Integrating Ideas into Policy-Making Analysis: Frames and Race Policies in Britain and France
Erik Bleich
Comparative Political Studies 2002; 35; 1054
DOI: 10.1177/001041402237506

The online version of this article can be found at:
http://cps.sagepub.com/cgi/content/abstract/35/9/1054

Published by:

Additional services and information for Comparative Political Studies can be found at:

Email Alerts: http://cps.sagepub.com/cgi/alerts
Subscriptions: http://cps.sagepub.com/subscriptions
Reprints: http://www.sagepub.com/journalsReprints.nav
Permissions: http://www.sagepub.com/journalsPermissions.nav
Citations http://cps.sagepub.com/cgi/content/refs/35/9/1054
This article argues that systematically integrating ideas into policy-making analysis greatly enhances our understanding of policy outcomes. Variables emphasized by other schools of thought—such as power, interests, institutions, and problems—often provide an inadequate explanation of policy choices. To demonstrate the contribution of ideas to policy-making analysis, this article examines the impact of policy frames, showing how they help actors define their interests, generate interpretations of pressing problems, and constrain actions. Retracing the history of race policy development in Britain and France reveals that each country’s frames influenced domestic policy outcomes and thus played a vital role in explaining cross-national race policy differences.

INTEGRATING IDEAS INTO POLICY-MAKING ANALYSIS
Frames and Race Policies in Britain and France

ERIK BLEICH
Middlebury College

In recent years, social scientists have turned their attention to the role of ideas in political life (see Checkel, 1998; Finnemore, 1996b; Hansen & King, 2001; Walsh, 2000). Scholars have explored the relationship between ideas and political parties (Berman, 1998), economic policies (Hall, 1989; Sikkink, 1991), European integration (Garrett & Weingast, 1993; McNamara, 1998), and international organizations (Boli & Thomas, 1999; Finnemore, 1996a). This research has served to shine new light on an array of phenomena by drawing our attention to the relative influence of ideational

1. For helpful comments on this project, I would like to thank Sheri Berman, Gary Freeman, Daniel Goldhagen, Peter Hall, Randall Hansen, Arnold Hirsch, Stanley Hoffmann, Desmond King, Anthony Messina, Paul Pierson, Abigail Saguy, Ted Sassen, Martin Schain, Allison Stanger, Patrick Weil, and the anonymous reviewers of Comparative Political Studies.

COMPARATIVE POLITICAL STUDIES, Vol. 35 No. 9, November 2002 1054-1076
DOI: 10.1177/001041402237506
© 2002 Sage Publications
factors as compared to—or sometimes in conjunction with—variables such as power, interests, and institutions. Although this undertaking has expanded our analytical horizons, to date there have been few attempts to aggregate insights from ideas-oriented scholarship or to weave ideas into broader perspectives on comparative public policy making, leading one friendly critic to conclude that “so far studies of ideational variables add up to less than the sum of their parts” (Berman, 2001, p. 231).

This article argues that systematically integrating ideas into policy-making analysis greatly enhances our understanding of policy outcomes. Variables emphasized by other schools of thought, even taken together, often provide an inadequate explanation of policy choices. This is so for two reasons. First, the content of actors’ interests and the problems preoccupying policy makers are frequently incompletely or vaguely specified. In many cases, interests and goals are too ambiguous or indeterminate to be accounted for by perspectives that fail to take into account the role of ideas. Ideas can help actors define their interests and help them interpret which problems are the most pressing and most in need of solutions. Second, prevailing views of the constraints on policy decisions are typically too narrow. Powerful advocacy groups or a state’s constitution can certainly limit the range of options open to policy makers. Yet seemingly marginal groups can also have a meaningful impact on policy outcomes. Moreover, written laws often bend under the weight of interpretation. Looking beyond power distributions and formal institutions reveals the influence of ideas acting as constraints on policy making, especially if they become taken for granted such that actors are unwilling or unable to think outside the box.

To demonstrate the manner in which ideas contribute to policy-making analysis, this article examines the impact of one type of particularly important idea—frames—on race policy outcomes in Britain and France. The first part sketches the significant differences between British and French race policies implemented between the 1960s and 1990s. The second part reviews three prominent policy-making schools of thought: the power interest, institutional, and problem-solving perspectives, highlighting their strengths and weaknesses in explaining policy outcomes. The third part turns to frames, defining the term frame and providing yardsticks for judging a frame’s influence. By retracing the history of race policy development in Britain and France, this section also demonstrates that each country’s relatively consistent frames influenced the direction of domestic policy outcomes and therefore played a vital role in explaining cross-national race policy differences. The conclusion reflects on the application of frames to policy-making analysis beyond the cases presented here.
BRITISH AND FRENCH RACE POLICIES COMPARED

British and French race policies diverge along a variety of dimensions. British race relations legislation, enacted in three major rounds in 1965, 1968, and 1976, has formed the core of Britain’s race institutions, setting out most of the general rules and establishing many of the official organizations devoted to race issues. France passed its cornerstone antiracism law in 1972 and then passed subsequent laws in 1978 and 1990 that reinforce its institutions. Five central factors distinguish British and French race policies:

1. the legal procedures used to punish certain types of racist infractions,
2. the actors responsible for spearheading the fight against discrimination,
3. the existence (or absence) of punishment for denying the Holocaust,
4. the existence (or absence) of penalties depriving racists of their civil rights, and
5. the existence (or absence) of race-conscious policies covering indirect discrimination, positive action, and ethnic monitoring.

Discrimination is punished in a significantly different manner on either side of the Channel. Britain uses the civil law to penalize acts of discrimination in employment, housing, and provision of goods and services. French laws favor the punishment of these kinds of racist acts by the criminal law. The use of criminal versus civil law has significant implications. In 1991, for example, British civil procedures led to 1,471 cases of employment-related discrimination; 1991 employment-related convictions in France, by contrast, totaled 4 (Banton, 1994, p. 485). These figures reflect the fact that getting convictions for discrimination is extremely difficult using criminal standards of proof (Costa-Lascoux, 1994, p. 26; Vourc’h, de Rudder, & Tripier, 1996, p. 159).

In France, official responsibility for fighting racism is shared by the state and civil society. Because France uses the criminal law to punish acts of racism, the state (the police and the courts) has, in theory, pride of place in deal-

3. France is currently in the process of reformulating its antidiscrimination policies.
4. In late 2001, France passed a law encouraging greater use of the civil law in discrimination cases (Law 2001-1066).
5. These figures are not perfectly comparable, however, because not all British cases resulted in convictions and because the number of French convictions is higher than officially enumerated, given that the statistics only contain the primary offense for which the guilty party was convicted (Costa-Lascoux, 1994, p. 376). Nevertheless, cross-national differences in court cases and convictions obtained certainly remain substantial.
ing with race problems. French laws, however, also allow nongovernmental antiracist groups to instigate criminal proceedings for racist crimes, even without the state’s approval. Approximately 50% of race cases are brought into the courts—or at least to the public prosecutor’s attention—by the antiracist associations, which gives them substantial influence in this policy domain (Costa-Lascoux, 1994, p. 376). By contrast, Britain has established a quasi-governmental organization that takes the lead in dealing with race relations concerns. The Commission for Racial Equality has a budget of approximately £15 million a year and a staff of more than 100 full-time workers. It undertakes national campaigns against discrimination, collects and analyzes statistics on discrimination, publishes an annual report on racism in Britain, funds local bodies that fight racism, helps individual victims of racism with legal advice, and, most important, it can undertake audits of industries or government departments that it suspects are acting in a discriminatory manner.

Third, the French antiracism law of 1990 rendered it illegal to contest the existence of crimes against humanity committed during the Second World War. No such provision exists in Britain. The French law aims to punish revisionist historians who promote anti-Semitic views through denial of the Holocaust. Yet many are also dismayed that France seems to have created an official interpretation of history, dissent from which can result in fines or imprisonment—a highly controversial step in an open democracy. Fourth, the French law of 1972 allows the President of the Republic to summarily dissolve associations that provoke racial hatred or violence, and the law of 1990 enables judges to deprive convicted racists of certain civil rights. Although the right to vote cannot be withdrawn, the right to stand for public office can be denied to an individual if he or she has been found guilty of racism. To some, these may seem reasonable and perhaps necessary measures against demagoguery; to others, these are dangerous affronts to freedom of association and freedom of speech that risk being put to highly political uses.

Finally, certain British policies focus on categorizing, protecting, or aiding minorities defined by group rather than by individual characteristics. Indirect discrimination, for example, concerns acts of racism that affect groups of individuals defined by race rather than those perpetrated against a particular individual. Indirect discrimination has been outlawed for more than 20 years in Britain. By contrast, the concept has only recently entered into public or elite consciousness in France. Positive action—“soft” forms of affirmative action such as actively recruiting minority job applicants and targeting training resources at minorities—is permitted in Britain to help disadvantaged racial groups, but it is strictly forbidden in France. Finally, Britain

6. Classic examples are literacy tests or educational requirements that have a disparate negative impact on groups trying to vote or find a job.
has begun to collect extensive ethnic statistics, even incorporating an ethnic question into its census; France, on the other hand, passed a law in 1978 that virtually prohibits collection of ethnic data. How can we explain such policy differences?

TRADITIONAL PERSPECTIVES
ON POLICY MAKING

Power-interest perspectives view policy outcomes as determined by negotiations between powerful actors, each trying to advance its agenda. Scholars arguing from a public choice, group theory, or statist corner can be seen as proponents of the power-interest school of thought. Although they may disagree on whether individuals, interest groups, classes, or state actors are most powerful, they would concur with Knight’s (1992) analysis that “social outcomes are the product of social conflict” (p. 16) and the resolution of conflicts depends on “how the asymmetries of power in a society influence the evolution of social institutions” (p. 14). When actors’ interests and their relative power are correctly understood, we are able to gauge the direction of policy; this makes power-interest perspectives among the most useful analytic frameworks available.

The power-interest perspective provides significant insights into the development of race policies in Britain and France. In particular, this approach directs our attention to actors and motives that were an important part of race policy development. Left parties have, on the whole, been more receptive to antiracism legislation than have right parties. They have sponsored more initiatives, backed them with more energy, and brought new laws to fruition in four of the six cases examined here. Interparty bargaining has also significantly influenced the final form of several key laws. It was especially important during negotiations over the British Race Relations Act of 1965, at which time Conservative Party MPs pressured the Labour Government into renouncing the use of the criminal law to punish discrimination (Lester & Bindman, 1972).

Nevertheless, the power-interest approach has great difficulty accounting for cross-national differences in policy outcomes. This is so because analogous actors with similar power resources in Britain and France advocated different policies. Once progressives came to dominate the British race bureau-

7. Left parties passed all three British Race Relations Acts as well as the French law of 1990.
8. In a coalition with liberal Labour backbenchers.
cracy, they supported positive action, ethnic monitoring, and civil law sanctions for discrimination. Their counterparts in French antiracist associations, however, have not supported such policies. There is no evidence of behind-the-scenes similarities in underlying goals between British and French experts or politicians. Whereas most British elites on the left and the right are convinced of the value of the civil law, administrative agencies, and moderate race-conscious policies, French leaders have long been either relatively unaware of such options or have rejected them outright. The inverse is true concerning the ban on revisionism and civil rights restrictions: The French accept them, and the British have not seriously considered them as a policy option. The power-interest perspective has great difficulty in accounting for such different goals of similarly situated actors, suggesting that understanding how interests are defined is crucial to a persuasive explanation of British and French race policy outcomes.

Looking beyond the power-interest school of thought, how well do perspectives on policy making that emphasize the role of institutions account for race policy outcomes in these cases?9 One prominent line of analysis highlights the role of existing webs of institutions—such as preexisting laws and policy legacies—in constraining the shape of any new policy enacted (Weir & Skocpol, 1985). Certain policies are regarded as more administratively viable than others or are argued to “fit” better with prevailing institutions (Hall, 1989, pp. 373-374). This type of explanation shares a close affinity with those that point to the effects of path dependence on policy outcomes (Krasner, 1984; North, 1990; Pierson, 2000). Path-dependent arguments have been employed to account for biases toward policy continuity arising from the constraints or lock-in effects of past decisions.

These institutionalist insights do prove helpful in accounting for aspects of each country’s race policies. In particular, several elements of British and French laws were penned with preexisting institutional templates in mind and thus did not start completely from scratch. The French laws of 1972 and 1990 were formulated as extensions of prior legislation in their penalizing hate speech (amendments to the 1881 Press Law), disbanding racist associations (an addition to the 1936 law on militias), and use of language to outlaw revisionism.10 Although beginning as an independent aspect of the 1965 Race

9. As numerous review articles emphasize, (new) institutionalists can be divided into several subcategories, such as “rational choice,” “historical,” and “sociological” (see Hall & Taylor, 1996; Immergut, 1998; Koelble, 1995). Many sociological institutionalists define certain types of ideas (such as norms) as institutions. Because these institutionalized ideas are so different from other forms of institutions, I do not treat them in this section.

10. Under French law, it is illegal to contest crimes against humanity as defined by Article 6 of the statute of the international military tribunal annexed to the Accord of London of August 8,
Relations Act, British hate speech provisions were subsequently integrated with 1936 legislation in order to form a new and comprehensive Public Order Act in 1986. Laws passed in 1968 and 2000 in Britain drew on the templates established in 1965 and 1976, respectively.

In significant ways, however, race policy decisions were independent of the influence of preexisting institutions. Several policy elements had no institutional precedents at the time of their passage. This is true of hate speech provisions and positive action in Britain, the ban on revisionism in France, and laws to punish discrimination in both countries. Moreover, most policies passed in one country were institutionally viable in the other, thereby undermining any arguments that the separate paths chosen by Britain and France were natural or inevitable given preexisting institutional differences. Establishing an administrative agency, using criminal or civil law, punishing denial of the Holocaust, and adopting race-conscious policies were realistic institutional possibilities in each country. That Britain eventually opted for civil law sanctions for discrimination was not even necessarily consistent with its legal heritage, because Home Secretary Soskice believed in 1965 that criminal sanctions were “more in line with [British] legal tradition” (Hepple, 1968, p. 133; Hindell, 1965, p. 398). Although the French Constitution proclaims that every human “without racial distinction” has inalienable and sacred rights, until the Parliament passed a law in 1978, there was no concrete measure prohibiting collection of racial data. It is thus imaginable that Britain could have adopted French-style criminal penalties for discrimination and that France could have developed race-conscious policies along the lines of those found in Britain.

In keeping with the implications of institutional perspectives, it is true that there has been a significant degree of continuity in each country’s race policies since their establishment in the 1960s and 1970s. If Britain and France have different approaches to dealing with racism, there have been few attempts to alter these approaches and to switch to the track used by the other country. In part, this continuity has been due to the institutionalization of 1945, that were committed either by members of an organization deemed criminal by Article 9 of the statute or by a person recognized as culpable of crimes against humanity by a French or international court. See Law 90-615 of July 13, 1990, Article 9.

11. France’s granting private interest groups the right to bring criminal cases to court and its removal of certain civil rights in the face of racist crimes were (and remain) unlikely to take place in Britain. The extension of each of these tools into the domain of race policies in France was facilitated by their prior use in other policy spheres, lending credibility to arguments about policy legacies in these cases. However, using these tools proved relatively controversial in France, indicating that the race policy outcomes were not natural and simple products of France’s preexisting institutions.
actors in the domain of race policy. Britain set up a race bureaucracy with official power to recommend changes to the law and with a mandate for implementing much of the antiracist policies. France empowered nonstate human rights associations to participate in cases of racism. These actors developed a stake in race issues and have formal roles in implementing policies granted by national institutions. They are thus unlikely to pass their powers along to the types of organizations favored by the other country.

But sunk costs, actor entrenchment, and institutional lock-in are not the only forces that rein in policy change. If they were the most significant factors, policy developments would deviate very little from the logic of the institutional path originally established. Moreover, there would be evidence that actors have wanted to switch paths but were unwilling to attempt to do so or unable to accomplish change because of institutional constraints. In Britain and France, however, there is little evidence that key actors wish to alter the policy path they are on, nor is there evidence that the institutions are so deeply entrenched as to obviate the possibility of change. For example, although Britain now has race-conscious policies, prior to its 1976 law, British policies emphasized color-blindness. British institutions thus undertook a significant shift in the mid-1970s—one that is hard to explain in terms of path dependence. In 2000, French Parliamentarians began reexamining provisions relating to indirect discrimination and to use of the civil law. This evidence suggests that factors other than institutional constraints influence policy continuity and propensity for change, just as evidence presented above suggested that preexisting institutions could not adequately account for the initial policy choices in each country.

The third traditional policy-making school of thought—the problem-solving perspective—views political processes neither as a power struggle to maximize private interests nor as a response to the prevailing institutional environment but rather as the development and implementation of policies that serve as solutions to societal problems. A wide array of policy-making studies make use of problem-solving terminology. Prototypical versions of the problem-solving perspective highlight “coordination” rather than “conflict” as a critical element of politics (Knight, 1992, pp. 4-8). A seminal state-

12. An exception involves the desire by many French practitioners to remove hate speech provisions from the 1881 Press Law, which is seen to hamstring prosecutions given the short statute of limitations (see Rocard, 1990, p. 5). Another partial exception can be found in the French High Council on Integration’s report on racial discrimination (Haut Conseil à l’Intégration, 1998).

13. Opinions diverge over the extent to which actors consciously seek to solve problems. For a variety of positions on this debate, see Lindblom (1959); Cohen, March, and Olsen (1972); Bennett and Howlett (1992); and Kingdon (1995).
ment of these themes was made by Hugh Heclo (1974) in his work on policy learning in the development of the welfare state in Britain and Sweden. In an oft-cited formulation, he argues that “governments not only ‘power’ . . . they also puzzle. Policymaking is a form of collective puzzlement on society’s behalf; it entails both deciding and knowing” (p. 305). Implicit in much of this literature is a vision of actors responding to problems by implementing new and better policy solutions arrived at through processes of learning. From the problem-solving perspective, cross-national differences in policy outcomes are more likely to be a function of differences in the nature of the problems faced and of lessons learned than of the relative power of self-interested actors or of the constraints imposed by institutional legacies.

The problem-solving framework helps to account for several elements of race policy making in Britain and France. Influential actors’ private correspondence reveals that they earnestly deliberated over how to minimize racism. Naturally, narrower motives of party and electoral interest also influenced the decision-making process, but not to the exclusion of efforts to solve problems of racism for what the actors themselves viewed as the good of society. In addition, policy makers did cast an eye back through time to learn lessons from previous structures when fashioning new ones. This was particularly evident in Britain’s transition from requiring conciliation among plaintiffs and defendants in discrimination cases to allowing complainants direct access to civil courts in the 1976 Race Relations Act (Lester, 1987, p. 23). It was equally true when French policy makers expanded the varieties of hate crimes punishable by law in 1972 because they judged that the law of 1939 was insufficiently broad (Mouvement contre le Racisme et pour l’Amitié entre les Peuples [MRAP], 1984).

The problem-solving perspective falls short, however, in explaining the precise direction of policy outcomes within each country and therefore also the differences between the two countries. Cross-national policy divergence was not simply a function of different types of problems of racism. Although France’s attention to hate speech in the 1980s and 1990s might be attributable to the rise of Jean-Marie Le Pen and the Front National after 1983, why did the national political influence of Enoch Powell in 1960s and 1970s Britain not generate a parallel focus on hate speech? In fact, since the Second World War, Britain and France have seen a similar mix of discrimination, hate speech, and hate crimes on their shores, yet they have dealt with these problems in quite different ways. In fact, each country drew different lessons from the same stock of available evidence. In light of similar levels of media coverage of civil rights struggles in the United States in the 1960s, for example, it is
difficult to account for British and French policy experts’ divergent conclusions about its relevance for their domestic policy making.  

Although the problem-solving school of thought emphasizes that interests may be multifaceted and that actors learn in order to legislate, it does not provide an adequate method for discerning what those interests will be or for gauging which lessons are likely to be influential. If the interest is simply to solve the problem of racism, then we have to know more about how racism is defined, what aspects of it are seen as particularly problematic, where relevant lessons originate, and which solutions are deemed viable. Without telling us about these issues, the problem-solving perspective lacks a mechanism for informing us of the precise content of the policy choices likely to be made.

AN IDEATIONAL PERSPECTIVE—THE ROLE OF FRAMES

Ideational arguments draw attention to a wide range of variables, including world views, cultures, societal scripts, norms, models, and causal beliefs. Although many types of ideas influence political outcomes, some are more easily integrated into policy-making models than others. In particular, the concept of frames has drawn scholarly attention for its ability to clarify political developments in a variety of spheres. A frame is a set of cognitive and moral maps that orients an actor within a policy sphere. Frames help actors identify problems and specify and prioritize their interests and goals, they point actors toward causal and normative judgments about effective and appropriate policies in ways that tend to propel policy down a particular path and to reinforce it once on that path, and they can endow actors deemed to have moral authority or expert status with added power in a policy field. In

14. On the similar extent of media coverage, compare issues of The Times and of Le Monde from the 1960s. To compare the responses to this coverage, juxtapose the dearth of stories in the French antiracist association MRAP’s newsletter Droit et Liberté with the impact on Britain detailed by Heineman (1972).


this way, frames give direction to policy making and help account for policy outcomes.

As cognitive maps, frames encompass definitions, analogies, metaphors, and symbols that help actors to conceptualize a political or social situation, identify problems and goals, and chart courses of action. They provide an answer to Goffman’s (1974) question, “What is it that’s going on here?” (p. 25). Frames help to answer specific questions within a policy sphere, such as “What constitutes an act of racism?” and “Are 10 acts of racism per year a lot or a little?” Analogies and metaphors can serve as screens for interpreting events and for prescribing action (see Khong, 1992). In the realm of immigration policy, for example, aquatic metaphors of waves, streams, or floods of migrants have often been employed to justify turning off the taps of immigration to avoid swamping.

As moral maps, frames assign a valence to terms and to courses of action and can allot authority to speak for a cause. Concepts such as race and discrimination may have positive, neutral, or negative connotations, generating (or not) what Gamson (1992) refers to as the hot cognition of moral indignation at injustices. Identifying race as a socially meaningful category may seem natural and necessary to those concerned with fighting racism, or race may be rejected as a meaningless and pernicious term. There are individuals for whom discrimination is an acceptable fact of life; for others, it must be eradicated root and branch. In addition, frames may vest certain individuals or groups with authority in representing a cause, either because they are members of a harmed party or because they have established their credentials as honorable advocates. In sum, frames are multidimensional ideas relevant to a particular policy sphere that serve to organize information, empower certain actors, define goals, and constrain actions.

If frames are influential in shaping policy outcomes, the historical record will reveal several types of evidence. First, actors in each country will hold coherent race frames rather than merely congeries of unrelated or constantly shifting ideas. Frames may evolve over the medium or long terms (and these evolutions can prompt policy changes), but if they change rapidly and incessantly, then their impact on policy making is likely to be minimal. Second, frames will exist prior to policy-making episodes and will be evident among key actors during policy-making decisions. Third, new policy initiatives will be in keeping with the implications of the policy frame. If the frame implies that one form of racism is the prototypical form and demands the most energetic policy responses, that form of racism will draw primary policy attention. If the race frame includes an analogy that links policy to a separate, 17 unique category, it may receive heightened attention.

Note that actors involved may hold diverse race frames and that policy decisions themselves may help cement frames with peripheral or uncommitted actors.
evolving sphere, race policy changes will incorporate lessons from that sphere. Finally, if prevailing race frames differ across nations, we will see cross-national race policy variation. Policy outcomes within each country will depend on frames, and differences between countries will be explained by variation in these frames. Actors in the two countries will talk about race, racism, and discrimination in different terms; develop different metaphors and analogies when thinking about race; conceptualize societal problems of racism differently; formulate different policy goals; and enact different race policies.

RACE FRAMES AND RACE POLICIES IN BRITAIN AND FRANCE

Several important threads have been woven into British race frames over the past half-century. British politicians and policy makers have focused on skin color as a critical factor in understanding race. Key actors have also consistently interpreted Britain’s problems of racism in the context of the North American analogy. Many members of the British elite have paid ongoing attention to policies and developments emanating from across the Atlantic. In addition, British actors have largely accepted race and ethnicity as valid categories of analysis and frequently think in terms of racial groups (later, “ethnic groups”), either fearing conflict between them or trying to promote equality across them. Together these elements form the core of British race frames.

The color line has been a prominent concern of progressives in Britain since the early days of postwar immigration. Although it may seem natural to conceptualize racism in terms of skin color, in the aftermath of the Holocaust, this frame was not universal. By the mid-1950s, however, the Labour Party had established a small subcommittee to field complaints of color discrimination against immigrants. When riots broke out in Nottingham and Notting Hill in 1958, the anti-immigrant violence was widely interpreted as an instance of racial conflict pitting black West Indians against white residents (Miles, 1984). Two other high-profile events, the 1962 Commonwealth Immigrants Act and the 1964 election result in the constituency of Smethwick, gave further credence to the interpretation of British problems as based in color racism. The 1962 Commonwealth Immigrants Act limited the number of ethnic minority immigrants entering Britain without restricting Irish immigration; and the Conservative victory in Smethwick (despite a

18. The members of this subcommittee began limited correspondence with associations in the United States, such as the National Association for the Advancement of Colored People (see Labour Party Archives File Box in Manchester, England: “Race Relations and Immigration/Racial Discrimination Debate 1958/Notes and Memoranda 1958/Press Cuttings 1960-61/Memoranda etc. 1962-63, 1965”).
nationalswing to Labour) was widely attributed to race baiting, given the use of the slogan, “If you want a nigger neighbor, vote Liberal or Labour” (Hansen, 2000, p. 132). The view that Britain was plagued by color consciousness was cemented by the influential 1967 Political and Economic Planning study, which persuasively demonstrated that preference was given to white foreigners over non-white Commonwealth immigrants by potential employers, landlords, and providers of services such as rental cars (Political and Economic Planning, 1967). In more recent years, studies making use of ethnic data have evoked the theme of “racial disadvantage” (Brown, 1984; Modood & Berthoud, 1997; Smith, 1974; Smith & Whalley, 1975), reinforcing the conception of racism in Britain as linked to group belonging and non-white skin color.19

Beginning in the early 1960s, some politicians and liberal experts began to interpret Britain’s race problems in North American terms. In 1962, the Institute for Race Relations commissioned a landmark study on race in Britain, modeled on Swedish social scientist Gunnar Myrdal’s *An American Dilemma* (Rose, 1969, pp. xix-xxiii).20 Believing that British racism was analogous to that of the United States, Canada, and even South Africa (Jowell, personal communication, July 8, 1997; Lord Lester, personal communication, July 23, 1997), a small group of Labour Party lawyers sent one of its members to study North American provisions against discrimination in 1964. Examining and drawing on the North American analogy continued in the decade following passage of the 1965 Race Relations Act, as evidenced by the extensive attention given to the region in a bipartisan report on race laws published in the late 1960s (Street, Howe, & Bindman, 1967) and by Home Secretary Roy Jenkins’ trip to the United States just prior to submitting antidiscrimination legislation in Parliament in the mid-1970s.

Although throughout the 1960s many British political leaders had conceptualized British ethnic pluralism in terms of *race relations*—a term embodied in the country’s antiracism legislation—progressives had been reluctant to argue that racial (or ethnic) groups existed, especially given some conservatives’ use of racial categories as a tool for limiting minority participation in certain industries.21 By the mid-1970s, however, drawing on lessons learned

19. These reports also cite other factors (such as immigrants’ language problems) that contribute to racial disadvantage.

20. The Institute for Race Relations sought “‘A Myrdal for Britain while there was still time’” (Rose, 1969, p. xix).

through comparison with North American provisions, policy experts came to accept that definitions and even tabulation of racial or ethnic groups was a means to promote racial equality (Great Britain: Home Office, 1975, p. 5). Only by knowing exactly how unequal society was, they reasoned, could the country devise policies to overcome racial inequalities. One aspect of British leaders’ race frames—the North American analogy—therefore served to influence another aspect—their views on racial categories.

Prevailing British race frames also influenced concrete race policy outcomes. In several instances, politicians and race experts based their proposals on lessons from North America. During deliberations over the 1965 Race Relations Act, the Society of Labour Lawyers working group—and later the pressure group the Campaign Against Racial Discrimination—advocated a conciliation-based administrative apparatus (backed by civil courts) rather than criminal sanctions for countering discrimination (Jowell, 1965). Although policy experts were beginning to draw on it heavily, the North American analogy was not universally accepted in Britain by the mid-1960s. The Labour Government itself ignored overseas lessons when it introduced its 1964 bill proposing criminal penalties for discrimination. Labour’s own backbenchers and the Conservative Opposition countered by calling for an “American solution” (Hansard, v. 711, cols. 926-1060; Lester & Bindman, 1972, pp. 112-115). As the Conservative shadow Home Secretary stated,

[The Home Secretary] must have studied, as I and my right hon. Friends have studied, the practice in the United States of America. We have rather a good test case there, because some of the States have applied the criminal solution and others have adopted the conciliation method. Where they have adopted conciliation, it has, on the whole, worked not too badly; where they have tried the criminal approach, it has not worked at all, or practically not at all. (Hansard, v. 711, col. 948)

In the end, North American policy solutions prevailed and helped cement the perception that lessons from overseas were indeed germane to British race policy choices.

During the buildup to the 1968 Race Relations Act, concerned parties focused their attention on the problem of discrimination in employment and housing, two areas left wanting in the 1965 law (Lester & Bindman, 1972, pp. 122-129; Race Relations Board, 1967, p. 15). When the newly established

22. Britain has by no means adopted all of the North American provisions on discrimination, nor has it taken on board policies without adapting them to its national needs, institutions, and situations.
Race Relations Board commissioned a report on the state of international legislation in this domain, its authors focused the vast majority of their attention on North American laws and policies (Street et al., 1967). Although not all of the report’s specific recommendations were enacted by Parliament, the 1968 Race Relations Act extended coverage to discrimination in employment, housing, and provision of a wider range of goods and services. These solutions were viewed as a legitimate and effective means of tackling problems of color discrimination given lessons learned from the North American context.

The 1976 Race Relations Act continued to respond to problems of color racism—but with an even stronger emphasis on minority rights and group-based inequalities. The Home Secretary and his expert advisor were convinced of the practical value of indirect discrimination and positive action provisions during their 1974 trip to the United States (Lester, 1994, p. 227). Returning to Britain, they redrafted the government bills to include these elements in British antidiscrimination law (Lord Lester, personal communication, July 23, 1997). British leaders’ learning from the American context therefore interacted with evolving views on equality to keep the policy-making focus on color discrimination. This was true even in an era punctuated by Enoch Powell’s public appeal to nativist sentiment, which might logically have turned attention away from discrimination and toward acts of racist speech.

In contrast to those of its cross-Channel neighbor, France’s race frames have tended—especially in early years—to highlight anti-Semitism as opposed to distinctions based on color as a key element of the definition of racism. French policy makers and interest groups also first ignored and subsequently rejected the North American analogy as relevant for their domestic situation. Instead, interpretations of limited preexisting domestic policies and the nation’s Revolutionary and Vichy history have loomed large as the context for French race frames. In addition, most French actors refuse to identify people by racial or ethnic categories, arguing that these types of distinctions are inherently divisive. French race frames have thus differed from their British counterparts in several key respects.

From the years following the Second World War through passage of the 1990 antiracism law, French policy experts and politicians have been consistently attentive to what they often refer to as “hitler racism.” The initial inspiration for the 1972 law came from a human rights group’s concern with what it perceived to be resurgent anti-Semitism in films and in the press (MRAP, 1984, pp. 9-15). As a leading member of that association (the MRAP) recalls, during the decades immediately following the war, the predominant concerns of the group were “neo-nazism, the revival of anti-Semitism and the Cold War” (Lévy, 1993, p. 3). Throughout the 1970s, 1980s, and into the 1990s, a
primary focus of politicians’ parliamentary antiracism proposals was “nazism” and anti-Semitism. 23

Neither before nor after passage of the foundational 1972 law has France identified its problems of racism with those in North America or Britain, even though these Anglo-Saxon countries each had an extensive repertoire of provisions by the early 1970s. French race experts have not drawn on the context of the English-speaking world as a source of policy learning, routinely downplaying or denying parallels between the French problems and the American or British problems of racism (Palant, personal communication, March 10, 1997; Lévy, personal communication, March 19, 1997). When the MRAP scanned the international horizon in the late 1950s for information about race policies, they did not follow the approach of the British, who turned first toward North America. Rather, the MRAP—sympathetic to the Communist Party—focused more attention on Eastern bloc exemplars, arguing that antiracist legislation would bring France in line with laws or legal proposals in Germany, Poland, the USSR, Albania, Bulgaria, Rumania, Czechoslovakia, and Yugoslavia, which had not hesitated to “reinforce the criminal fight against the after-effects of hitlerracism” (Lyon-Caen, 1959). Telescoping forward in time, influential French bureaucratic leaders of the 1990s were adamant that France had very little in common with an American or even Anglo-Saxon model of race that they viewed as producing communal identities and policies of quotas. 24

When contemplating actions vis-à-vis minorities, instead of looking westward, French leaders tended to look inward, instinctively referring to two sets of domestic historical reference points: the integrative Republican tradition of the Revolution and the anti-Semitism that culminated in the World War II Vichy regime. From the Revolution and Republican tradition, French activists and political leaders drew the lesson that equality before the law “without distinction of race” is a nonnegotiable principle. Rejection of the World War II collaborationist regime strongly influenced French thinking on the evils of ethnic and racial distinctions. Memories of mass arrests and deportation of Jews during the Vichy era evoke a “cold sweat that runs down the backs” of

23. See the following Assemblée Nationale official documents (legislature number: document number): 6: 1005, 7: 201, 8: 762, and 9: 43. French frames have focused relatively more on hitler racism, but it is important to note that France has not ignored other types of racism. With increasing frequency, parliamentarians and human rights groups cite anti-immigrant racism as a common French problem (see AN 9: 1296, and Lévy 1993). Yet anti-minority discrimination has remained the recessive theme of French race policies, and until recently, attention to these issues has been sparse in academic and public debates.

French citizens when people discuss classifying individuals by their origins. In more recent times, this sentiment has been reflected in the branding of early 1980s proposals for a “right to difference” for minorities as the first step down the slippery slope to a “difference of rights” (Taguieff, 1987, pp. 328-29) and in the strong opposition to scholarship of the 1990s that used ethnic classifications of French citizens (Le Bras, 1998).

Because human rights pressure groups and their parliamentary allies focused on the context of preexisting domestic policies rather than on British or American developments in the buildup to the 1972 law, French policy experts did not examine the possibility of establishing a state structure to lead the fight against racism, nor did they consider developing civil law remedies for punishing discrimination. Instead, they lobbied for and obtained legal powers for antiracist associations because they deemed France’s pre-1972 laws weakly enforced by a virtually disinterested state (see Assemblée Nationale 4: 2357 [see Note 23 for explanation], and MRAP, 1984). According to one lawyer working in the field, any antiracist commission would be weak and ineffectual, masking powerlessness and inactivity with rhetoric and reports (Sellami, personal communication, January 28, 1997). Moreover, because policy experts viewed the limited civil and administrative procedures relevant to discrimination as “complicated and expensive,” they proposed criminal sanctions “the mere threat of which will be more effective than the provisions currently in place” (Lyon-Caen, 1959).

In a similar manner, the French aversion to race consciousness has resulted in a widespread rejection of affirmative action policies, which have been deemed dangerous and counterproductive in the fight against racism. The desire to take race out of antiracism also influenced the 1978 law (78-17) on information storage and freedom (informatique et liberté), which outlawed computerized storage of data on racial origins without the express consent of the individual or (in cases of public interest) of the state. In practice, this has meant that no systematic data have been collected on race. In the late 1970s, when the bill was first discussed, antiracist groups such as the MRAP supported the drive to outlaw collection of ethnic data. At a time when British and American antiracists were calling for more ethnic data, the French Parliament debated not whether to make race statistics legal or illegal but whether to permit exceptions to the ban or to outlaw collection of race data in every circumstance. At the end of the day, the exceptions remained; yet no advocates for the positive value of counting minorities could be found. When

26. This point is developed in Bleich (2001).
asked about this aspect of the French law with regard to immigrant groups in the 1990s, one influential French administrator reflected,

What would we have to have? Legislation which says that one is recognized as being an immigrant, in order to have special rights, if one has parents of foreign origin or has at least two grand-parents of foreign origin. That would be an acceptable definition. Do you know what that is? That is the ordinance of 18 November 1940 which defines the Jew according to the Vichy regime, which says that one is a Jew if one has one Jewish parent or two Jewish grand-parents. It is impossible to imagine a French law that uses this formulation. It would have a frightening effect. It is absolute evil. 27

Throughout the 1980s and 1990s, French policies continued to respond primarily to the twin concerns of perceived domestic institutional inefficiencies and “hitler racism.” Parliamentary groups of all stripes have hammered on themes of nazism, proposing and passing laws to ban the apology of nazism, the apology of crimes against humanity, and eventually banning challenges to the historical existence of the Holocaust in the 1990 Gayssot law. By comparison, these efforts and laws have been wholly absent in Britain. Acts of “hitler racism” have therefore been the predominant concern of most institutional initiatives in France in the postwar decades, with discrimination and anti-immigrant racism relegated to the political and policy back burners until very recently. French antiracist entrepreneurs have learned primarily from their existing domestic structures rather than identifying with the American or British analogies and have focused more on formal equality before the law than on substantive equalities between racial or ethnic groups. British policies were simply not viewed as effective or appropriate solutions to France’s concerns about racism, given French interpretations and value judgments about race and racism and the context that leaders used to assess their problems. France’s race frames have therefore strongly influenced its policy choices, leading the country down a significantly different path from that of its cross-Channel neighbor.

CONCLUSION

To understand British and French race policy choices and cross-national policy differences, we must enter into the logic of decision making that prevailed in each country. Actors in Britain and France have tended to think and talk about race and racism in different ways, and they have drawn on different

analyses and contexts in analyzing their domestic situation. Whereas British leaders have focused primarily on the issue of color discrimination and have devoted much attention to the trans-Atlantic context, French policy makers have emphasized issues of anti-Semitism more than their Anglo-Saxon counterparts and have largely ignored or rejected the North American context, preferring to draw on their national history for lessons about fighting racism.

British and French race frames have a long history within each nation: They were present prior to policy decisions and were prominent during policy-making episodes, new policy initiatives were consistent with each country’s frames, and cross-national race frame variation is critical to explaining many important policy differences between the countries. Britain’s antiracist administrative structures, civil law penalties for discrimination, and race-conscious policies cannot be understood except by comprehending the logic of British race frames. France’s use of the criminal law, its allocating power to associations rather than to a governmental bureaucracy to lead the fight against racism, its strong laws against anti-Semitic hate speech, and its rejection of race-conscious policy elements all make sense only in the context of its race frames.

Ideas such as frames, although very influential in these cases, cannot account for all race policy outcomes or cross-national differences. Rather than viewing ideas simply as alternatives to other policy-making variables, it is important to highlight the ways in which ideational analysis complements the explanatory power of other approaches. If power-interest, institutional, and problem-solving perspectives point to important aspects of policy making, even taken together they do not always adequately identify the interests and goals of actors or the constraints on action, two vital aspects to any complete understanding of policy decisions. By contributing to an understanding of these elements, frames therefore fill in a critical piece of the policy-making puzzle.

It is not just in the realm of European race policies that frames are likely to be influential variables. Frames matter in cases where ideas help actors make sense of their goals in complicated surroundings. After World War II, for instance, the United States implemented the Marshall Plan not because of a simple calculation of its self-interest but because of an interpretation of its “enlightened self-interest.” How American leaders framed discussions of security and understood the postwar world deeply affected their policy choices. In addition, frames matter when policies maintain a particular trajectory because actors view that trajectory as logical and right. Scandinavia’s adherence to a Social Democratic world of welfare capitalism rests not only on a set of established, formal institutions but also on a belief about what the welfare state should be. Finally, frames matter when group power is affected
by an understanding of who is a legitimate expert or has moral authority to speak on a given issue. In environmental and other policy-making circles, for example, actors frequently strive for certification as objective and nonpartisan in order to be taken more seriously in policy deliberations.

Frames help actors define policy problems and sort out their interests and goals, they help establish and reinforce a particular policy path by acting as ideational constraints, and they can endow actors with power in a particular policy field. Identifying frames and analyzing their influence is therefore a necessary complement to explanations of policy outcomes that focus on the role of power, self-interest, institutions, and problem solving. In sum, we must understand not only that ideas matter but also how they matter systematically in comparative public policy making. Integrating frames into policy-making analysis contributes much to this endeavor.

REFERENCES


Garrett, Geoffrey, & Weingast, Barry. (1993). Ideas, interests, and institutions: Constructing the European community’s internal market. In J. Goldstein & R. O. Keohane (Eds.), Ideas and
foreign policy: Beliefs, institutions and political change. Ithaca, NY: Cornell University Press.


Hansard, Parliamentary Debates, House of Commons.


---

Erik Bleich is assistant professor of political science and director of European Studies at Middlebury College. His research interests include comparative public policymaking, ideas and politics, and race and ethnicity. He has published on these topics in Comparative Politics and French Politics, Culture and Society. His book *Race Politics in Britain and France: Ideas and Policymaking since the 1960s* is forthcoming with Cambridge University Press.