingly discriminatory' practices by public bodies. It was further popularised by the Macpherson (1999) Inquiry into the murder of Stephen Lawrence. The theory identifies institutions as the key actors in uprooting systemic racism. Macpherson applied the concept of institutional racism from Ture and Hamilton (1967:5) as 'the active and pervasive operation of anti-black attitudes and practices'. More recently, Taylor (2016:8) extended this to outline the mechanisms of institutional racism as 'policies, programs and practices of public and private institutions that result in greater rates of poverty, dispossession, criminalisation, illness and ultimately mortality of [Black people].' Taylor (2016:8) proposes that institutional racism is the best model through which contemporary anti-Blackness can be understood. However, Ampofo (2021) reiterates the limitation recognised by Ture and Hamilton (1967) that institutional conceptions of racism – as contained in Section 149 – absolve individuals within the majority group of their complicity to anti-Blackness.

Responding to the public conception of institutional racism, Section 149 imposed a duty on public bodies to '*have due regard to:*

- *Eliminate discrimination, harassment, and victimisation*

- *Advance equality of opportunity between people with and without protected characteristics*

- *Foster good relations between people with and without protected characteristics.'*

Section 149 applies to public bodies or private bodies conducting public functions. From the outset this limits the scope of the Act with five times as many people working in the private sector and privatisation of public services increasing under Britain's current liberalisation trajectory (Holloway, 2020; Thelen, 2012). However, this was a political necessity as Parliamentary debates revealed reluctance from opposition to impose duties onto the private sector to avoid alienating business interests (Great Britain, House of Commons, 2009). The PSED is commonly practiced through conducting Equality Impact Assessments. In practice, assessments are formulaic, focused on financial implications and lacking the necessary reflexivity on disparate social experiences to inspire radical decision making (Runge, 2018). Prime Minister David Cameron mirrored this view during his term, dubbing them 'bureaucratic nonsense' (Runge, 2018).

IV.V. Chapter Summary

Considering Sections 1, 14 and 149 of the Equality Act 2010, it was fair for Baroness Royall to read the Equality Bill as 'radical'. The inclusion of the Socioeconomic Duty in Section 1, Dual Discrimination in Section 14 and Public Sector Equality Duty in Section 149 exemplify effort to translate Black liberatory theories from Critical Race scholarship into a progressive statute. Arguably this effort was somewhat misplaced. Ampofo (2021) argues that Black knowledges are often delegitimised, erased and reapplied without recognition. It could be argued that in codifying intersectionality and institutional racism without reference to the thinkers and communities, Parliament has practiced the

colonial, epistemic violence liberation thinkers are attempting to reverse. This may have been inevitable as the Act was passed by Parliament, a historically anti-Black institution (Fredrickson, 1995). The more extreme harm, however, has been the scrapping of Section 1 and non-enforcement of Section 14 by subsequent governments. Though ambitious and well intentioned, a lack of political will to implement has erased the potential benefit of translating Black liberation theories into practical policy instruments.

V.   To what extent do the conceptions of personhood contained in the Equality Act 2010 demonstrate change?

'In the fullness of who I am, I can see the fullness of who you are.'
Yassin Brunger (Shah, 2021).

In declaring the Equality Act `radical', proponent Baroness Royall implied what Hall understood as a paradigmatic change, altering instruments, goals and settings of policy (Great Britain, House of Commons, 2009; Hall, 1993). However, there is a valid challenge as to the extent to which the Equality Act has changed the foundational ideas of policy institutions that perpetuate anti-Blackness in Britain. One of the most significant policy ideas – which historically excluded and dehumanised Black people – has been the legal recognition of personhood (Fredrickson, 1995). For our purposes, personhood is synonymous with legal and social recognition.

Theories of policy continuity and change – considered aspects of the same conversation – have been explored extensively within social policy theory. Despite this, there is limited consensus as to the time frame, measure and scale necessary to constitute change (Beland and Powell, 2016). Some main schools of thought are historical institutionalism, gradual change and paradigmatic change. Historical institutionalists assert that institutions are change resistant and revert to established paths (Pierson, 2000). Streeck and Thelen (2005), theorising gradual change, argue adaptations occur through layering, drift, conversion, or exhaustion. Hall (1993) proposes that paradigmatic, or third order, change is rare but possible with external influence. Firstly, this chapter will assess the understanding of personhood contained within the Equality Act 2010. Secondly, the legal orthodox view of personhood will be observed. Thirdly, this chapter will explore conceptions of personhood from Black liberatory scholarship. Finally, this chapter will compare the degree of continuity or change exercised by the Equality Act 2010 by bringing these conceptions into conversation with one another.

V.I. Personhood in the Equality Act

The Equality Act 2010 outlines a dual conception of personhood, with regards to race, in Section 2 (9)(2).

> '(a) a person who has a particular protected characteristic is a reference to a person of a particular racial group.
>
> (b) *reference to persons who share a protected characteristic is a reference to persons of the same racial group.'*

Part (a) is a more individualist model that perceives a person as '[having]' a protected characteristic. Part (b) adopts a conception of personhood that recognises a community of people who share a racial identity; and, therefore, may be likely to have a common experience of discrimination. The first conception of personhood in Section 2(9)(2)(a) is closer to the individualist legal view. However, Section 2(9)(2)(b) adopts a novel, community-oriented understanding of personhood comparable to conceptions from liberation scholarship.

V.II. Personhood in the English Legal System

English common law recognises natural persons as those who are human beings; who have been born; who are not dead; who are sentient; and capable of rights and duties (Stewart, 2006; Kurki, 2019). Despite satisfying these criteria, historically, slaves and women were considered property and not legal persons (Kurki, 2019). Referring to Jung and Vargas' (2021) definition of Blackness, as African descendants historically reduced to non-people, interrogating personhood is crucial to Black liberation (Molege, 2018). As social values have evolved, Black people have come to be seen as sufficiently rational and capable of personhood. However, the substantive criteria of personhood remains

consistent (Kurki, 2019). The conception of personhood is the basis for modern laws and policy, including the right to non-discrimination or equality (Kurki, 2019:3). Drawing from Critical Race Theory, the historically applied conception of personhood was by today's standards partial and actively anti-Black (Reid, 2021). In addition to personhood being available to individuals, it is also available to corporations demonstrating the centrality of the market to social relations as highlighted by Bhambara and Holmwood (2018).

The rigidity of this conception of personhood was well explained by Pierson (2000) who argued formal institutions create self-reinforcing processes which obstruct alternative ideas. One such self-reinforcing process has been the rooting of Western perceptions of personhood at the supranational level (Molege, 2018). Article 6 of the Universal Declaration of Human Rights declares *'everyone has the right to recognition everywhere as a person before the law.'* The preamble also asserts *'all human beings are born free and equal… and that everyone is entitled to all the rights and freedoms set forth therein'*. This statement establishes the qualifier for personhood as something individual ('everyone') earned by physical human existence ('born free and equal'). However, this definition failed to acknowledge the logic of social classification that unevenly distributes rights, meaning privileges are not experienced by 'everyone', 'everywhere' (De, 2006).

Rawls' (1971) theory of justice has proposed a more progressive reading of orthodox legal recognition which pursues fair treatment by political institutions and office-bearers. The entitlement to this justice is a self-evident status of individual humanity, where everyone has an equal right to basic liberties as determined by a minimal consensus. Though this model recognises uneven privileges, particularly economic ones, it centres the individual. Black liberation theorists have proposed alternative ideas for the current needs of society.

V.III. Community Conceptions of Personhood

In the evidentiary *Equality, Diversity and Prejudice in Britain* report, Abrams and Houson (2006) found that a person's sense of self, meaning and value are associated with the treatment of their group in wider society. This is consistent with African radical communitarian conceptions of personhood which perceive self-realisation as a process inherently associated with one's environing community (Molege, 2018). Mbiti (1984) frames this as 'I am because we are'. Expanding this to wellbeing, a Shona greeting holds 'I am well if you are well' (Ampofo, 2021). Accepting this, a focus on the experiences of communities is necessary to achieve liberation. The importance of centring community has been long established in Black liberatory scholarship and gave rise to conceptions of Black internationalism, Pan-Africanism and Global Blackness (Lewis, 2011; Davis, 2020). Fredrickson (1995) argues that in the 20th Century, politically aware Black communities understood their liberation challenges not in isolation, but as a shared anti-imperialist struggle of Black people across the world. Malcolm X, speaking at LSE in 1965, argued *'the black man himself will only be respected when Africa is united, is respected and is strong'* (Donnelly, 2015). Contemporary public discourse has popularised the concept of diaspora to represent transnational economic, social and political relationships (Bloch et al, 2013). Diasporic identities encapsulate ongoing relationships, histories and patterns of migration, reiterating this communal humanity. Importantly, the transnational Black community shared empathy and solidarity over the self-determinism struggle for Africans in Africa and abroad (Lewis, 2011).

A community centred conception of personhood directly impacts the content of subsequent policies. Lewis (2017) argues that the Global North has much to learn from the Global South if knowledge hegemonies are deconstructed. Looking to Jamaica and Ghana, novel policy ideas have been introduced based on ideas of transnational Black community. In 2019, during a state visit by the Ghanaian President Nana Kofi Akufo-Addo to Jamaica, Prime Minister Andrew Holness announced visa-free travel between

the two countries, opening an opportunity for commercial and personal collaboration. The policy was justified on the basis that:

> *'[Ghana and Jamaica's] relations are deeply rooted in our ancestral and historic connections forged over many years and only made stronger by our… vision for peace and prosperity and the cultural affinities which unite our peoples'* (Loop, 2019)*.*

The reference to a common 'peoples' sharing 'ancestral and historic connections' associates the statement with Pan-African ideals of global communities as being core to personhood for African descendants (Lewis, 2011). A similar rhetoric can be traced to the African Union Constitution, which '[recalls] the heroic struggles waged by our peoples and our countries for political independence, human dignity and economic emancipation'. Thus, it is clear communal conceptions of personhood that recognise African 'peoples' as individuals within communities are deemed core to Black liberation.

V.IV. Evaluating Change and Continuity

Stemming from the two conceptions of personhood contained in Section 2 (9)(2) of the Equality Act 2010, both path dependence and gradual change are evident. The first conception, contained in part (a), can be read as an example of narrow path dependence. Narrow path dependence acknowledges change from an existing path is costly and politically risky (Pierson, 2000). Contrastingly, the second conception of personhood in section (b) is an example of gradual change, introducing a new policy idea without entirely overturning what existed prior. Borrowing from Streeck and Thelen (2005) part (b) could demonstrate a layering effect, working around institutional ideas that seem unchangeable.

There are clear correlations between section (a) and the orthodox view of personhood. There are two potential explanations for this: the strength of reproductive mechanisms and the lack of political will. Pierson (2000) argues that institutions create reproductive mechanisms which lock in certain ideas to policies and institutions. The English legal system has locked in the orthodox view of personhood through the constitutional principles of the rule of law - which Black people fought to be included in - and the supranational human rights model (Konig, 2006). These principles are widely accepted and human rights have come to be 'the dominant doxa of our time' (Hoffman, 2010). Generally, political risk discourages policymakers from adopting policy directions that may not be popular (Pierson, 2000). Considering the Coalition parties who implemented the Act - the Conservatives and Liberal Democrats - both advocated for individualist equality of opportunity models, it was unlikely they would absorb the cost of potential criticism by establishing a community-based conception of personhood (Pierson, 2000).

Section (b), however, does indicate some change from existing conceptions of personhood by translating exogenous ideas of community from Black liberation scholarship and activism through the term 'racial groups'. This reference indicates a novel understanding of systemic inequality, a gradual rather than paradigmatic change. Section (b) satisfies Streeck and Thelen's (2005) criteria for layering by setting new dynamics in motion, while presenting initiatives as correctives to existing policy institutions. The Equality Act was framed as an attempt to harmonise and strengthen existing non-discrimination policy that failed to eradicate inequalities in society, positioning itself as a corrective (Great Britain, House of Commons, 2009). Thus, perceiving Section (b) as an example of gradual policy change through layering is convincing.

The exclusion of Black people from social and legal conceptions of personhood has been one of the most significant mechanisms of anti-Blackness (Jung and Vargas, 2021; Fredrickson, 1995). Thus, any 'radical' Act trying to reverse structural inequalities

against Black people would need to challenge this. The Act has been ambitious in layering novel conceptions of personhood alongside orthodox ideas. This duality mitigated the potential political risk and costs of change, while making a concerted effort to point towards a more radical understanding of legal recognition. This duality is also comparable to ideas of moderate communitarianism - recognising both the individual and community - theorised by contemporary African scholars (Molege, 2018).

Subsequent to the Equality Act, the United Nations pronounced 2011 the Year of African Descendants (Lewis, 2011). This was expanded by the United Nations General Assembly Resolution 68/237, which declared 2015-2024 the Decade for the People of African Descent. The thematic focus is recognition, justice and development. Though this is positive in highlighting the significance of recognition in Black liberation, these resolutions must be approached with intellectual suspicion, questioning whether community liberation can be awarded through the same policy ideas of individual entitlement to rights which spread and maintained global anti-Blackness (Fredrickson, 1995; Lewis, 2011; Molege, 2018).

VI. What alternative policy approaches could facilitate more success in achieving Black liberation?

'Our bones bear witness, recounting our existence
to a time we will not live to see'

Thuli Zuma (2014)

Despite the intention of the Equality Bill to implement radical Black liberatory policy ideas, a lack of political will has limited the impact in practice. As such, radical change requires introducing new values, institutions and policies. This final substantive section asks: *what alternative policy approaches could facilitate more success in achieving Black liberation?* While the future is dynamic and difficult to pinpoint, the notion of clue announces what comes next and is often disregarded by hegemonic social scientific knowledge (De, 2006). This section will draw on contemporary liberation proposals as clues to policies that could bring about Black liberation.

VI.I The Decolonising Revolution

If liberation is the freedom from oppression, then its realisation requires a revolution or the establishing of a new social order (Fredrickson, 1995; Jung and Vargas, 2021). Martin Luther King Jr (1986) argued this would go beyond the disadvantages of Black people and confront society with 'all its interrelated flaws – racism, poverty, militarism and materialism.' While King was speaking to the American context, it can be meaningfully argued that any Black liberation revolution, including in Britain, would require reflection on interrelated systems of structural violence. The process of diagnosing the impact of racialised philosophies, institutions, norms, values and practices emanating from the Global North has been understood as decolonising (Ampofo, 2021). Beyond diagnosing the harm, decolonising also prognoses options for experiencing liberty, healing and restoration. This requires paradigmatic change, a radical departure from what has been

known before. Decolonising is inherently a transnational endeavour, though a particular struggle in Britain is the public collective amnesia which whitewashes history and makes this pursuit more complex (Gilroy, 1987). As a starting point, society must reconceive its notion of the self in relation to the state and consider how new institutions could mediate this.

VI.II Institutional Love and Care

Yassin argues that currently, 'we are shackled to the institutions that perpetuate institutional whiteness' and actors must radically reimagine them, rather than incrementally reform them (Shah, 2021). The concept of breaking down existing institutions to rebuild ones more fit for purpose borrows from the abolitionist perspective (Davis, 2020). Beyond renaming institutions, it is necessary to redefine their purposes and functionalities.

One of the most respected concepts for a new value system in Black liberatory discourse is the Love Ethic, which holds: 'public policy [should be] created in the spirit of love' (hooks, 2000). Love, as hooks understands it, refers to a number of dimensions, including 'care, commitment, trust, responsibility, respect and knowledge' (hooks, 2000:94). The foundational argument is that, redirecting the purpose of institutions towards mutual respect, counter-hegemonic knowledges, and accountability would ameliorate many social inequalities (De, 2006; Ampofo, 2021). These new institutions would seek to ensure physical, mental and spiritual health of communities by monitoring the provision of education, housing, jobs, art, music and recreation (Davis, 2021). Embedded into this would be a practice of participation where people within a town or city collaborate to 'map out programs that would affect the good of everyone' (hooks, 2000:98). This suggests a refocusing of knowledge and policy production towards the local community; a radical departure from existing globalised neoliberal principles (Thelen, 2012).

A parallel recommendation is the idea of the citizen as a carer. The carer proposal rejects the neoliberal state premise that the market will satisfy every need because this, Tronto (2001) argues, erases domestic contributions by women, lower classes and racial minorities. Instead, everyone ought to contribute to caring for the self, the environment and one another. Tronto (2001) concurs that this inevitably requires a refocusing of public institutions that were not created for the purpose of love. Exploration of both the Love Ethic and the citizen as carer are located in what De (2006) considers the sociology of emergences, a place of possibility. There is no guarantee that the Love Ethic or carer model will be selected. However, the ongoing critique of existing British formal institutions, being unhearing and unempathetic, could indicate support for more humane and love centred formal institutions (United Kingdom, Joint Committee for Human Rights, 2020).

VI.III Reimagining Participation

Once new institutions have been established, it would become necessary to reimagine the methods through which citizens engage with these institutions outside of electoral participation. New institutions would require conceptions of participation foregrounded on what De (2006) refers to as an ecology of knowledges. The Ecology of Knowledges broadens what society considers valid knowledge to bring more ideas into conversation with one another (De, 2006). The urgent need to reimagine the relationship between people and the state has emerged from recent Parliamentary research in Britain. The 2020 *Black People, Racism and Human Rights* report found a fatigue among the Black community, who were being continually encouraged to participate in research without resultant ideas being integrated into policy proposals (Joint Committee on Human Rights, 2020:14). This pattern is evident from the consultation prior to the Equality Act. Harman's (2008) *Framework for a Fairer Future* report and Government for Equalities Office *Equality Bill: Assessing the impact of a multiple discrimination provision* (2009)

noted upwards of 13,000 contributions on the topic of multiple discrimination alone. Despite making it into the Act, Section 14 has not been enforced, demonstrating disregard of the contributions of marginalised communities.

Drawing on White's (1995) theory of participation, this systemic ignoring of the grievances among Black communities in Britain could be understood as nominal participation. Nominal participation is top-down and motivated by a desire for legitimation of the state. Seeking contributions from Black communities without integrating findings demonstrates a performative display of participation and co-ownership. However, liberation necessitates transformative participation. White (1995) characterises transformative participation as a means to achieve empowerment by allowing participants to consider options, make decisions and take collective action to fight injustice. Hayward (1998) expands this, proposing that participation also entails shaping 'the social limits that define what is possible'. While White's theory is modelled on development policy in the Global South, responding to Lewis' (2017) call for North-South learning, there is an opportunity here.

Applying De's (2006) teaching on clues, the current policy context in Minnesota could demonstrate the radical potential of Black activists engaging in transformative participation. Responding to intense demands from Black Lives Matter activists from the more radical wing, Minnesota explored the feasibility of defunding police departments (Wood, 2020). Though calls for police abolition have existed for as long as police forces, the participation of activists in the context of transnational Black Lives Matter protests broadened the scope of what wider society perceived as possible (Davis, 2020). The limitation of Minnesota's defunding initiative is that Black liberation activists have been integrated into existing consultation structures, rather than being considered in the initial design of police systems. This concern was asserted by James Baldwin, who declared *'I am not a wart of America... I am one of the people that built the country. Until this moment there is scarcely any hope for the American dream because the people*

who are denied participation in it, will wreck it.' (Baldwin, 2016). Baldwin speaks to the American audience in a pre-Civil Rights context. However, this principle of exclusion causing destruction is comparable to the experience of Black people in contemporary Britain communicated by MP David Lammy. *'What happens is what we see on the streets of the United States... People get very angry and frustrated. I fear and worry for the future if we do not… comprehensively [implement] reviews that have been recommended after long and careful deliberation.'* (Great Britain, Joint Committee on Human Rights, 2020:14).

VI.IV. Reparations

Recognising the economic disempowerment of Black communities in Britain and Black majority countries through racial capitalism, liberation demands the redistribution of resources (Robinson, 2000; Taylor, 2016:18). Black liberation movements have long called for reparations, but this call contorts as racial capitalism morphs (Ampofo, 2021; Davis, 2020). The importance of wealth redistribution for liberation reaffirms the radical nature of Section 1 of the Equality Act – the socioeconomic duty - explored previously. Despite this, reparations are notoriously unpopular in political discourse due to the burden they impose on formal institutions and governments. Potentially, this conversation could be reframed to focus on horizontal redistribution, which centres the family as the prime recipient (Walker, 2005). Adapting this further, a community or locality could be the recipient, with funding directed to policy areas where racial disparities are most stark. Funding allocations would contribute to a broader reorganisation of society the purpose of which would be to support citizens to thrive (Davis, 2020). Considering recent research findings, employability and education could be target areas for community centred reparations (Great Britain, Joint Committee on Human Rights, 2020; Khan, 2020).

The likelihood of reparations being operationalised has increased as a result of local politics in Bristol (Mathers, 2021). In 2021, Bristol City Council passed a motion with 47 votes to 12 to write to Parliament advising an inquiry into the practicalities of offering reparations for the Transatlantic Slave Trade at the national level (Bristol Local Council, 2021). Bristol understood reparations according to the UN General Assembly Resolution 60/147, as holistic repair including public apologies, social justice initiatives, education, cultural projects, commemorative ceremonies, and affirmative action. Labour and Green Party councillors brought forth the motion, which was endorsed by local residents of different ages, racial backgrounds and genders (Bristol Local Council, 2021). Conservative councillors voted against the motion but recognised it came from a 'good place' (Mathers, 2021). This rejection was consistent with the national Conservative Party platform, communicated by Prime Minister David Cameron in 2015, that Jamaica should 'move on' from reparations demands (Mathers, 2021). Significantly, Bristol's motion understood reparations as a response to power asymmetries established in the past but continuing in the present that affect 'Afrikan Heritage Communities' particularly regarding health, economic position and policing (Bristol Local Council, 2021). The language of 'Afrikan Heritage Communities' again references community centred concepts of personhood in compensating Black people for historic and perpetual structural violence.

VI.V. Chapter Summary

Any attempt to predict options for future Black liberation is largely speculative. However, utilising the idea of clue as outlined by De (2006), it is possible to explore the applicability of ideas about the type of policy and policy institutions that could establish Black liberation in Britain. The necessary start point is decolonising social values to make anti-Blackness visible in the public consciousness (Ampofo, 2021). From here, new formal institutions would embody purposes centred around love and care, rather than productivity and efficiency (hooks, 2000; Tronto, 2001). The creation of new policy institutions would offer a fresh opportunity to reimagine political participation between

the individual and the state, including community centred consultation which determines priorities and rules of engagement (White, 1995; Hayward, 1998). Introducing liberatory structures into British political consciousness is a tall order, evident from the lack of political will by British policymakers to implement even gradual change contained in the Equality Act 2010. Recognising this, notable members of the Black community in the Global North, such as Stevie Wonder, find a more worthwhile pursuit emigrating to majority Black countries (Melas, 2021). This is being encouraged by liberatory immigration policies such as Ghana's Year of Return, which invites African descendants with straightforward naturalisation and dual citizenship processes (Agyeman, 2019). However, Ampofo (2021) convincingly argues that anti-Blackness is a chronic disease which international, intergenerational liberation movements must persevere to defeat and Britain must face directly.

VII.   Conclusions

'We have entered the time when work is love.'
Lebo Mashile (TEDxEuston, 2019)

VII.I. The Equality Act 2010: A Radical Policy Solution?

Socially, economically and politically, Britain remains a deeply unequal society. Across the board, Black communities face some of the harshest inequalities and this was brought to the fore through the Black Lives Matter protests of 2020. In an attempt to mitigate persistent social inequalities, Parliament passed the Equality Act 2010. Proponents of the Bill considered it 'radical', 'good, progressive, visionary and overdue' (Great Britain, House of Commons, 2009). This research piece sought to evaluate how radical the Act has been in contributing to Black liberation in Britain.

For our purposes, radical was understood as path departure from existing policy through the integration of policy ideas from the Black liberation scholarship. Looking at the substantive content of the Act, it could certainly be considered radical in the eyes of policymakers and the Black community. Section 1 committed to overturning class divides, which could be likened to Robinson's (2000) racial capitalism. Section 14 designed a dual discrimination claim for those with intersectional identities (Crenshaw, 1987). Section 149 introduced the Public Sector Equality Duty to minimise institutional racism. Some accountability for path dependence lies with drafters for their lack of clarity on mechanisms to operationalise provisions. Ampofo (2021) argues Black liberatory ideas are often co-opted by white institutions without full understanding. One example was the decision to limit Section 14 from multiple discrimination to dual discrimination, which excludes the most vulnerable minorities within minorities, and demonstrates a lack of understanding of intersectionality. Despite noble intentions, the scrapping of Section 1 and non-enforcement of Section 14 by the Coalition government meant that while the draft Bill was 'radical' and 'visionary' to Parliamentarians the Act

is radical is words only. Perhaps it was an apprehension of the radical content that bolstered political opposition.

A significant idea upholding anti-Blackness in Britain, has been the legal conception of recognising personhood that historically dehumanised Black people (Jung and Vargas, 2021). Any act contributing to Black liberation would need to challenge this. The Equality Act introduced a dual conception of personhood. Section 2(9)(2)(a) perceives individuals as having protected characteristics, similar to the legal orthodox view. However, Section 2(9)(2)(b) recognises 'racial groups' which could be seen as a translation of communal conceptions of personhood existing in African radical communitarianism (Molega, 2018). This change is moderately radical in layering the conventional idea – which is reproduced by embedded principles - with the novel idea of communal identities (Streeck and Thelen, 2005). The duality would be perceived as radical by Parliamentarians. However, reputable Black liberation activist Davis (2020) argues gradual reform is rarely radical as there is always an inherent conservatism.

Exploring Davis' (2020) argument that gradual policy reform cannot be radical within existing institutions, a natural question arises about what alternative approaches could achieve Black liberation. According to Taylor's (2016) definition, liberation pursues true freedom, meaning: the right to be free from oppression; the right to make determinations about one's own life; freedom from duress, coercion or threat of harm. Achieving this understanding of liberation for Black communities in Britain would require overhauling existing institutions and social structures that uphold anti-Blackness. Whilst it is impossible to determine future policy trajectories, recommendations have been proposed. Initially, decolonising social values and institutions will make visible systems of inequality (Ampofo, 2021). Following on, new institutions with purposes of love and care ought to be established (Tronto, 2001; hooks, 2000). These institutions would require novel participation mechanisms capable of

listening to an array of knowledge bases. The facilitation of open dialogue would require a redistribution of resources, through financial and social reparations.

Overall, public crises occurring subsequent to the Equality Act indicate that Britain is far from achieving Black liberation. In fact, anti-Blackness continues to have fatal repercussions in modern Britain as was evident from: the police shooting of Mark Duggan in 2011; the 2017 Grenfell Tragedy; the ongoing Windrush Scandal; and sale of tear gas and rubber bullets to the USA by Britain during the 2020 Black Lives Matter protests (Petter, 2021; Symonds, 2020; Stone, 2020). This is largely because the Equality Act facilitates innovation in companies and public bodies using the statute as a foundation. However, institutions must create environments of freedom and liberation for themselves. Despite the bleak picture of perpetual anti-Blackness, the Equality Act 2010 is a young instrument. One decade is a short time to reverse 400 years of systemic anti-Blackness. As such the gradual change is promising and radical discourse in activism offers hope.

Had there been more scope and resources, interrogating emerging ideas would have been an insightful research direction. A qualitative research piece would have fostered an opportunity to interrogate Black liberation ideas being explored by activists and policy makers in the British context. The feasibility of these ideas could have been evaluated through semi-structured interviews with Black British activists and civilians, as well as non-Black civilians.

VII.II. Responsibilities of social policy

The mainstream social policy discipline has been resistant to grapple with the coloniality of European welfare states (Bhambara and Holmwood, 2018). However, social policy makers and academics must change their approach. Bloch et al (2013:196) assert that

'*social policy does not simply react and respond to the social world but also animates and drives it. Social policy interventions contribute to the ways… social world is… described and perceived and materially experienced'*. The true 'missed opportunity' of the Equality Act 2010 was a proposal for the advancement of Black liberation in Britain (Great Britain, House of Commons, 2009). Leaning into Kingdon's (2014) Windows of Opportunity model, social policy thinkers ought to prepare feasible policy alternatives that can be applied during a convergence of political will and public agendas. As it stands, radical policy alternatives could be in a period of abeyance, waiting for a favourable political environment. This being the case, the focusing events of the global Black Lives Matter protests and subsequent British public discourse, may have opened the window, if only partially, to attempt more radical policy approaches.

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Appendix 1: Dedications

Thank You God (El Deot) who gave me the opportunity to study at LSE and continually inspires my mind. It was the Bible that first taught me radical love and drove some of the greatest Black liberation thinkers including Marcus Garvey, Martin Luther King Jr and Nelson Mandela.

Thank you to Mum and Dad for cultivating dynamic debate space at our kitchen table. This was a place we learnt by listening and engaging. I would not be who I am today without that site of knowledge production, for the tussle and for having a space where my voice was always valued. Your belief in me is the reason I have made it this far. Thank you also for my name - Maxine Llydia Thomas-Asante Maame Efua Yuuwa - which carries histories of resistance and power. I hope to make those who came before me proud.

Thank you to my brother, Brandon, for demonstrating the value of reflection. Taking the opportunity to evaluate and consider what we are seeing is how we grow. I learnt practically from you that the loudest voice is not always the wisest. Thank you for purchasing my textbooks during my studies and food supplies during my exams.

Thank you to my Nana, whose life story is one of perseverance, hope and Faith. My Grandmothers fought so that we could walk, stride, run. Thank you to my generations who passed down a fighting spirit and a belief that the world can be better than what we are seeing today.

Throughout my academic journey, professors, readers, lectures, seminar leaders and peers have shown me grace and support. Thank you to: AO, CP, AS for going above and beyond.

Thank you to the 137 people who donated to my Masters Fund; the Black Heart Foundation; Grant Taylor Trust; Chapman Educational Foundation. Thank you to my friends, my community and everyone who prayed for me. This belongs to you too.

Appendix 2: Excursions

London is a particularly relevant location for the development of this dissertation. As the metropole of the British Empire, London hosted and brought together many great Black liberatory thinkers. Slavery abolitionist, Mary Prince, Pan-Africanist, Marcus Garvey, and independence leader, Kwame Nkrumah, spent considerable time here. In the case of Nkrumah, LSE itself was a site of learning. During the drafting of this dissertation, the author visited sites to inform and contextualise this research. Images of some of these visits can be found in this appendix as evidence.

In Teaching to Transgress, hooks (1994) teaches that Black liberation depends on a relationship between theory and practice. Generating theories can be a practice of liberation. Intercommunity conversations are important sites of knowledge production for this endeavour. Learning from this, the purpose of my excursions was to witness how different members of the Black community in Britain facilitate economic empowerment; celebrate activists; and champion Black liberation in practice. Abani (Poetry Foundation, 2020) argued that academic theories are only helpful if they can live in a body. Attending, witnessing and participating in these events – in London and Milton Keynes - ensured the arguments in this piece were relevant to the lives of Black communities in Britain and capable of living in one's body.

Figure 1 – Marcus Garvey plaque. Earls Court, London.

Figure 2 – Black Cultural Archives. Brixton, London.

Figure 3 – Reggae Festival, Milton Keynes.

Figure 4- The Africa Centre. Southwark, London.