

THE CASE AGAINST IMMIGRATION CONTROLS.

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Introduction.

Immigration controls cause immense, and increasing, suffering. They are explicable only by racism, which they legitimate and feed. At the same time they are rather ineffective in preventing the movement of people. They should be abandoned, as a cruel twentieth century aberration. People should be free to choose where they wish to live and to work. In addition, once they have chosen to live in a particular place, they should have exactly the same rights as all other residents of that place. If migrants are labelled 'illegal', and even if they work legally but with lesser rights than the rest of the population, this will not only lay them open to exploitation and the fear of deportation, but may also mean that they will be used to undermine the hard-won employment rights and civil liberties of the rest of the population.

History of immigration controls.

It is now considered axiomatic that states should have the right to stop people entering their territories, but it was not always so. It was not until the beginning of the twentieth century that immigration controls were introduced in most European countries and the United States. Previously nation states had at times expelled people whom they considered undesirable, but they had not attempted to prevent immigration. Britain, for example, expelled all Jews in the thirteenth century, but it was not until 1905 that it adopted laws to keep them out in the first place.

The growth of the culture of human rights has so far failed to assert the right of people to choose where they wish to live, except within the states whose nationality they are born with, or have obtained. Thus the United Nations' Universal Declaration of Human Rights, adopted in 1948, asserts in its Article 13-1 that 'Everyone has the right to freedom of movement and residence within the borders of each state?', which means the state in which they are officially allowed to reside. Therefore if, for example, people wish to leave an area of high unemployment and look for work where there is plenty of it, the authorities are not supposed to interfere with this wish provided it is within the boundaries of their 'own' country. When, as in the Soviet Union and China, governments prevented their citizens from moving to particular areas within the country, this was considered an example of the repressive nature of these states, and widely condemned. The Universal Declaration also states, under Article 13-2, that 'Everyone has the right to leave any country, including his own, and to return to his country?'. When the Soviet Union, East Germany and other states in eastern Europe prevented their citizens from leaving their countries, sometimes by arresting and even shooting them, and sometimes by building high fences and walls, perhaps reinforced with razor wire, this, again, was rightly considered shocking.

Less however is said about the walls, fences, razor wire, armed guards and other repressive devices which are supposed to stop people entering rather than leaving territories. The Universal Declaration of Human Rights has nothing to say about the right of people, who are supposed to be free to leave their own countries, to enter another. In a period when the powers of nation states are being undermined by the the forces of globalisation and big business, states nevertheless cling tenaciously to one of their last prerogatives: the right to select which foreigners they will admit, and which they will try not to admit. Historically states have needed immigration to expand their economies. In the early years of European empire, labour was obtained by varying degrees of force and compulsion. After the Second World War, in the period of reconstruction and boom, most European countries actively engaged in the recruitment of workers from abroad, first from other European countries and then from their former colonies, from North Africa, South Asia and the Caribbean, and from Turkey. But by the early 1970s, with recession and growing unemployment, the European countries which had previously imported labour had all set up controls to stop further migration for work. Legal immigration for employment largely ended. The apparatus of controls to stop people entering Europe and other rich areas without permission grew. By the late 1990s some governments were also increasing their efforts to deport the people who had already come. In France, for example, people who had had more or less automatically renewable ten-year residence permits suddenly found that their permits were not renewed, or were given one-year permits, which meant they had either to go underground and work illegally, or leave the country in which they had lived for many years. They organised themselves as *Sans Papiers* (undocumented people) to resist. In Britain, the government set targets for deportation, and began to increase random checks, arrests, detention and deportation of long-term British residents who had infringed some provision of the immigration laws but who in many cases had jobs, houses, wives and young children, who then became dependent on public funds for survival.

The treatment of asylum seekers.

One, at first legal, route for entry remained. The Universal Declaration of Human Rights, in Article 14, stated that: 'Everyone has the right to seek and to enjoy in other countries asylum from persecution'. But, after objections by the British, the declaration did not give them the unqualified right to receive asylum, only to seek it. It is left to the recipient states to decide who they will or will not grant refugee status to, rather than, as would be logical and as was the practise in the nineteenth century, leaving it up to refugees themselves to decide, as they are best qualified to do, whether they need to flee. On the whole, during the Cold War, when people did succeed in leaving the Soviet Union and other east European states, they were accepted in the states they went to. Similarly, after the Cuban revolution, Cubans were allowed into the United States (but Haitians were not). The 1951 Geneva Convention on Refugees and its 1967 Protocol incorporated the right to asylum; they also gave it a restrictive definition. A refugee is defined as: 'Any person who owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country?'. Some governments, including the German and

French, have restricted this further, saying that persecution must be by state agents rather than by other groups in order for the applicant to qualify for asylum. And over the years states have accepted declining proportions of the number of people who claim asylum, though the claims themselves differ little. They assert that this is because the 'asylum seekers' are not really fleeing persecution but are merely seeking to improve their economic situation. They have started to attack them, in Britain for example, as 'bogus?', 'abusive?' and 'illegal?'. The authorities, rather than making it their task to examine fairly and objectively a person's case for asylum (which itself is likely to be impossible), take on an adversarial role: immigration service officials see their role as, like prosecution lawyers, to find inconsistencies or inaccuracies in the accounts given by refugees of their reasons for fleeing, which they then say undermine the credibility of their claims. In one particular case in Britain, for example, a Zairean asylum seeker said in one interview that there was no window in the cell in which he had been imprisoned, and in another that there was in fact a small grille above the door to the cell; this was given as grounds for refusing his claim. In another British case officials gave as grounds for the refusal of asylum their (incorrect) assertion that escape across the Congo river was impossible because it was full of crocodiles. The process is arbitrary. It is clearly influenced more by quotas and targets than by considerations of justice or truth. As a result governments turn down many asylum claims which nevertheless meet the criteria set by the international conventions to which they are signatories. They then claim, quite unjustifiably, that this is evidence that most asylum seekers are making false claims and that their real objective is economic betterment (which of course is no reason why they should not migrate). Asylum seekers come overwhelmingly from areas in which there are wars and severe political persecution. A few of those who, with exceptional enterprise and courage, make it to Europe and other rich areas and claim asylum may do so in order to improve their financial situation. But the reality is that nearly all asylum seekers, whatever their reasons for migrating, are highly educated and are often dissident members of the elite. Many take a large drop in their standard of living, losing jobs, houses and land as well as their families.

Having progressively undermined the right to receive asylum, governments are now attempting to make it harder for people to apply for it. They do this, above all, by imposing visa requirements on the nationals of what they call 'refugee-producing' states, which of course means the states people are most likely to need to flee from. The requirement to obtain a visa means that refugees cannot travel legally to the country they wish to go to. Clearly they cannot apply for a passport to the authorities they are trying to escape from. Supposing they already have a passport, they could in theory go to a foreign embassy to apply for a visa, braving the security guards outside and the possibility they might be denounced by local employees inside. But if they then asked for a visa to apply for asylum, they would normally be quickly ejected; there is no such thing as a refugee visa. They could in theory apply for a visitor's or student's visa, but this would require documentary proofs and probably some funds, and would in any case constitute deception. The usual course for refugees therefore became to buy false documents from agents. But this itself is becoming increasingly hard. Under various Carriers' Acts, airways, ferries and other transport operators are now required to ensure that the passengers they carry have documents, and are fined if they allow them to travel without

them. Governments spend large amounts of money on technology to enable carriers to become better at detecting false documents, and sometimes post their own agents at foreign airports to check documents. If they succeed, they hand refugees back to the authorities they are fleeing from. Refugees are therefore forced to resort to even more dangerous, clandestine methods of travel. They have, usually, to pay large sums of money to agents, to enable them to flee in the holds of ships, in the backs or even in the tyre casings of lorries, underneath trains and even aeroplanes, in often overcrowded and leaky boats. In the process they endure great suffering. Many thousands die each year, of suffocation or drowning. Governments then announce that they will clamp down on the illegal smuggling networks, for whose existence they are entirely responsible, and have the gall to proclaim their concern over the cruelty of the agents and traffickers organising the refugees' escape.

The objective of governments is to reduce, by this and other means, the number of people seeking refuge in their countries. Governments compete with another to be seen as the most uninviting and the toughest. This supposes that the applications are not related to the real needs of people to flee, but to the attractiveness of individual countries as places of refuge. In Britain, for example, the Prime Minister set a target of halving the number of applications for asylum; the target was met mainly because it was set in relation to the month in which applications peaked, and because this peak had itself been almost entirely the consequence of the number of Iraqis fleeing the threat of US-British invasion. But governments appear to continue to believe that the way to reduce the number of refugees is not to refrain from creating the conditions which people flee from, but to make conditions harsher in the countries they are trying to flee to. They lock refugees up in prisons and detention centres, and they reduce them to destitution. Refugees are punished not for anything they have themselves done, but in the, probably largely mistaken, belief that their treatment will deter others who might follow in their footsteps. In the process governments flout a long list of human rights: the right not to be subjected to inhuman and degrading treatment, the right not to be arbitrarily arrested and imprisoned, the right to a fair trial by a properly constituted court, the right to family life, the right to work, among others. Amnesty International, in its pamphlet *Prisoners Without A Voice: Asylum Seekers Detained in the United Kingdom*, has said that Britain, for example, in its treatment of asylum seekers, violates article 5 of the European Convention on Human Rights, article 9 of the International Covenant on Civil and Political Rights, the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. It also violates virtually all of the guidelines on detention of the United Nations High Commission for Refugees (published in 1996).

Immigration prisons now exist in all of the rich, or 'developed', countries to which refugees flee. The largest numbers in absolute terms are locked up in the USA. Australia now detains all those who apply for asylum. Britain was one of the first European countries to detain asylum seekers, and it remains the only west European country to do so without judicial supervision and without time limit. In France although there is officially judicial supervision of decisions to detain, the courts' agreement usually amounts to little more than rubber-stamping, and when the short time limits have been exceeded detention can be renewed. In theory the British government derives its right to

detain asylum seekers and other migrants from its 1971 Act, which stated that they could be detained prior to removal. Although detention centres have been renamed removal centres, in practise only a small minority of those detained have had their cases finally dismissed and have removal directions. Some cannot be deported, for a variety of reasons, and therefore cannot legally be detained. Around ten per cent of those arriving at ports and claiming asylum, who are therefore not even technically 'illegal immigrants?', are detained. The process is arbitrary, and has to do with filling the available spaces in detention centres and prisons; the decisions are made by junior immigration officials, who have to give only general reasons, such as 'we believe that the person is likely to abscond?'; asked what evidence they have for this belief, they may merely reply 'we are not a court of law?'. The numbers detained under immigration laws have quadrupled since the 1970s. Some are detained in ordinary criminal prisons, subjected to prison procedures, sometimes locked in their cells for 23 hours a day, occasionally locked up with convicted prisoners. Others are detained in centres designated for immigration purposes, some of which were previously prisons and still have prison regimes, surrounded by high fences and razor wire, and mostly run for profit by private security firms, whose guards are blatantly racist. Worse, the Labour government now imprisons women and children. The practise is not new, but previously the government admitted it was not legal, merely detaining thirteen-year-olds on the basis of travel documents which gave their age as thirty, and refusing to believe evidence to the contrary. It now systematically imprisons whole families, including young children, babies and pregnant women, sometimes for months at a time; in their pamphlet entitled *A Crying Shame: Pregnant Asylum Seekers and Their Babies in Detention*, three British organisations give a harrowing account, based on interviews with some of the women concerned, of the effects of their incarceration. The government also plans to set up 'accommodation centres?', which will be in effect prisons, which children will not be allowed to leave to receive education in local schools.

To varying degrees and in different ways, most European countries now also deliberately reduce asylum seekers who are not locked up to destitution. In most countries they are not allowed to work. Increasingly they are denied access to minimal public support, including in some cases health services. In some countries, public financial support and accommodation is denied to those who have had their claims rejected but who may still be pursuing legal avenues to avoid deportation, or who cannot be deported (because they have no papers, because conditions in their countries are recognised to be unsafe, or because transport to their areas does not exist). In France public support, of a limited nature, is available only after a claim for asylum has been lodged, which may take months. In Britain it is not available to those who are deemed not to have claimed asylum immediately on arrival, which is usually difficult or impossible for the increasing numbers of refugees who are forced by government policies to travel clandestinely, and in effect means that two-thirds of new asylum seekers are made destitute. Although the courts have partially condemned this measure as inhuman and degrading treatment, and individuals can apply to have the decision reversed, some 5,000 people in Britain, many of whom may subsequently get refugee status, are currently living in various degrees of destitution with neither the right to work nor the right to receive any form of state support. The denial of public support to 'failed asylum seekers' has now been extended

to families; this may mean that their children will be taken away from them and put into state 'care'. The support which is available to others has been progressively whittled away. Asylum seekers in Britain now receive some two-thirds of the sum considered to be the minimum subsistence level for the rest of the population. They are dispersed away from their communities, lawyers and sometimes families to one 'no choice' offer of accommodation, often in sub-standard housing including condemned public housing estates, where they are isolated and vulnerable to racist attacks, to the extent that some of them fear to go out. In Germany it has long been public policy to house asylum seekers in sometimes isolated hostels, where there have been cases of harassment and even arson by racists and fascists, and asylum seekers are confined to limited areas within the country, with severe penalties if they leave.

Creeping fascisation.

Immigration controls thus give rise to some of the worst abuses of human rights in Western societies. Asylum seekers suffer mistreatment of a sort to which the rest of the population is not, so far, subjected. But the abuses threaten to spread to the rest of the population, in what the Belgian organization Frontières Ouvertes (Open Borders) has described as 'creeping 'fascisation' of European countries, as a result of their increasingly desperate attempts to stop people entering Europe. Denial of benefits to certain categories of people could spread to the unemployed, single mothers and others considered undesirable. Police surveillance and random checks of immigration status can affect long-term residents who look 'foreign'. These checks have a long history in countries such as France, where residents must carry identity papers or, in some cases, carry around with them proof that they have children born in France, which still protects them from deportation. In Britain, where politicians and others pride themselves on the long tradition of absence of the obligation to carry identity papers, many immigrants nevertheless already find it prudent to carry their papers around with them. Asylum seekers have now been issued with 'smart cards' which carry their photograph, fingerprints, and a statement on whether or not they are allowed to work. And finally, the government has decided that identity cards themselves are to be introduced, and made obligatory at first for foreigners. Announcing the decision, the government said that this 'will help tackle crime and serious issues facing the UK, particularly illegal working, immigration abuse, ID fraud, terrorism and organised crime'. Especially since 11 September 2001, the issues of immigration and terrorism are becoming blurred in many countries, most notably the United States. The US government detains people who are 'suspected' of terrorist sympathies but who may never be brought to trial, let alone to public trial with the normal judicial safeguards, indefinitely and in sub-human conditions at Guantanamo Bay. In Britain, under an Anti-Terrorism, Crime and Security Act, indefinite detention in high security prisons has been introduced for foreigners 'suspected' of terrorism, some of whom are refugees and therefore cannot be deported; in an even harsher version of what asylum seekers already suffer, they are subjected to judicial procedures which are a mockery of justice, much of them held in private and in which neither the defendants nor their lawyers have the right to hear what they are being accused of. An earlier Act, introduced in 2000, made it a criminal offence to belong to or support certain 'terrorist' organisations. This means for example that Kurdish refugees

from Turkey have to choose whether they wish to be prosecuted if they say they are members of the Kurdistan Workers Party (PKK), or fail to obtain refugee status if they do not. Their British supporters have also been prosecuted, and the act has been used against protestors against the arms trade and against the invasion of Iraq.

The need for workers and 'managed' migration.

Curiously, the escalation in the repressive apparatus of immigration controls, and the attempt to keep foreigners out, takes place at a time when European populations are declining, or forecast to decline. These declines, the ageing of the population, and the worsening ratios of working to non-working populations, are expected to cause serious economic and social problems in most European countries. The United Nations Population Division, in its document *Replacement Migration: Is it a Solution to Declining and Ageing Populations*, has estimated that to maintain existing ratios of young to old people, European countries would need extra immigration of several million people per year. Their governments usually accept that more, rather than less immigration is needed if their economies are to expand and prosper. Most of them are now back in the business of recruiting foreign workers, especially skilled workers in trades such as computing and health services where there are obvious skills shortages, but also unskilled workers, mainly in sectors and jobs in which long-term residents are unavailable or unwilling to work and which cannot be transferred abroad, such as agriculture, catering, cleaning and some building work. In Britain the issue of work permits to employers, enabling them to recruit workers from abroad for specific jobs, has nearly doubled since 1998, and other legal routes to enter Britain to work have been opened. In Germany and elsewhere there are government programmes to recruit computer specialists.

It is at first hard to understand why governments are thus recruiting and encouraging foreign workers, and at the same time redoubling their efforts to keep foreigners out; for example they recruit nurses in Zimbabwe and the Philippines, and imprison nurses who come on their own initiative to seek asylum. The explanation appears to be that they want to control, or 'manage', migration flows: to select desired migrants and reject others. But this too requires explanation. Some supporters of the free market, including for example the Wall Street Journal and at times the London Economist and Financial Times, argue, with a consistency which is absent elsewhere, that the movement of labour should be free in the same way as the movement of capital and goods is in theory supposed to be free. They do not agree that governments should determine the availability of labour to employers or attempt to set quotas according to some estimate of the needs of the economy, and believe recruitment decisions should be left to employers. As Nigel Harris has shown in his essay for this series and his book *Thinking the Unthinkable*, some liberal economists also argue that, like free trade, the free movement of labour across borders as well as within countries would greatly increase prosperity, not only for the migrants themselves but also in the countries the workers migrate to and in those they migrate from, and in the world as a whole. Employers in the United States in particular have called for the free movement of labour, for the obvious reason that it would suit them to have easier access to the vast reserves of cheap labour that exist outside the rich countries. There is much evidence, now supported for example by recent research by Gott

and Johnston commissioned and published by the British Home Office, that immigrants make large contributions both to economic growth and to public finances, since they are mostly young, fit and educated at others' expense. Most, if they are legally permitted to and sometimes if they are not, are willing to work for long hours and in poor conditions in jobs which do not require their qualifications.

There is one possible economic rationale for immigration controls, which is that their existence makes immigrant workers precarious, and therefore more exploitable. Most western economies, and especially the United States, are highly dependent on super-exploited immigrant workers, many millions of whom have no legal immigration status. None of the rich industrial countries of the West have signed up to the United Nations' International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, whose intention is to guarantee some minimum protections for migrant workers, including the prevention of inhumane working and living conditions, equal access to social services and the right to participate in trade unions, so as to ensure that migrants have equality of treatment and the same working conditions as the nationals of the countries they are working in. Governments' attitude to illegal working appears to be entirely negative and punitive, designed only to detect and repress it, thus making the situation of the workers even more precarious. In most cases the proposals for more government-permitted immigration are that the new workers will be admitted on short-term contracts, tied to particular employers and jobs (in Britain and some other European countries this represents a radical departure from previous labour-importing policies). Whether they are working 'illegally' or on legal, but temporary, contracts, the workers are extremely vulnerable. They can be employed in exploitative conditions, at the mercy of employers, and denied basic employment rights. If they make an attempt to improve their situation, for example by joining a trade union, or try to obtain redress against employers who fail to pay them the agreed amount, sexually harass them or in other ways mistreat them, they can be sacked. In the case of the 'legal' workers, this will mean leaving the country or going underground. Especially in the case of the 'illegal' workers, it may also mean that the police and immigration authorities are called in and that they are then detained and deported. This system of precarious working constitutes what the Sans Papiers of France have called a new form of slavery. The Sans Papiers argue that this is a deliberate policy of neo-liberal governments, designed to ensure that the immigrants provide a model of flexibilisation and 'precarisation' which can be spread throughout the sectors in which they work and eventually to the economy as a whole. But it is not clear that the policy benefits the economy, and employers, as much as allowing free entry to workers from abroad would. It also does not adequately explain why governments are apparently so anxious to crack down on 'illegal' immigrants, who are the ultimately exploitable workforce, and 'illegal' working, and to increase the rate of deportations and deter asylum seekers.

Immigration controls and racism.

The explanation may be that governments' attempts to prevent the entry of asylum seekers and other clandestine migrants have more to do with political than with economic considerations. Governments appear to believe that the way to defeat the growth of the

far right in Europe is to adopt their policies. They believe they must demonstrate that they are adopting progressively more vicious measures to deter asylum seekers and others who might come into the country (to do the dirty and dangerous jobs which employers cannot find locals to do), and that they are doing their utmost to keep them out, or to evict them if they nevertheless succeed in getting past immigration controls. Ultimately, the inescapable conclusion is that immigration controls, and government repression of migrants and refugees, are explicable only by racism, or at least by attempts to appease the racists. Immigration controls certainly have their origins in racism. In Britain for example they were first introduced in 1905 as a result of agitation by racist and extreme right-wing organisations, at this time against Jewish refugees. Similarly, when controls were introduced in 1962 to stop immigration, this time, for the first time, from the former British empire, their introduction again followed agitation by racist and neo-fascist organisations. Up to 1962, the most prominent politicians from all the main parties (quoted for example in Paul Foot's book *Immigration and Race in British Politics*) had proclaimed that the principle of free movement within the former British empire would never be abandoned. Government reports had found no reason for immigration controls other than the supposed 'non-assimilability' of the new immigrants. The covert aim of the 1962 Commonwealth Immigrants Act was to stop 'coloured' immigration; since the economy still required an expanding labour supply, the legislation was framed so as to exclude Irish workers from controls and, it was hoped, let in white British subjects from the 'old' commonwealth while excluding black ones from the 'new' commonwealth.

Politicians constantly reiterate that the way to deal with racism is to demonstrate to the racists that their concerns are being met. The problem, of course, is that immigration controls do not appease the racists. They merely legitimate racism. And they also embolden the racists to demand more. When politicians lament the recent increase in racism, they fail to acknowledge that it is precisely their own actions, including their constant complaints about the supposed 'abuses' committed by 'bogus' asylum seekers, that explain the rise in racism after a period when it had been in decline. Their actions and their words feed the parts of the media whose political agenda it has long been to stir up racism; these media use information, and phrases, which are often clearly derived from government sources. Governments only very rarely attempt to counter the lies propagated by the media and others, or give information which might correct the distortions and misinformation. As a consequence, people believe, for example, that the number of immigrants and asylum seekers is far higher than it actually is. They fail to realise that asylum seekers, who have become the new object of race hate campaigns and violence, actually constitute an insignificant proportion both of the total number of refugees in the world as a whole, and of the number of other people entering Europe, including visitors, students, the employees of multinational corporations and others with official permission to work. It is hard to understand why governments appear so concerned to reduce the numbers of asylum seekers, rather than of anybody else, unless their purpose is simply to appease the racists and in this way, they hope, win votes.

Immigration controls are inherently racist. Any scheme which tried to make them 'fair' or non-racist must fail. Even if they did not discriminate, as they now do, against black

people, east European Roma, the poor and anybody else who is subject to the current manifestations of prejudice, they would still discriminate against foreigners and outsiders in general. Those who demand tougher controls talk about 'our' culture, whatever that may be, being swamped. Every country in the world, except perhaps in East Africa where human beings may have first evolved, is the product of successive waves of immigration. There are few places where there is any such thing as a pure, 'native' culture. European culture, for example, if such a thing exists, is arguably under much greater threat from the influence of the United States, whose citizens have little difficulty in entering Europe, and from its own home-grown consumer excesses, than it is from people who might come from anywhere else. Moreover 'non-racist' immigration controls, even if these were conceptually possible, would be pointless, since racism is the main reason for their existence. On the contrary, one of the very best ways to undermine the arguments of the racists would be to abolish immigration controls, and to make plain why they are unnecessary.

Equal rights for immigrants.

For the abolition of immigration controls to make sense, those who migrate must have the same rights as the residents of the countries they migrate to. Proposals that people should have the right to migrate freely in search of jobs, but have inferior rights to those of other workers in the same country, would be damaging not only to their interests, but to those of most of the existing residents. New immigrants need to have not only the right to work, but all the gains for the working class that exist in the countries they migrate to, including protection against unfair dismissal, the right to join and organise in trade unions, the right to leave their job and look for another one, the right to receive unemployment and sickness benefits and holiday pay, in the same way as everybody else. They should have the right to vote and the right to hold public office, and they should of course have full access to social provision, including health provision and education for their children. Immigrant workers do not usually take the jobs that might otherwise be available to existing residents and immigration does not usually lead to any worsening of wages and conditions in the countries they go to (on the contrary there is much evidence that it increases prosperity for all by enabling economies to expand and industries to survive). Nevertheless if there was any threat to the wages and conditions of the existing workforce, it would come from the fact that migrants, if they have no or few rights, can be forced to work in bad conditions and for low wages and cannot fight for improvements without risking deportation. They can come to constitute an enslaved underclass, which employers may hope not only to exploit directly, but to use as a means of weakening the position of all workers. The way to prevent any possibility of this happening is for trade unions, and all of us, to argue for full citizenship rights for all workers and residents, regardless of their nationality or how long they have lived in the country. This was more or less the situation, before 1962, of citizens of the UK and colonies who migrated to Britain; it accounts for their political strength and their militancy in their workplaces. It is, with limitations, the situation of citizens of the European Union who migrate from one EU country to another. It is also of course the situation of United States citizens who migrate between states in the US federation. And it is the situation of people who migrate

from one local authority to another within states, and receive the level of public services prevalent in the area they move to.

The consequences of free movement.

There are many who say that the abolition of immigration controls is a desirable goal, one they themselves would like to see achieved, but that it is politically impossible in a world in which there are severe international inequalities. But the argument that, without controls, there would be 'floods' of migrants who would overwhelm the rich countries some of them go to is little more than scaremongering. The fact that there are huge international inequalities in material wealth does not mean that, as neo-classical economists might predict, there would be mass movements of people throughout the world until material conditions and wages equalised. It is true that if there were no controls there would probably be more migration, since the dangers and cost of migrating would be less; how much more is impossible to estimate. Immigration controls, however much money is poured into them and however much the abuses of human rights involved in their enforcement escalate, do not work well; if for example, after years of expensive and painful legal processes, asylum seekers finally have their application refused, governments often find it impossible to deport them; and with each new, and more vicious, advance in the apparatus of repression, people are forced to find new, braver and more ingenious ways of circumventing it.

Most people require powerful reasons to migrate; in normal circumstances they are reluctant to leave their countries, families and cultures. When free movement was allowed in the European Union, some feared there would be mass migration from the poorer to the richer areas; the migration did not happen, to the chagrin of the proponents of flexible labour markets. The great desire of many who do migrate is to return to their own countries, when they have saved enough money, or if conditions there improve. Immigration controls mean that they are less likely to do so, because they cannot contemplate the struggle of crossing borders again if they find they need to. In addition, when people migrate from choice, they normally do so because there are jobs to migrate to. For example, when subjects of the former British empire were allowed to enter, settle and work in Britain without immigration controls, and had the same rights as British subjects born in Britain, as was the case until 1962, migration correlated almost exactly with employment opportunities; when job vacancies increased, more people came from South Asia and the Caribbean, and when they declined, fewer did so. Especially for the migrants from South Asia, the pattern was that families sent their young men to do a stint in hard jobs in the factories of northern Britain and then return, perhaps to be replaced by a younger member of the family. When the threat of immigration controls became real, there was for the first time a surge in immigration which did not correlate with job opportunities, to beat the ban; well over half the Indians and about three-quarters of the Pakistanis who arrived in Britain before controls did so in the 18-month period preceding their introduction; after controls were introduced, immigrants could no longer come and go, and were forced to bring their families and settle in Britain; by 1967 90 per cent of all Commonwealth immigrants were 'dependants'. Similarly, there is evidence that the harder the US government makes it to brave the razor wire and other obstacles to cross

the border into the USA, the more Mexican immigrants find themselves forced to make the hard decision to settle in the USA, and give up hopes of return. Finally, if people are extremely poor, they cannot raise the money to migrate, except perhaps to neighbouring countries. People do not or cannot undertake the risks and expense and painful separations of migration, in order to live in squalor off public funds.

Unless, that is, they are desperate to escape threats of death, imprisonment or torture. It is of course the case that too many people are forced to flee from such threats, if they have the means to do so. Supposing the governments of the rich countries were in reality concerned by the problem of forced migration, there would be better, and probably more sustainable and effective, ways to reduce it than by casting around for yet more brutal ways of enforcing immigration controls. Governments ought to recognise that they themselves often bear direct responsibility, and are nearly always partly responsible, for creating the conditions from which people flee. There is much that they could do, and above all not do: they could refrain from supporting and arming repressive regimes or the opposition to more progressive regimes, they could, as a minimum, not supply weapons to the participants in wars and civil conflicts, and they could cease to engage in armed interventions. They could be less greedy in their exploitation of the peoples and resources of other countries. When the West's corporations or its agencies the World Bank and the International Monetary Fund make investments which displace people or pollute their land, or impose policies which impoverish them and create unemployment, people who are made destitute or landless are unlikely themselves to have the resources to migrate, but the situation may feed war, conflict and repression which force others to migrate. The increases in asylum seekers in Europe in the last few years have been mainly from Somalia, former Yugoslavia, Afghanistan and Iraq, all countries of significant military and economic intervention by the West. In particular, while there was a steady trickle of refugees from Iraq under the Saddam regime and in the years of economic sanctions, there was a surge in numbers in response to the threat of US/British invasion.

Conclusion.

In an ideal world, people would be free to migrate if they wished to, but they would not be forced to migrate. It should be an elementary principle that human beings have the right to decide themselves, with the greatest possible freedom, where they wish to live and work. Having made that decision, it is essential that they should not be condemned to be second-class citizens and to virtual enslavement in exploitative conditions, divided from the rest of the population, but that they should have exactly the same rights as all other residents of the place they have chosen to live in. In that way they can reach their potential as human beings and, as previous generations of migrants have done, make large contributions to human prosperity and progress.

If governments would only tell the truth and act on it, they could bring about a reduction in racism and racist violence and the causes of racism. The abolition of immigration controls has the potential to create large gains in the protection of human rights and in harmony between peoples. Immigration controls make no sense.

Bibliography and further reading.

- Bail for Immigration Detainees (2002), *A Crying Shame: Pregnant asylum seekers and their babies in detention*, London: The Maternity Alliance, Bail for Immigration Detainees, London Detainee Support Group.
- Cohen, R. (1988), *The New Helots: Migrants in the International Division of labour*, Aldershot: Gower Publishing.
- Cohen, R. (1994), *Frontiers of Identity: The British and The Others*, London and New York: Longmans.
- Cohen, S. (2003), *No-one Is Illegal: asylum and immigration control past and present*, Stoke on Trent, UK and Sterling, USA: Trentham Books.
- Cohen, S., B. Humphries and E. Mynott (2002), *From Immigration Controls to Welfare Controls*, London and New York: Routledge.
- Dummett, A. and A. Nichol (1990), *Subjects, Citizens, Aliens and Others*, London: Weidenfeld and Nicolson.
- Dummett, M. (2001), *On Immigration and Refugees*, London and New York: Routledge.
- Foot, P. (1965), *Immigration and Race in British Politics*, Harmondsworth: Penguin.
- Glover, S. et al. (2001), *Migration: an economic and social analysis*, London: Home Office Research, Development and Statistics Directorate.
- Gott, C. and K. Johnston (2002), *The migrant population in the UK: fiscal effects*, London: Home Office Research, Development and Statistics Directorate.
- Harding, J. (2000), *The Uninvited: Refugees at the Rich Man's Gate*, London: Profile Books.
- Harris, N. (2002), *Thinking the Unthinkable: The Immigration Myth Exposed*, London: I. B. Taurus.
- Harris, N. (1995), *The New Untouchables: Immigration and the New World Worker*, Harmondsworth: Penguin.
- Hayter, T. (1971), *Aid As Imperialism*, Harmondsworth: Penguin.
- Hayter, T. (1981), *The Creation of World Poverty*, London: Pluto Press.
- Hayter, T. and Watson, C. (1985), *Aid: Rhetoric and Reality*, London: Pluto Press.**
- Hayter, T. (2000), *Open Borders: The case Against Immigration Controls*, London: Pluto Press.
- No One Is Illegal (2003), *Manifesto*, www.noii.org.uk.
- Stalker, P. (2001), *The No-Nonsense Guide to International Migration*, Oxford: New Internationalist and London: Verso.
- Sutcliffe, B. (1998), *Nacido en otra parte: Un ensayo sobre la migracion internacional, el desarrollo y la equidad*, Bilbao: Hegoa.
- Stroud, H. (1999), *The Ghost Locust*, Hong Kong: Asia 2000 Ltd.
- United Nations Population Division (2000), *Replacement Migration: Is it a Solution to Declining and Ageing Populations?*, New York: United Nations.