

## Institutionalised racism and a British Obama.

Written by Dr Peter Jepson (November 2008)

Trevor Phillips, Chairman of the Equality and Human Rights Commission, has controversially claimed that the political machine of the Labour Party would *“hamper a British Obama”*<sup>1</sup>. He went on to say: *“If Barack Obama had lived here I would be very surprised if even somebody as brilliant as him would have been able to break through the institutional stranglehold that there is on power within the Labour Party.”*

In the same article, Trevor Phillips also described what he saw as *“institutional resistance”* to selecting black and Asian candidates. He further argued that such *“systematic bias”* is exactly the same as what’s called institutionalised racism.

Not surprisingly, the Labour Party were quick to defend themselves pointing out that they had produced *“the first black woman MP, first black minister, first black woman minister, the first black Cabinet minister, the first black woman Cabinet minister and the first black woman mayor.”* Despite such claims, Trevor Phillips has argued that he believed the Conservatives had performed better than Labour in increasing the number of black and Asian parliamentary candidates. He put this down to *“[The Conservatives] are less democratic. They are happier to impose candidates on the local parties.”*

Interestingly, Mr Phillips went on to say that he opposed all-black shortlists for parliamentary candidates because it would be difficult to define “black” or to decide where they should be imposed, but he said “positive action was needed by all parties.”

In this article, I will argue that the all-women shortlists, used by the Labour Party, have laid the foundation for institutionalised racism within the Labour Party. It will be argued that such positive discrimination is wrong and that all-women lists should be abandoned in favour of positive steps to encourage the selection of more women, black, Asian, ethnic, and disabled, candidates.

### **The start of institutionalised racism in the Labour Party.**

It was in 1996 that I took The Labour Party to an employment tribunal and won a sex discrimination claim in relation to all-women shortlists.<sup>2</sup> I complained at that time, that for me, the major problem with all-women shortlists was that it openly asserted that gender discrimination is a problem in the Labour Party and

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<sup>1</sup> All of the quotes related to Trevor Phillips, and the Labour Party, can be located at [http://news.bbc.co.uk/1/hi/uk\\_politics/7717149.stm](http://news.bbc.co.uk/1/hi/uk_politics/7717149.stm)

<sup>2</sup> Jepson & Dyas Elliott v The Labour Party [1996] IRLR 116.

we want to do something about it, but race discrimination does not matter.<sup>3</sup> That to me is a fundamental flaw in all-women shortlists. Up until the advent of all-women shortlists it was the case that English law sought to make unlawful all forms of direct discrimination – no matter whether it be gender or race. All of a sudden, this accepted standpoint in English law was being challenged – but only for women. What Labour was saying, is that we will positively discriminate to put more women in parliament - but we will do nothing to deal with the appalling inequalities facing black and Asian candidates.

This was a clear message, from the very top of the Party to the grass roots membership, which said: ‘we care about gender discrimination, but we are not that bothered about race discrimination’. Once elected into government, the Party then continued with this inherently unequal approach to discrimination by introducing parliamentary legislation that exempts political parties from the sex discrimination laws when it comes to parliamentary selection (so as to allow all-women shortlists<sup>4</sup>) – but does not do the same for race discrimination.

### **Positive steps and positive action is needed.**

What is needed, in all political parties, are positive steps to encourage women and ethnic members to become candidates for parliament selection/election. For example, potential black, Asian, woman, disabled, candidates could be groomed through training, education, and networking conferences, where party officials and the like can get to meet would be candidates and help develop some positive steps to selection. Such positive steps, and positive action, are perfectly ethically and legally possible without going down the road towards positive discrimination. We do not need positive discrimination.

### **In conclusion.**

The Obama Presidential victory in the USA has shown that it is possible for talented individuals, no matter what their race, to rise to the top. Trevor Phillips is right when he says that institutionalised racism in the Labour Party would likely prevent such happening in the UK. What the Labour Party, and all political parties, needs to do is to move away from any ideas of all-black and/or all-women shortlists and to move towards establishing positive steps to stop discrimination in all its forms.

Political parties need to take positive steps so as to ensure that ethnic and women members of their parties have the same equal opportunities of being selected for winnable seats. This means positive action to eradicate inherent

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<sup>3</sup> See my article of March 1996 – ‘Tackling Sex and Race Discrimination’ - [http://www.peterjepson.com/new\\_page\\_16.htm](http://www.peterjepson.com/new_page_16.htm)

<sup>4</sup> Quite whether all-women shortlists are consistent with the Equal Treatment Directive 76/207 is very much doubtful. The Labour Party could still face a very difficult legal challenge on this issue.

racism. It means devoting resources into training, educating, and networking. It means treating all people with equal respect. It means recognising that there is nothing positive about discrimination – it is wrong. It means: saying NO to racism in all its forms.

Dr Peter Jepson.

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