

Why Labour must be the party of migration justice

Nathan Akehurst

In a world where progressive and conservative governments alike are clamping down on migrants, Labour must prioritise a radical commitment to justice for migrants.

The story so far

In its 2015 election campaign, the Labour Party revealed an eight-foot headstone bearing the words ‘controls on immigration’.

It was a fitting artefact for the tomb of a miserable campaign. The slogan was devoid of policy: controls on what or whom? It was dog-whistle politics: controls on *those people*, and – as a mixed-race child born to a mother who was given up for adoption by her struggling immigrant parents and a father barred by the Home Office because I wasn’t legitimate proof of their marriage’s integrity – I couldn’t help but hear it.

Vacillating on migration is a long Labour tradition. Shortly after its formation, the new parliamentary party split down the middle over the Conservatives’ Aliens Act of 1905, the first modern migration controls. By 1924 the Conservatives claimed that Labour would ‘let them all come’ and Labour furiously countered that Conservative governments had naturalised more foreigners. After 1945, the Attlee government made no systemic changes to the rules on migration. Labour initially opposed, but eventually supported, the Conservatives’ restrictions on Commonwealth migration in the 1960s. The system remained punitive; virginity testing in migration control only ended in 1979. The 1983 Labour manifesto’s explicit condemnation of Conservative migration policy as racist was a rare moment.

New Labour oversaw a sharp increase in migration but maintained an increasingly grim policy regime and stoked anti-migrant rhetoric. There were moves towards

framing a multicultural British identity, but these were caveated by Blair's warning, 'adopt our values or stay away'. Labour's former immigration minister was barred from office over an openly racist, migrant-baiting campaign aimed at 'getting the white vote angry', and elsewhere party leaflets read 'Labour is on your side, Lib Dems are on the side of failed asylum seekers.'

The Labour left, while not perfect, has been the most consistent Labour voice in the movement for migrant solidarity. Jeremy Corbyn set the tone for his leadership by attending a refugee solidarity demonstration the day he was elected leader. Diane Abbott has outlined serious thinking on progressive migration policy. Critics alleging Labour has gone backward are often cynical and disingenuous. Nevertheless, thinking remains mixed and confused, for example in the leadership's flip-flopping on the Immigration Bill in 2019. The racist leaflets may be gone but Labour often remains cautious about vocally prioritising issues of migration, seeing it as too serious an electoral risk.

But it is necessary – both morally and strategically – for Labour to prioritise migration justice, in a way that puts community building and class power at its heart; and to frame local and national identity inclusively, while avoiding nationalism.

What does migration justice look like?

Migration is necessarily about race because the debate is driven by anti-migrant panic, which is in turn driven by racial politics. We cannot separate open prejudice from the fear of resource scarcity, because resource competition has *always* driven racism. Modern racism developed not out of simple 'prejudice', but as a justification of economic expansion, colonisation and slavery, and this continues to be a frame through which questions of distribution are resolved. This raises a strategic point, too; when the left raises questions of unequal distribution, the right redirects the argument into questions of *racial* distribution ('foreigners are taking your housing'). Economic radicalism that fails to negotiate this attack is doomed.

Migration is therefore also about class. One illustration: the Muslim population of the London Borough of Tower Hamlets has been subjected to blizzards of bigoted headlines about the area being a 'no-go Islamic state'. Needless to say, none of these refer to the Islamic state of Qatar which operates a privately-policed estate in the borough's south, the finance capital of Canary Wharf. Within its bounds, while foreign capital freely operates in a speculative playground, foreign labour faces low wages and poor conditions, backed by the iron rod of the hostile environment.

Migration controls exist primarily to divide the foreign working classes from the domestic working classes, and Labour's response must centre class. Liberal narratives of migration justice often fail because they accept existing premises; racism is

seen as a problem of white working-class ignorance not structural divisions, and the value of migrants is based on their ability to contribute (and, at worst, to accept tougher labour discipline than domestic workers).

Addressing migration must be central to Labour's wider programme for several other reasons. First, migrants are canaries in society's coal mine; repression and surveillance deployed against 'illegal' people is later deployed against the rest of us. Second, any programme of national transformation will necessitate the swift deployment of multidisciplinary skills and ideas from around the world.

Third, given that Britain's national wealth has been, and continues to be, dependent on both colonialism and continuing extraction from the global south, migration policy is one way through which those who have built Britain's wealth can share in it. Any money that is redistributed can be seen as long overdue repayment. But migration is by no means a fix for international distributive inequality. We should also seek to reduce *involuntary* migration. This means a wider programme of tackling climate change, a peace-based foreign policy, tackling the arms trade, development work that promotes genuine independence, trade justice and support for labour standards, and regulating the behaviour of British capital overseas.

Finally, we live in a more interdependent world than ever. Most migration is currently within the global south but that will change. The global north has sought to deny this, and has mostly succeeded in keeping the wretched of the earth drowning off our beach resorts, being repatriated into slavery in Libya, or scorching in the Arizona sun. Western governments may try to meet surges of climate migration with more razor wire, drones and weapons. But there is no wall high enough to prevent the consequences of such a response.

What does migration injustice look like?

The Cameron government oversaw a violent hardening of migration policy. The 2012 family migration rules imposed an income threshold on British citizens wishing to live with their foreign spouses; and 2013 saw vans marked 'Go Home' dispatched to minority communities. The spectre of 'illegal immigration' was a weak cipher for race; the largest group stopped and checked for immigration offences were, unsurprisingly, ethnic minority British citizens.¹ A reasonably effective refugee resettlement scheme was applied to pitifully small numbers of people. This was underpinned by a migration target which was never met, never feasible, and missed for the 37th time the week Theresa May left office.

The 'hostile environment' is the primary development of recent years. This is not so much a question of physical borders, as of society *becoming* the border, with landlords, doctors and teachers all forced to undertake immigration checking duties.

Activists are having to – to borrow from Liz Kinnamon’s compelling essay on the Arizona man tried in court for offering water and shelter to refugees in the desert – ‘refuse to be the border’.² Legal assistance is difficult to source, Border Agency checks at workplaces are routine, and acquiring residency rights is expensive and labyrinthine. The Home Office is marked by a culture of institutional callousness and neglect – there are even reports of cake being given out to reward staff who make the most deportations.

The government’s objectives appear to have been: (1) to satisfy voters that they were sufficiently ‘tough’; (2) to provide a scapegoat for economic inequality; and (3) to maintain a large supply of disciplined labour. These dynamics are likely to sharpen; Priti Patel’s ‘tough’ rhetoric alongside Dominic Cummings’ strategic approach to skilled migration seem to be informing policy currently.

It would be wrong to assume this approach *does* necessarily reflect public attitudes. Cummings and Vote Leave weaponised ‘uncontrolled’ migration during the EU referendum in the context of a sustained anti-migrant war by the tabloid press. But in fact (while I have warned elsewhere about the dangers of political assertions with big numbers³), there is broad evidence that attitudes have *improved* this decade.⁴ According to YouGov-Cambridge Globalism, Britons are the Europeans who are most positive about migration.⁵

Qualitative work from thinktanks like Global Dialogue, FrameWorks and British Future indicate a chaotic picture of the talking points to which different groups respond, and people’s ideas about different migrant groups. Brexit, while inflaming an extremist minority, has not demonstrably hardened attitudes across the board. There is a window of opportunity to capture public opinion.

How do we currently approach migration justice?

The three dominant models for approaching migration justice among progressives are all flawed.

The first is *tactical retreat*. This approach holds that winning the argument in a general sense is impossible, and so accepts the terms of debate (e.g. we need to reduce migration) and attempts to make piecemeal reforms within the existing framework. This usually goes in tandem with the belief that white working-class people are the main source of intractable hostility. While working in the migrant rights sector I have encountered figures who believed we should not use a general election campaign to draw attention to migration justice issues, and those who argued that each mention of reforming the detention system should be foregrounded with our emphatic assistance that foreign criminals should be deported swiftly.

Instantly linking foreign criminals and detention reform in the mind of an agnostic listener is terrible advice. In one study, ‘tough but fair’ messages by US Democrats on immigration left respondents *more hostile to migrants* than before they had heard them. We do not win small victories by fighting on our opponents’ terrain; we *increase the scale of their victory*. It is the lesson that the Remain campaign, the Labour Party in 2015 and Hillary Clinton *should* understand.

The second approach is support for *open borders*. Border abolitionists have out-matched much of the left in organising alongside migrant communities, and drawing attention to abuses, e.g. at Yarl’s Wood detention centre. They excel at providing practical solidarity and also analysing borders in an academic sense. But the open-borders prescription is not – and is not meant to be – an approach to large scale, medium-term parliamentary operations.

Building a majority for a borderless Britain is not feasible for a first term Labour government. Furthermore, a class-conscious approach to migration justice has to recognise that the collective benefits of borderlessness are qualified by the settlement under which movement takes place. Neoliberal movement arrangements are regularly used to coerce migrant workers into accepting poor conditions while undermining the conditions of domestic workers.

Open borders advocates are correct to point out that the current system of Westphalian nation-states and managed borders is relatively new, imposed for bad reasons and unfit to deal with the challenges of the twenty-first century. A first-term left Labour government should look seriously at long term models to address such questions but cannot resolve them unilaterally.

The third approach is *multilateralism as internationalism*. This position is a serious attempt to produce a satisfactory compromise. What if, it argues, we can build free movement agreements with multiple countries in an increasing transition towards a borderless world? It loosely characterises the politics of a grouping which passed a motion at Labour’s 2019 conference committing the party to several important radical migration policies. But the case study that this camp is fundamentally committed to – the European Union – exposes flaws with the multilateralist route to internationalism.

The multilateralist route does not stop migration controls: it passes control of them to less accountable institutions, locking in bad systems and making us dependent on them for progressive outcomes. The EU is an open-border zone for majority white countries, but is reliant on exploitation within and outside its borders, with internal free movement dependent on a murderous external border. Internally, the EU encourages transfers of super-exploited migrants alongside laws that block collective improvements in their conditions, such as the Viking and Laval judgments, which use the principle of free movement of labour to undermine the right

to strike against worsening conditions. As centrist Remainers glibly point out, ‘we’ *already* have the power to deport ‘unproductive’ EU migrants already.

This system is not being reformed; on the contrary it is getting worse. Drones are replacing patrol boats in the Mediterranean, ensuring an even greater disparity between surveillance and rescue. The EU is pursuing an ever more complex system of treaties with horrific regimes to stem migration. The European Commission president is hiring 10,000 more staff for the structurally unaccountable Frontex border agency, while creating a commissioner with the Trumpian title of ‘Protecting Our European Way of Life’.

Fortress Britain is not especially preferable to Fortress Europe. But Fortress Britain *combined with* Fortress Europe is worse, and less open to influence. European ‘cooperation’ tends to end in *worse outcomes* overall. European border policies over-rule national policies, particularly in the Mediterranean, where Greece and Italy are compelled to act as EU border police, with either payoffs or the threat of their land borders being closed.

This is not the place for another argument about Brexit, but *migration justice should not be made contingent on stopping Brexit*. The rights of current European residents should be protected under any circumstances, and Labour could retain ‘free movement’ in negotiations. But when thinking about migration justice, it is *easier and preferable* to concentrate on securing better domestic migration rules.

This approach enables us to build an alliance around *migrants’ rights* rather than *Brexit*. It could cross the Brexit divide rather than locking us into a coalition with those Remainers who built the hostile environment and poured petrol on the fires of anti-migrant bigotry.

What does a Labour migration justice policy agenda look like?

The Labour left’s approach is to work with organised communities and movements to shape public debate and win material victories in opposition, building towards a government that oversees an irreversible shift in wealth and power to the many from the few. That approach must apply to migration.

Like many of our creaking institutions, our migration system is fundamentally insufficient to operate in a networked, interdependent world. A first-term migration strategy cannot fully address this. It should therefore begin by tackling key stress points, primarily:

Injustice experienced by migrants in daily life (such as racial prejudice, differential treatment, or careless and demeaning bureaucratic processes)

Economic injustice, and sources of tension in host communities

Global injustice – which leads to some of the most inhuman forms of migration and other kinds of suffering.

The responsible authority should be given strategic goals aimed at addressing these three challenges. This may be the Home Office; but if its culture remains incompatible with the scale of change needed, it should be broken up. These strategic goals could be:

Fairness: We will ensure that the UK is a welcoming place which values people who seek to make a home here, and our system will ensure that who you are, not your country of origin, defines you.

Responsiveness: We will aid the continuing development of strong communities and a just economy to ensure that residents and newcomers can live well together.

Solidarity: As a powerful nation we have a responsibility to help our fellow human beings, and will carry out our duty to provide our fair share of solace and sanctuary.

The main areas of focus should be:

Replacing the 'hostile environment' with human and responsive systems and processes. Labour should abolish detention in all non-criminal circumstances. Asylum seekers rarely abscond if there is a fair chance of their claim succeeding, in any case. The Border Agency should not be deployed outside of entry and exit points, and systems like 'right to rent' should be abolished. We should remove barriers to citizenship such as prohibitive application fees; make it harder to revoke categories such as indefinite leave to remain; and guarantee access to legal aid to ensure adequate protection against Home Office behaviour. Deportation charter flights should be ended. People who have themselves experienced migration processes should be recruited to monitor conditions and realign Home Office incentives to create systems and processes guided by responsiveness to human need.

Alleviating suffering. The tabloid argument that not every refugee is genuine shows one thing: the principle of refugee protection commands too much support for them to attack it directly. Labour should massively expand our resettlement scheme and work internationally to secure a better sanctuary system across the global north. It should support British-flagged ships carrying out rescues. 'Economic' migrants can also be refugees, and we should classify extreme deprivation as a legitimate reason for seeking refuge.

Making the labour market fair. The labour movement should be at the heart of policy on migration and work, and we should oppose transfer systems (domestic,

European or otherwise) that undermine labour. Collective bargaining agreements should automatically cover foreign workers, with union membership as an automatic default. Labour rights education should be provided to *all* workers, and sectoral boards with union oversight should govern conditions in short-term sectors such as seasonal work. Seasonal labour notwithstanding, we should aim to minimise short-term arrangements. Work visas dependent on employers open up arenas for exploitation; visas should be medium-term, decoupled from a specific employer, and include credible routes to citizenship.

Keeping families together. The right to start or to reunite a family should not be controversial.

Building stronger communities. Labour has already pledged to support areas affected by rapid migration with a Migration Impact Fund. Two possible adjustments might improve this scheme. First, it should be a Population Change Fund that also disburses support in cases of internal migration or poorly weighted population structures, to avoid locking in the perception that ‘migration = problem’. Second, it should focus on integration from below. This is not the state-directed assimilation implied in the Casey report’s defiant insistence that integration ‘is not a two-way street’. It means taking the useful parts of current integration schemes – language lessons, community participation, opportunities for bringing people together – in a model that supports hosts and newcomers to live well together.

This is not a complete set of remedies: it represents an attempt to seriously reduce short-term suffering while creating a longer-term environment where migrants and citizens can realise their shared interests. It formulates new objectives that will replace the arbitrary cap, and replace numbers with values.

The argument will not be won in the realms of policy, but through communication and organisation to change how the country thinks about migration; effectively challenging common framings like ‘full up’ or ‘competition for resources’; and promoting Labour values.

How do we win the argument for migration justice?

In February 2017 I worked on publicising the case of Singapore-born Durham grandmother Irene Clennell, who was locked in a detention centre following a routine appointment. She had married in the UK and lived here since the 1980s. Weeks later, she was deported with ten minutes to say goodbye to her (British) husband by phone and £12 in her pocket. Soon the press interest piqued by the interview turned from trickle to flood. Within days journalists championed her case, politicians intervened, and even the tabloids were supportive. A YouGov poll indicated two thirds of respondents were supportive of Irene, including nearly half

of Ukip voters. Three months later she was home. Irene's case, like the Windrush scandal the following year, shattered the logic of the hostile environment. It made many people question who has the right to declare certain people 'illegal'.

Real people convince people. Survey work carried out by migration charities shows people are more receptive to hearing from refugees than they are from sympathetic politicians and celebrities. The terrible death of Aylan Kurdi temporarily shifted the national mood on refugee protection – but we do not want more campaigns based on such tragedies. We need to work with living people. Campaigns can be built that cut past the architecture of political arguments designed to shut off compassionate thought by listening to migrants and migrant communities, and letting them take control and tell their stories. It was such a campaign which forced Australia's Manus Island detention centre in Papua New Guinea to close. Labour's fearful imagination of a supposedly irredeemably hostile 'white working class' means the party has often failed to realise the humanising power of migrant voices – in one election campaign a European friend of mine was told to avoid doorsteps in a predominantly white working-class area in case her accent put them off. We should avoid making long-distance assumptions about public attitudes (especially in working-class communities), and, where opposition to migration does exist, be able to have hard conversations that neither pander to myths nor dismiss people out of hand.

Putting migrant voices first is the starting point. The next step is not just saying, but *proving in practice* that people across borders can mobilise for their shared interests and win. Workplaces – where migrant and domestic workers are routinely pitted against each other to lower standards for all – are key. At the Fawley oil refinery in 2014, the workforce was composed of migrant and citizen workers who were segregated and on different pay rates. The Unite union, when it became involved, was able to organise across the divide to win equal pay for all. Our unions need a legislative environment that unshackles them, and organising strategies that embed bringing people together for migration justice from the outset. And unions, along with other organisations, must be active in the community as well as the workplace.

In addition, Labour must give communities the resources and the power to ensure they have good, responsive and appropriate public services. Over the past decade, communities across the UK have suffered from catastrophic neglect. Cuts to public services have undermined our social fabric. People are encouraged to look with resentment at minority communities, particularly those who have strong mutual aid networks. In some cases, such as in parts of London, resentment *between* migrant communities poses an additional problem.

Perception is powerful – low-migration areas are generally more hostile to migration, showing that interaction reduces hostility. We will need to do more than organise rallies to 'come together against hate': we need a programme of meaning-

ful social action to build powerful, networked communities and support people who can speak with and for those communities.

There are lessons from our past. The predatory landlordism that stoked racial divisions and violence in mid-twentieth-century Notting Hill was tackled through both militant antifascism and radical assertions of shared community through initiatives like the Notting Hill Carnival. Today, existing grassroots initiatives like Maryhill Integration Network in Glasgow already facilitate workshops, social activities and constructive exchange. Labour's new community organising unit can play a useful role in this, though the precise forums we create to bring people together to solve common problems – from loneliness to bad housing – will depend on the dynamics of an area.

Locality often provides an alternative identity to narrow nationalism; and local stories that discuss the role of people from all backgrounds in bringing wealth, power and dignity to an area are essential. They can draw out the positive and radical aspects of our communities and our nation, position migrants as *already* belonging to the community, and highlight shared problems and adversaries.

We are already starting to turn this around. In the US, for example, Minnesota, a key Republican target state where the radical right had attempted to mobilise hatred around a community Eid celebration, recently flipped to the Democrats, and Somali-born Muslim Ilhan Omar was elected to Congress. Those campaigning against anti-migrant hostility in the region followed three simple principles outlined by communicator Anat Shenker-Osorio:⁶ talking about race and class in tandem, identifying community figures at local level and equipping them to act as spokespeople, and inoculating people against dog whistles by *explaining exactly what the dog whistles were*.

In the UK, as a result of popular pressure and campaigning, we have had multiple inquiries into the Home Office – on Windrush, on international students, and on detention centres; exposure of their failures has even been taken up in the right-wing press. These show that potential majorities for migration justice exist, but need to be solidified.

The role of a radical Labour government is to create an environment in which stronger communities are allowed to flourish – by changing the legal environment in which unions operate, by decentralising wealth and power and fostering participation, and by publicly making the argument for migration justice.

Politics is shifting. There are more opportunities now for defining the kind of society we want to live in, and, through defining our relationship with the world, defining what a post-imperial, post-neoliberal, optimistic Britain looks like.

That definition starts with committing to end the indignities and horrors migrants endure, and starting to construct a system that affords dignity and respect to people who do these islands the honour of wishing to call them home.

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Further reading

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