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Diverse Voices in Public Law, edited by Se-shauna Wheatle and Elizabeth O'Loughlin, (Bristol: Bristol University Press, 2023), xvi + 261 pp., hardback, £85.99 ISBN: 9781529220735; paperback, £27.99, ISBN: 9781529220742.

Diverse Voices in Public Law notes the need for legal academics to be better acquainted with how our students' lived experiences, which are often not reflected in public law teaching. Public law teaching is in flux, driven by a prolonged period of political upheaval and public policy reforms. *Diverse Voices* provides a stirring critique of the UK's current constitutional order but provides a wealth of resources academics can use to change the teaching of public law, and well as for students who want to engage with more diverse perspectives on their reading lists. There are further readings at the end of each chapter, and suggested readings grouped by subject area at the end of the collection which allow the reader to use this text as a springboard for further research and understanding.

Given the lack of diversity in relation to gender, race and sexual orientation in much of the public law literature, *Diverse Voices* provides a space for less represented voices: "the majority of chapters are written by racialised or minoritized persons, women and LGBTQI persons", and a significant number of contributors are early career researchers. The editors make clear that "such voices ought to be viewed as part of the standard curriculum" (p.2). The authors challenge received wisdom and assumptions in constitutional law (p.10).

There are four key themes in this collection (pp.11-12). First, making evident the 'long shadow' that the frameworks of power that sustained the British Empire have cast on the UK's legal systems. Second, considering questions about the extent and legitimacy of executive power. This includes how state administrative policies and powers perpetuate disadvantage. Third, a consideration of the unclear line between public law and criminal law, which involves the criminalisation of the actions and experiences of marginalised groups in public law. Fourth, the book explores the limits of public law, which is connected to the argument that law is not the only, or the most effective, tool available to effect social change.

The collection comprises two parts and 11 chapters. The first part, 'Constitutional Structures and Concepts', contains six chapters. It considers critical perspectives on fundamental principles such as the rule of law and parliamentary sovereignty. The second part, 'The Individual and the State', contains five chapters, and evaluates the often exploitative and discriminatory relationship between the individual and the British State.

Each one of these chapters deserves to be read and integrated into reading lists and lectures.

In the first chapter, 'The Rule of Law and Racial Difference in the British Empire'. Kanika Sharma considers a mainstay of public law teaching, the rule of law. Law was central to the British colonial project, a 'gift' to colonised peoples (pp.20-23). The rule of law, which ostensibly promoted the equality of individuals, was reconciled with the rule of colonial difference, which meant that colonial systems could only operate through a preservation of the superiority of the ruling group (p.25). Sharma shows through examples how and why race determined the types of rights made available to the colonised populations (p.26), and how the structure of colonial law only comes into being after the violent and illegal removal of the precolonial order (p.31). Such a critique shows us how the rule of law does not have a neutral or objective past but has been and still can be deployed in discriminatory ways in a legal system.

Sharma's chapter, like many others in the collection, identify the 'persistence of colonialism', the continuity of structures and systems of domination and subordination, emerging from the domination of the European metropole over subjugated territories. These chapters consider

the ongoing effects of empire and colonial structures on UK law, and how colonisation has shaped the institutions of the UK constitution and administrative state. As such, this chapter can usefully be read in conjunction with the seventh chapter, which considers the relationship between citizenship and racialisation.

The second chapter, by Donal K Coffey, is titled 'Parliamentary Supremacy of the People'. Conal considers how A V Dicey's doctrine of parliamentary sovereignty developed historically and includes a perspective many textbooks overlook – that Dicey himself argued that Parliament needed the approval of the 'people' in a referendum to pass Irish Home Rule (p.40). Coffey shows that parliamentary sovereignty has been under consistent consideration over the past century, to the extent that today, the wishes of the 'people' underscore 'constitutional' statutes, and the people would also need to assent to fundamental constitutional changes, such as altering parliamentary sovereignty.

The third chapter, 'Strong Executive, Weak Parliament?', by Paul F Scott, considers the modern executive as including the administrative state, and the executive's powers are the result of historical shifts in the relationship between the Crown and Parliament (p.61). Scott cautions against using the powers of the Crown to evade Parliament's attempt to exercise its will. Parliament's role legitimates and determines the boundaries of executive power.

Alexandra Sinclair writes the fourth chapter, 'Legislating for Seismic Events: An Examination of the Role of Delegated Legislation'. Delegated legislation is the main method of law-making in the UK, but its use has been objected to since at least the 1920s (p.74). The chapter sets out key critiques against the excessive use of delegated legislation (pp.78-82), and then uses delegated legislation passed for COVID-19 and Brexit to show how such legislation undermines the separation of powers and parliamentary sovereignty.

In the fifth chapter, 'Scotland, Devolution and Independence: A Union at its Limits?', Coree Brown Swan, considers devolution and Scottish independence. Brexit has shown the instability and unsettled nature of devolution and reignited the independence debate in the devolved nations. This implies that the much-vaunted flexibility of the UK's constitution may have been exhausted.

Alysia Blackham in 'Diverse Voices in the Judiciary', the final chapter of the first part of the book, looks at the lack of judicial diversity. A diverse judiciary will only happen with a fundamental rethink of judicial careers, as it may currently take up to a century to achieve a diverse judiciary (p.128). Blackham considers 'diversity' as including personal characteristics and professional pathways, and judicial careers should require on the job support and training, including flexible working requirements (p.135-136).

Devyani Prabhat, in the seventh chapter, 'The *Begum* case, Discretion and Parliamentary Sovereignty: Unmasking the Constitutional Subject', considers cancellation of British citizenship. Migrant connections mean some members of society are moved to the fringes of citizenship, and some are rendered stateless, like Shamima Begum (p.145). Citizenship is a concentrated area of executive power (p.148). For Prabhat, judges need to exercise more oversight to prevent an unchecked abuse of power (p.151), and we need to develop the language of 'sovereignty' in constitutional law. We should speak of 'shared sovereignty', which recognises the checks and balances required for democracy to protect minority rights (p.160).

In the eighth chapter, Tufyal Chowdhury looks at 'Racialisation in UK Counterterrorism Law and Policy'. Britain's use of the label 'terrorism' is rooted in the description of actions by groups resisting colonial rule (p.163). Contemporary counterterrorism policies have origins in measures British colonial regimes took against anti-colonial movements. Racialisation

continues to be embedded in counterterrorism laws and policies in the UK, including in the Prevent strategy, and ‘pre-emptive’ terrorism offences being inscribed with racialised tropes (p.165).

Ben Bowling and Shruti Iyer’s, ‘Racism, Law and the Police: Over 50 Years of Anti-discrimination Law and Policing’ is the ninth chapter. The chapter focuses on racism and policing. Public law protections for racialised minorities have been limited (pp.199-203). There is a history of police powers being exempted from anti-discrimination laws (pp.193-195). Police powers are not usually included in constitutional law teaching, but this chapter can help explore the limitations of public law and judicial review in challenging police actions.

In the penultimate chapter, ‘The Administration of Social Security Benefits: Gendered Implications’, Ciara Fitzpatrick considers state benefits, a “considerable cog” in the governmental wheel and the single largest area of government expenditure (p.205). Fitzpatrick considers the benefit cap and the two-child tax credit limit have a disproportionate impact on women and their children. The UK Supreme Court has failed to engage with the gendered consequences of government policy (pp.218-221). Public law has not prevented the erosion of the social rights of women and children by Parliament.

Alex Powell’s ‘Administrative Violence: First-Instance Decision Making in Sexual Diversity Asylum Claims’ is the final chapter, a case study of asylum claims made by sexually diverse people. Administrative processes ‘abstract’ the individual. Participants experience of the UK asylum process reveals how delays, perceived preconceptions of decision-makers about sexual diversity, and the use of repeat questioning to test the veracity of asylum seekers’ accounts led to significant distress for claimants.

The editors and contributors of *Diverse Voices* have produced a crucial text that should be read by every public law scholar and inform future teaching in public law modules in UK law schools.

Tom Frost, Senior Lecturer, Kent Law School