INSTITUTIONAL CONTINUITY AND CHANGE
Norms, lesson-drawing, and the introduction of race-conscious measures in the 1976 British Race Relations Act

Erik Bleich

This article advances an integrated perspective on institutional continuity and change. It argues that continuity in informal institutions (such as norms or embedded ideas) can influence change in formal institutions (such as laws and written rules) when lesson-drawing from external sources becomes an informal institution, and when foreign exemplars inject new ideas into domestic debates. The history of race relations policies in Great Britain illustrates this dynamic. When British race institutions were established in the 1960s, they reflected the prevailing idea that British policies should incorporate lessons learned from North America. When Britain revisited its race relations provisions in 1976, policy experts looked to North America and found that much had changed there in the interim. They subsequently altered Britain’s formal institutions to include US-inspired ‘race-conscious’ measures. By building bridges between scholarship on sociological institutionalism, lesson-drawing and policy transfer, and historical institutionalism, this article offers new insights into the dynamics of institutional change.

Introduction
The field of comparative politics has devoted much attention in recent years to institutions, describing and explaining how they structure political, social, and economic life, and how they affect our choices by constraining or enabling our actions. Scholars have also systematically probed institutions as dependent variables, seeking to understand where they come from, why they endure, and the circumstances under which they change. In addressing these issues, however, few analysts have achieved an integrated perspective on the relationship between institutional continuity and change. Indeed, it is possible to say that something like a firewall has been erected between these two arenas. Theorists of path dependence, by virtue of their emphasis on processes of increasing returns and lock-in, have a difficult time accounting for institutional change (Mahoney, 2000; Pierson, 2000). By contrast, studies of institutional disruptions have rarely highlighted continuities before or during episodes of change (see Thelen 2003, 2004 for the exception to the rule). To the extent that institutional continuity and change have been combined in scholarly analyses, it has most often been through ‘punctuated equilibrium’
metaphors, which see their relationship as sequential, but by no means causal (Baumgartner & Jones, 1993; Krasner, 1984).

This article offers an integrated perspective on institutional continuity and change. It does so by bringing together important strands of scholarship that have developed in isolation from one another. Lesson-drawing and policy transfer literatures have examined the role of learning and of borrowing policy elements from foreign sources, but primarily as non-iterative occurrences (Bennett & Howlett, 1992; Dolowitz & Marsh, 2000; Rose, 1991). Sociological institutionalism has highlighted the significance of embedded norms and their impact on political decisions (see Hall & Taylor, 1996), but it has focused primarily on the impact of national or international norms such as firm diversification or the appropriateness of the use of force (Finnemore, 2003; Fligstein, 1991). Neither group of scholars has examined cases where lesson-drawing from foreign sources itself becomes a well-established norm. This article argues that institutional continuity can lead to institutional change when lesson-drawing from other policy domains or from foreign exemplars becomes an informal institution, and when such outside exemplars inject something new into domestic debates.

The introduction of race-conscious elements in the 1976 British Race Relations Act illustrates this dynamic. When first established in the 1960s, British anti-discrimination institutions were color-blind. The laws and administrative organizations of that era were designed to prohibit direct discrimination on the grounds of color, race, or ethnic or national origins. They eschewed the recognition of ‘races’ and avoided policies that targeted or even acknowledged racial or ethnic groups, such as affirmative action or ethnic monitoring schemes.

When Britain revised its race relations institutions in the 1970s, however, it significantly changed this principle. The Race Relations Act of 1976 incorporated race-conscious elements into British structures. It permitted positive action in order to increase the number of qualified racial or ethnic minority applicants for jobs. It created protections against indirect discrimination, sheltering members of ‘racial groups’ from policies that unjustly disadvantage them, even when those policies are not motivated by racial animus. And it set in motion pressures for officially counting individuals by race and ethnicity that culminated in the establishment of an ethnic question in the British census.

This article argues that Britain implemented race-conscious institutions in the 1970s because political and policy leaders had established a norm of learning from North America in the field of race relations and because American institutions evolved in the years between British policymaking initiatives. Actors’ efforts to engage in lesson-drawing, the establishment of such learning as an informal institution, and evolution in the object of learning are therefore all necessary components to explaining changes in Britain’s formal race relations institutions.

As Britain created its anti-discrimination institutions in the 1960s, the reflex of examining events in the United States and Canada gradually solidified, and concretely affected the 1965 and 1968 Race Relations Acts. By the time Britain revisited its laws in the mid-1970s, the norm of lesson-drawing from North America was strong enough to prompt the British Home Secretary and his principal advisor to travel to the United States to discuss race relations with American experts. British leaders learned that much had
changed across the Atlantic since the 1960s. These changes inspired parallel (though not identical) policies in Britain, illustrating how informal institutional continuity in the form of institutionalized lesson-drawing can influence formal institutional change.

To lay out the argument, section one distinguishes between formal and informal institutions and demonstrates how, under certain circumstances and using well-established definitions from sociological institutionalism, lesson-drawing can constitute an informal institution. Section two reviews the birth of race relations laws in Britain, showing how British policy experts and politicians consciously built and then acted upon a belief that North America provided a model for the United Kingdom in the sphere of race relations legislation, and how this affected the Race Relations Acts of 1965 and 1968. Section three examines the changes made to the 1976 Race Relations Act. It demonstrates that the norm of learning from North America in an era of substantial American policy change helps account for the incorporation of race-conscious elements in British race relations institutions. The concluding section looks beyond the boundaries of British race relations policies to illustrate that institutional continuity can be a force for institutional change in a wider array of cases.

**Formal and Informal Institutions**

New institutionalist scholarship has favored a broad definition of institutions, which can be summarized as ‘formal organizations and informal rules and procedures that structure conduct’ (Steinmo et al., 1992, p. 2). Yet, as this definition itself suggests, there are meaningful distinctions within the category. Douglass North was one of the earliest analysts to highlight the difference between formal and informal institutions. According to him, formal institutions are ‘political (and judicial) rules, economic rules, and contracts’ while informal institutions include ‘codes of conduct, norms of behavior, and conventions’ (North, 1990, pp. 47, 36). North’s informal institutions parallel longstanding definitions found in sociological institutionalism, which identifies ‘symbol systems, cognitive scripts, and moral templates’ as core examples of institutions (Hall & Taylor, 1996; see also Meyer & Rowan, 1977; Powell & DiMaggio, 1991).

This distinction between formal and informal institutions is significant in a number of ways. Because they are in writing, formal (hard) institutions are easier to track than informal (soft) institutions. Formal institutions are enforced by the state or by a superior authority, whereas informal institutions are more likely to be enforced by peers through shunning, withering glances, and other such methods. Changing a constitution, a law, or a contract necessitates negotiation and often a vote; by contrast, reshaping norms, prevailing ideas, or cognitive scripts is a process that typically entails persuasion rather than ‘powering’. While formal and informal institutions are not exactly the same, they are each justifiably called institutions because of their power to structure conduct by constraining actors’ decision-making abilities.

When political scientists explain the creation, continuity, or change in an institution, most often they are interested in the formal variety. Historical and rational choice institutionalists have tended to focus much less attention on informal institutions than sociologists (Hall & Taylor, 1996). A general emphasis on hard institutions is not necessarily
misplaced, as they may change for reasons unrelated to soft institutions. These transformations can be caused by crises or other exogenous shocks, shifting power configurations of political entrepreneurs, changing preferences or relative prices, or a mismatch between institutions and the goals of powerful actors (see North, 1990; Thelen, 2003).

Frequently, however, new laws, policies, or court decisions go hand-in-hand with norms, prevailing beliefs, cultural presumptions or other informal yet influential ideas, rules, or procedures. When this is true, it is necessary to analyze change not only in an institution but in a set of institutions, both formal and informal. Under these conditions, soft institutions may be critical to explaining developments in hard institutions. The most obvious scenario is when a change in informal institutions generates a change in formal ones, such as when shifting norms encourage legal changes that reflect and encode new prevailing beliefs (see, for example, Farrell & Héritier, 2003).

By contrast, the scenario highlighted here is one of hard institutional change as a result of soft institutions, but under circumstances where there is no soft institutional change. This seemingly paradoxical situation can take place most easily if lesson-drawing becomes established as an informal institution. Richard Rose (1993, p. 21) defines a lesson with respect to the policy process as ‘a program for action based on a program or programs undertaken in another city, state, or nation, or by the same organization in its own past’. Lesson-drawing, therefore, is the practice of looking across time or space for information that can be used when developing policies, laws, or other formal institutions. Most often, the literature on lesson-drawing, learning (Bennett & Howlett, 1992), imitation (Jacoby, 2000), policy borrowing (Finegold et al., 1993), policy transfer (Dolowitz & Marsh, 2000), diffusion (Walker, 1969), and other related concepts views the adaptation of models from other jurisdictions as a one-shot deal. Harold Wolman (1992, p. 30) chalks up most cross-national policy learning to ‘a wide variety of semi-formal or informal means’. In these cases, lesson-drawing cannot be considered an informal institution. At times, however, looking for lessons can become a deeply engrained reflex. Whether studying the past, a parallel domestic policy area, or foreign exemplars, seeking outside information can itself become an embedded norm.

In these cases, lesson-drawing qualifies as an informal institution that can have a significant impact on formal institutional change. As actors periodically review their institutions, looking at an outside exemplar may promote change, especially if there has been change over time in that outside arena. In other words, the informal institution of learning from a particular model (another policy sphere, state, or country) may contribute to the pressure for overhauling institutions, and is likely to inform the direction of change. This dynamic is succinctly illustrated by examining British anti-discrimination institutions in the 1960s and 1970s.

The Birth of Race Policies in Britain – Formal and Informal Institutions in the 1960s

Britain established its race relations institutions through a series of parliamentary acts in the 1960s and 1970s. In their earliest days, neither the formal nor informal
institutions were deeply embedded. Yet, very quickly, lesson-drawing from North America became a reflex among British policy, political, and media elites. This informal institution kept pace with Britain’s formal race relations structures as both gathered strength in the mid- to late 1960s. By the end of the decade, Britain had significant legal and policy rules for managing race relations issues, and those rules were deeply affected by the lessons drawn from across the Atlantic (see Bleich, 2003).

Attention to the United States and Canada can be traced back to the mid-1950s when the Labour Party founded a policy sub-committee because of complaints of racism among the country’s growing immigrant ethnic minority community. Committee members corresponded with organizations in the United States such as the NAACP in order to gather information about how to cope with racism. Although this type of direct contact with North American groups was a rare occurrence in the 1950s, identifying with the trans-Atlantic situation became increasingly common in the early 1960s. In 1962, for example, the Institute for Race Relations sponsored a massive, seven-year study of race in Britain, drawing inspiration from Swedish social scientist Gunnar Myrdal’s (1944a,b) examination of the United States in An American Dilemma. In the words of the Institute’s director Philip Mason, the goal was to find ‘a Myrdal for Britain while there was still time’ (Rose, 1969, pp. xix–xxiii).

While lesson-drawing from North America became more common, it did not permeate all layers of the policymaking or political elite by the time the newly elected Labour government announced in November 1964 that it would pass the country’s first Race Relations Act (Hansard, Commons, v. 701, 37–41). Within the Home Office bureaucracy, one civil servant wrote in August 1964 to another, ‘... it has seemed to me for some time that our assertion that the collection of statistics “by race” was objectionable in principle was curiously at variance with American practices. You might like to think about this!’ (Public Record Office, HO 376/3, letter from W.N. Hyde to Mr. R.M. Morris, dated 14 August 1964). Showing a similar lack of interest in North America when formulating race relations provisions in 1964, Home Secretary Frank Soskice and his team drafted a bill that proposed using the criminal law to punish racial discrimination (Hansard, Commons, v. 711). While this may seem reasonable on its face (indeed, it has traditionally been the preferred method for dealing with discrimination in France), North American experience had already proved that the criminal law was a relatively inefficient method for coping with this type of racism (Jowell, 1965). Such evidence illustrates that in the run-up to the first Race Relations bill, lesson-drawing from North America, although increasingly common, was not a widely-shared informal institution among the British policy making elite.

This began to change in earnest as Britain progressed from the 1964 bill to the 1965 law. In early 1964, a group of Labour party lawyers had joined forces to study the feasibility of anti-discrimination legislation (Lester & Bindman, 1972, pp. 110–16). They sent an emissary to study the ways in which US states and Canadian provinces had set up their own race relations institutions. Jeffrey Jowell returned to Britain with information that strongly shaped the Labour lawyers’ perspective. Jowell (1965) argued that the weight of evidence from North America implied that administrative conciliation backed by the civil
law — rather than criminal sanctions — was the optimal institutional structure for coping with problems of discrimination.

A discussion of the pros and cons of the two options took center stage in debates over the Government's project. There was a growing consensus among Labour backbenchers and members of the Opposition that the Government had made a mistake and that administrative conciliation was a better institutional mechanism for dealing with discrimination (Lester & Birdman, 1972, pp. 110–16; Rose, 1969, pp. 225–26). The Conservatives tended to feel that administrative conciliation was less confrontational (and therefore perhaps less rigorous) than criminal punishment, and supported it in part to wrong-foot the Government (Heineman, 1972, p. 119). Labour party MPs, by contrast, felt that experience showed conciliation backed by the civil law to be more effective than the criminal law alternative (Lester & Birdman, 1972, p. 113). Regardless of the divergent reasons for support, each side used the North American exemplar to support its position. In taking the Government to task, the Conservative shadow Home Secretary argued:

This attempt to import the taint of criminality into this aspect of our affairs will not work ... [The Home Secretary] must have studied, as I and my right hon. Friends have studied, the practice in the United States of America. Everyone will tell him, if he will ask, or if his officials will ask, that it will not work 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, Commons, v. 711, 948)

Given these convergent pressures in a politically explosive issue area, the Labour Government with its narrow Parliamentary margin relented, redrafting the Bill midway through the legislative process to reflect the consensus that administrative conciliation was the best method for dealing with discrimination.

It is worth underlining that although the informal institution of lesson-drawing from North America gained an increasingly significant toehold during passage of the 1965 Race Relations Act, it did not yet qualify as an informal institution. The Government adopted administrative conciliation under pressure, and the Opposition capitalized on the American example primarily in an effort to score political points. What is noteworthy, however, is that a group of influential actors accepted that the North American exemplar was vital to thinking about Britain's domestic institutions. Moreover, they had succeeded in drawing attention to this model, and others (Conservatives and Labour backbenchers) had legitimized it by evoking it in Parliamentary debates and the Government had written its prescriptions into the country's race relations laws. Learning from North America thus went hand-in-hand with the development of Britain's formal race relations institutions.

In the years immediately following the law of 1965, Britain revisited its formal anti-racism institutions, eventually extending them via the Race Relations Act of 1968 to grant protections against discrimination in employment, in housing, and in provision of a wider range of goods and services. In large part, the issue of racism climbed back onto the domestic agenda because British activists, policy experts, and victims realized that the law
of 1965 was not extensive enough to cover the important problems arising in British society (see Lester & Bindman, 1972; Rose, 1969). As British formal institutions were expanded, so were the influence and the embeddedness of lesson-drawing from North America.

The 1965 Act provided such limited protections in the area of discrimination principally because many political leaders thought at the time that it was either inappropriate or impossible to punish discrimination in places of employment or housing (for the Cabinet’s deliberations on this topic, see PRO CAB 128/39 Part 1, Minutes of the Cabinet Meeting of 22 February 1965). Thus, part of the push for the 1968 extensions involved justifying the usefulness of the law in general, and in these domains in particular. The administrative agency responsible for implementing the 1965 Act – the Race Relations Board (RRB) – did this by turning to the North American model (Race Relations Board, 1967, p. 22). In its report, it argued that ‘our own experience of legislation against discrimination is supplemented by what we have learned of such legislation in the United States and Canada. There, despite initial doubts, the law is now regarded as essential to the success of other government policies and is a powerful stimulus to voluntary action’ (Race Relations Board, 1967, p. 21). The RRB suggested that unless Britain curbed discrimination and fostered integration, it was likely to face an ‘American future’, replete with deeply engrained animosity and even lethal riots (Race Relations Board, 1967, p. 16).

In private as in public, Labour Party activists such as Anthony Lester pushed Members of Parliament to recognize the lessons of North American experiences. Lester presented a confidential paper to Labour’s Race Relations Working Party in April 1967 that stated plainly: ‘the recent experience of the United States and Canada indicates that law can have a powerful and benign effect in discouraging discrimination and promoting racial equality’.

By the late 1960s, British race relations specialists regularly looked to North America for ideas (Studlar, 1993). The National Committee for Commonwealth Immigrants (NCCI), for example, organized a conference on employment discrimination in 1967 that brought together experts on the topic from Britain and North America. The Chairman of the Race Relations Board himself visited the US in order to learn more about its approach to race relations. Even the British media gave increasing coverage to US civil rights laws, ‘suggesting a positive and beneficial role for this approach at home’ (Saggar, 1993, p. 272).

Perhaps the most influential instance of learning from across the Atlantic came in the form of the October 1967 Street Report on anti-discrimination legislation. This publication was particularly authoritative given the prestige and diverse political stripes of its three authors. As Anthony Lester and Geoffrey Bindman (1972, p. 130) recount, ‘the Street [R]eport received an extremely favorable response in the national press, and its strong recommendations were carefully studied in Whitehall’. The Report was noteworthy in part for its extensive review of anti-discrimination structures around the world, and for the weight it granted to US and Canadian laws within this review (Street et al., 1967). Its conclusions were in keeping with those of other specialists, namely that North American lessons demonstrated that ‘the law is an acceptable and appropriate instrument for handling the problem’ (Street et al., 1967, p. 62). These findings helped to legitimate domestic initiatives and to return race to the legislative agenda.
By the end of the 1960s, Britain had erected and extended its set of anti-racism institutions—both formal and informal. Its hard institutions were embodied by the 1965 and 1968 Race Relations Acts. The norm of drawing lessons from North American developments when acting on domestic race relations had become a firmly embedded soft institution. While such modeling was not ubiquitous in the early debates leading to the 1965 Act, it was powerful and widespread by the time of the 1968 Act. Looking to North America had become taken for granted among political and policy elites and the media as a useful tool for understanding racism and for acting to curb it. Britain’s hard and soft race relations institutions emerged and evolved hand-in-hand.

**Continuity and Change in the 1976 Race Relations Act**

Throughout the 1960s and early 1970s, British political leaders adhered to a notion that public policy in a multiracial society should be color-blind. This was particularly true for progressives in Britain who vehemently opposed any legal provisions that permitted race to affect employment or housing decisions, such as a clause in the 1968 law that allowed certain industries to limit immigrant workers in order to maintain a ‘racial balance’ (Lester & Bindman, 1972, pp. 140–41). Although the racial balance clause was obviously not in the interest of immigrants, even steps taken to benefit minorities were viewed unfavorably by progressives, who feared that at best they were superfluous and at worst they might be used to justify segregated facilities (Lester & Bindman, 1972, p. 138).

This color-blind norm was in keeping with the predominant understanding of civil rights laws in the mid-1960s across the Atlantic. In debates over the 1964 Civil Rights Act, prominent organizations such as the Southern Christian Leadership Conference and the NAACP supported color-blindness, and Senator Hubert Humphrey emphasized that Title VII prohibits discrimination. In effect, it says that race, religion, and national origin are not to be used as the basis for hiring and firing. Title VII is designed to encourage hiring on the basis of ability and qualification, not race or religion’ (quoted in Skrentny, 1996, p. 3). Anti-racism legislation on both sides of the Atlantic was therefore originally crafted to punish people who acted on racial prejudice, not to encourage the use of racial categories for egalitarian ends.

However, this adherence to color-blindness soon changed in the United States. Affirmative action became a major tool in the American race policy repertoire in the late 1960s and early 1970s (Graham, 1990). The growth of affirmative action in this era signaled a shift away from color-blindness and toward policies that reify racial groups, away from a focus on intentionally bigoted acts of racism and toward a concern with representation or utilization of minorities (Skrentny, 1996, pp. 7–8). Debates about color-blind versus race-conscious policies are politically explosive and continue to preoccupy Americans to this day. The transition from one to the other therefore stands as an important turning point in the history of US race policies. The cornerstone Supreme Court decision that legitimized this shift was rendered in the 1971 case of Griggs v. Duke Power Co., when the Court recognized that seemingly neutral job requirements could provide ‘built-in headwinds’ that would disparately impact minorities applying for jobs (Graham, 1990, pp. 383–91; Skrentny, 1996, pp. 166–71). The decision made it unlawful for employers to establish
qualifications that had the effect of lowering minorities' job prospects, regardless of whether the qualifications were intended to do so. The sum total of these bureaucratic and judicial decisions amounted to a significant shift in US policy toward race-consciousness between the late 1960s and the early 1970s.

During these years, formal anti-discrimination institutions were not altered in Britain. With the return of the Labour Party to power in 1974, however, inter-group relations moved back on to the legislative agenda. The Government passed the Sex Discrimination Act in 1975 and a new Race Relations Act in 1976. This was to be the last overhaul of anti-racism institutions in the twentieth century, and it was substantial. For the first time, the 1976 Act included race-conscious provisions, such as permission for employers and others to engage in positive action (soft affirmative action in American parlance) and restrictions on indirect discrimination (the equivalent to disparate impact discrimination banned in the US through the Griggs decision). In addition, although the Government did not mandate ethnic monitoring, it did encourage it. Britain did not copy all aspects of American hard institutions. Nor are its formal anti-discrimination institutions as race-conscious as North American ones. Nevertheless, the transition from color-blindness to a measure of race-consciousness marked a significant shift in Britain's hard institutions, and it is one that sets Britain apart from most other European countries that have established anti-discrimination measures.

How did this important change take place? When Labour Party leaders decided to revisit the topic of discrimination in the mid-1970s, they focused first and foremost on the issue of gender (Sooben, 1990). Although there was some pressure to create an omnibus discrimination law that covered both gender and race, women and minorities in Britain did not identify their problems or interests as sufficiently similar to support such a plan (Lester, 1997, p. 171). Therefore the Government (led by Home Secretary Roy Jenkins) treated the two issues in turn, molding each with the other in mind. When the Government took up the issue of gender discrimination in 1974, for example, it stated plainly that 'the principle of non-discrimination contained in the proposed [Sex Discrimination] Bill is identical to the principle of non-discrimination contained in the race relations legislation' (Great Britain: Home Office, 1974, p. 9).

At no time in the early stages of anti-discrimination legislation was indirect discrimination or positive action on the agenda. This was true even as late as September 1974, when the Government published its White Paper Equality for Women. Neither this document nor the public comments that followed noticed the absence of either policy element (Great Britain: Home Office, 1974; Lester, 1994, p. 227). However, before proceeding with either law, British experts looked to North America. Members of the Parliamentary Select Committee on Race Relations and Immigration went to the United States (and to the Netherlands) in 1975 to gather information for their report on the organization of the race relations administration (Great Britain: Select Committee on Race Relations and Immigration, 1975b, p. 267). And before finalizing plans for anti-discrimination legislation in late 1974, Home Secretary Roy Jenkins and his principal policy advisor Anthony Lester visited the US and met with American experts who pointed out the potential usefulness of race-conscious policies (Lester, 1994, p. 227).
One of the lessons learned from North American developments was that confining the definition of discrimination to direct intentional acts was insufficient. The Griggs decision was singled out as having a particular impact on British experts' thinking. Anthony Lester stated that it was the 'original intellectual inspiration' (Lester, 1987, p. 23, ft. 7) for Britain's provisions against indirect discrimination, which were a major change in Britain's legal methods for dealing with groups (Gregory, 1987, p. 35). The second lesson learned consisted of a more positive attitude toward policies that assist disadvantaged groups such as women and racial minorities. Following his trip to North America in 1974, Home Secretary Jenkins admitted that targeting policies for the benefit of some groups may be justified, stating in the House of Commons that 'we should not be so blindly loyal to the principle of formal legal equality as to ignore the actual and practical inequalities between the sexes, still less to prohibit positive action to help men and women to compete on genuinely equal terms and to overcome an undesirable historical link' (Hansard, Commons, v. 889, 514). In response to information gleaned from North American experiences, the Government revised its proposals to include both indirect discrimination and positive action clauses in the Sex Discrimination Bill of 1975 and carried these over into the Race Relations Bill of 1976. Although British experts did not propose using the quotas, set-asides, or race-norming sometimes associated with affirmative action in the United States, they no longer dismissed race-conscious policies as dangerous or superfluous (Lester, 1987, p. 23).

Unlike indirect discrimination and positive action provisions, the third significant race-conscious element of Britain's formal race institutions – ethnic monitoring – was not mandated by the 1976 legislation. Collecting statistics on racial groups was deemed controversial at the time, with observers noting 'strong and widespread opposition to the keeping of such records' (Race Relations Board, 1975, p. 9). Even in the mid-1970s, however, official bodies such as the Race Relations Board (1975, p. 9), the Community Relations Commission (1975, p. 10) and the Parliamentary Select Committee (Great Britain: Select Committee on Race Relations and Immigration, 1975a, pp. 20–22) advocated ethnic monitoring, suggesting that it was essential to government policy. Epitomizing this tension was the Home Office's White Paper on race relations, which failed to recommend mandatory collection of race statistics, while at the same time asserting that 'the Government considers that a vital ingredient of an equal opportunities policy is a regular system of monitoring' (Great Britain: Home Office, 1975, p. 5).

Ethnic monitoring has become widely used in many important British institutional settings since the 1970s. For example, local bodies have increasingly turned to monitoring, especially in areas with significant ethnic minority communities (Ollerearnshaw, 1983, p. 156). On the national level, the Civil Service began collecting information on its employees' race and ethnicity as early as 1981, and has since regularized the practice (Great Britain: Cabinet Office, 1995; Ollerearnshaw, 1983, p. 158; Sanders, 1983, p. 75). Ethnic data is also amassed by national statistical services, such as the Labour Force Surveys, General Household Surveys, and even – as of 1991 – the British census (Coleman & Salt, 1996b; Peach, 1996; Ratcliffe, 1996). Most recently, a 2001 statutory order that followed the 2000 Race Relations Amendment Act established a government mandate to collect ethnic data (see the Race Relations Act 1976, on line at http://www.hmso.gov.uk/si/si2001/
20013458.htm). Ethnic monitoring has thus become commonplace in Britain in a way that is consistent with its other race-conscious policy elements.

Although lesson-drawing from North America did not prompt the 1976 Race Relations Act to require ethnic monitoring, it did influence the increasing frequency with which Britain has collected such statistics. The US situation, for example, fostered reflection on racial group inequalities and on which policies are appropriate within a multicultural society (Coleman & Salt, 1996a). At the same time, British discussions consistently suggested toning down the race-conscious policies in place in the United States. This was true of Home Secretary Jenkins’ position in favor of positive action over affirmative action, and it was also true of discussions about ethnic monitoring. In 1975, for example, the Parliamentary Select Committee summed up its opinion on the matter:

The Committee during their visit to the United States were greatly impressed by the importance of an effective monitoring system to race relations policy. Nevertheless we emphasize that we are not recommending that we should follow the American precedent. It is too bureaucratic and legalistic and on a scale inappropriate to the circumstances obtaining in this country (Great Britain: Select Committee on Race Relations and Immigration, 1975a, p. 22).

Thus, when British experts began to survey the US and West Indian censuses in the mid-1970s for examples of how to implement a domestic version of an ethnic question, they did it simply to verify that such questions could be asked and not with the intention of directly copying American practices (Bulmer, 1996, p. 46). Decisions by local and national organizations in subsequent years to begin ethnic monitoring were therefore not examples of direct lesson-drawing from North America. Nevertheless, these decisions were taken in the context of widespread attentiveness to trans-Atlantic race policies, which themselves emphasized the usefulness of collecting statistics by race and ethnicity for promoting equality.

Conclusions – Institutional Continuity and Change

This article has explored the trajectory of race relations policies in Great Britain in order to highlight the relationship between institutional continuity and change. It has demonstrated that continuity and change are neither at loggerheads with one another (as might seem logical), nor are they simply sequentially related as in punctuated equilibrium models. Instead, this article demonstrates that informal institutional continuity can be a force for formal institutional change.

The founding and early expansion of Britain’s hard race relations institutions went hand-in-hand with the development of the soft institution of lesson-drawing from North America. As Britain passed its first Race Relations Act in 1965, lessons from America entered Parliamentary and public debates, and eventually contributed to a significant shift in policy outcomes. Lesson-drawing was an established reflex by the late 1960s. Not only did the examples of the US and Canada help shape the direction of policymaking, they also helped get race relations back on the Parliamentary agenda in 1968, by convincing actors that legislation against employment and housing discrimination was feasible.
Lesson-drawing from North America in the sphere of race relations carried forward into the 1970s. When anti-discrimination reforms arrived on the agenda, several influential policy leaders and politicians traveled to North America to discuss policy options. They learned that much had changed since the mid-1960s. Color-blind policies had yielded to increasingly race-conscious measures such as affirmative action, protections against indirect discrimination, and intensified ethnic monitoring. British leaders brought these ideas home and adapted them, implementing them through the 1976 Race Relations Act and in subsequent years. Today, Britain's formal race relations institutions contain meaningful race-conscious measures. This is in contrast with its own institutions of the 1960s and in contrast with provisions in most other European countries. Naturally, many factors were involved in the development of race relations policies in Great Britain (see Bleich, 2003). This article has demonstrated, however, that continuity in the informal institution of lesson-drawing from North America significantly contributed to Britain's shift from color-blind to race-conscious formal institutions.

Looking beyond the horizon of British race institutions, the analysis presented here has implications for the study of institutional change that are relevant in a wider variety of settings. Just as Kathleen Thelen (2003, 2004) has identified layering and convergence as modes of institutional evolution, this article has shown how informal institutional continuity can be a path to formal institutional change when informal institutions include norms of lesson-drawing and when new or different ideas are discovered through such lesson-drawing. These factors do not guarantee formal institutional change, but they do create pressures for such change.

Examples of these processes can be found in spheres as disparate as nineteenth century Japanese state-building and the business models of twentieth century American firms. Elinor Westney (1987) has closely documented Japan's systematic attention to lessons from the West, demonstrated by the repeated trips by government officials to France, Britain, and other Western countries to bring back information about institutions such as the police and the postal system. Mirroring this example, Paul DiMaggio and Walter Powell (1991, p. 69) explain that American firms' mimesis of Japanese strategies in the 1980s had 'a ritual aspect; companies adopt these "innovations" to enhance their legitimacy, to demonstrate they are at least trying to improve working conditions'. As these authors argue, continuity in soft institutions – such as lesson-drawing from other countries undertaking actions viewed as efficient, appropriate, or legitimate – can serve as a motivation for hard institutional change.

Exploring the connections between institutional continuity and change also opens fruitful new avenues for scholars of lesson-drawing and policy transfer. To date, most contributions in this field have viewed references to foreign countries as isolated occurrences that, while significant for understanding a particular policy trajectory, were not systematic or sustained. There has been little attention to lesson-drawing as an institution and to the effects that it may have on policy development over time. This is true in spite of Dolowitz and Marsh's (2000, p. 21) and Jacoby's (2000, p. 219) observations that policy transfer has been increasingly frequent in recent years and that it is likely to become more prevalent in the future given ever-greater communication across borders. If they are right, then examining how lesson-drawing becomes established as an informal institution
and how it affects formal institutional change will be critical to analyzing politics and policymaking in the decades to come. Such links between formal and informal institutions may help us understand pathways of change grounded in continuity that thus far have seemed so paradoxical that they have been overlooked.

NOTES

1. For helpful feedback and comments on this article, I thank Randall Hansen, Wade Jacoby, Jeanette Money, Kathleen Thelen, the participants in the British Study Group at the Center for European Studies, Harvard University, and the editors and reviewers of Policy Studies. An earlier version of this article appeared in Harvard University's Center for European Studies Working Paper series.

2. Parliament passed the Race Relations (Amendment) Act in 2000, which significantly extended the scope of the 1976 Act, although it did not replace it.

REFERENCES


GREAT BRITAIN: SELECT COMMITTEE ON RACE RELATIONS AND IMMIGRATION (1975a) The Organisation of Race Relations Administration, London: HMSO.

GREAT BRITAIN: SELECT COMMITTEE ON RACE RELATIONS AND IMMIGRATION (1975b) The Organisation of Race Relations Administration, London: HMSO.


JOWELL, J. (Summer 1965) 'The administrative enforcement of laws against discrimination', Public Law, pp. 119–86.


---

**Erik Bleich**, Associate Professor of Political Science, Department of Political Science, Middlebury College, Robert A. Jones ‘59 House 110, Middlebury, VT 05753, USA. Tel: 1 8024453254; Fax: 1 80244532050; E-mail: ebleich@middlebury.edu.