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Race, immigration and asylum

New Labour's agenda and its consequences

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INTRODUCTION AND HISTORICAL BACKGROUND

When looking at the development of Labour's policy agendas on race and immigration in Britain, and in particular at New Labour's record since the 1997 General Election, the continuities in Labour's underlying philosophy and approach, and the continuities between British Labour and Conservative administrations, are striking. In this article, we examine New Labour's policies on race and migration, arguing that while there have been shifts in these policies, for example from multiculturalism to social cohesion, and towards the promotion of selected migration and a hardening of attitudes towards asylum seekers, these shifts remain consistent with a belief shared throughout the post-war period, and across the political spectrum, that social cohesion and harmony depends on limiting and controlling the migration of certain groups into Britain. This core belief remains unquestioned in spite of continuing policy failures.¹

Immediately after the Second World War, faced with a serious labour shortage that could not be filled by Britain's traditional reserve army of labour, the Irish, the Labour government decided to import to Britain some of the thousands of Europeans who had been displaced by war. They were given preference over Commonwealth citizens because, among other reasons, 'there was considerable prejudice against the recruitment of black colonial workers' (Layton-Henry, 1994: 284; Solomos, 2003). Nonetheless, this limited supply was soon exhausted and from 1948 black

Commonwealth citizens from the Caribbean and elsewhere arrived in Britain to meet the demand for labour. From this point on, the control of migration became a significant and continuing issue for British Labour (and Conservative) governments. It was an issue that became even more politicized and racialized after the riots in Nottingham and Notting Hill in 1958.

Following the Notting Hill riots, concern focused on the problems caused by 'too many coloured immigrants' in relation to housing, employment and crime', but also on the effect that black immigration would have on the 'racial character of the British people' (Solomos, 2003: Ch. 3). The attacks by whites on blacks were explained in terms of the *number* of black people. The proposed solution for these problems was to restrict the migration of black Commonwealth citizens, though it was not until 1961 that legislation was presented to the British parliament that restricted entry.² The delay was due in part to legal and moral difficulties associated with restricting the entry of Commonwealth citizens to the 'Mother Country'. The 1962 Commonwealth Immigrants Act was introduced by the British Conservatives, but shortly after taking office in 1964, the new Labour government issued a White Paper calling for stricter migration controls and signalled a growing convergence between Labour and the Conservatives on migration (Rose and Associates, 1969; Wilson, 1971). The 1968 Commonwealth Immigrants Act, introduced by Labour, was explained in terms of either a response to public fears of black immigration (Foot, 1965; Rose and Associates, 1969), or to economic interests that required a controlled and exploitable migrant labour force (Sivanandan, 1982). However, as we have noted elsewhere (Solomos, 2003), British Labour and Conservative governments were not merely responsive, but had actively regulated and racialized immigration. In 1955–56, a policy of explicit control of black migration came close to being adopted by the Conservative government (Carter et al., 1987), and the two Acts just referred to explicitly denied the automatic right to entry and abode to black and Asian British citizens.

This linkage of immigration to the questions of race has been a feature of political culture in Britain throughout the post-1945 period. Starting with the period since the early 1960s, race relations policies in Britain have, in one way or another, been premised on the notion that the aims of public policy were: (i) to encourage the gradual integration of existing minorities by dealing with issues such as discrimination, education, social adjustment and welfare; (ii) to promote better community relations by stopping new immigration. This approach was based on the idea that the fewer immigrants, particularly ones that were visibly different in some manner, there were, the easier it would be to integrate them into the 'British way of life' and its social as well as cultural values. However, ongoing discrimination in education, employment and housing and troubled community relations have created a major dilemma for successive British governments. Racist attacks on, and unrest within, migrant communities created an awareness

that the question of racial discrimination had the potential to become a volatile political issue.

This potential existed in both majority and minority communities. There was the negative response of some of the majority white population to the arrival of migrants in what was perceived to be sizeable numbers, although Britain at that stage was still a country of net emigration. At the same time, there was the frustration of ethnic minority communities who were excluded from equal participation in British society by discrimination in the labour and housing markets, along with related processes of social and political exclusion. Both these issues were perceived as potential sources of conflict that the government had to manage and control.

While there had been a great deal of discussion and debate around these issues during the previous two decades, the first attempts to deal with the potential for racial conflict and to tackle racial discrimination can be traced back to the 1960s and continued into the 1970s. They took two basic forms. The first involved the setting up of agencies to deal with the problems faced by black migrants and to help the white communities understand the migrants. The setting up of the National Committee for Commonwealth Immigrants in the early 1960s was symptomatic of this integrationist policy agenda. It led later in the 1960s to the setting up of the Community Relations Commission and local Community Relations Councils, whose main objective was to improve relations between majority and minority communities.

The second stage of the policy response, signalled by the passage of the 1965, 1968 and 1976 Race Relations Acts, was premised on the notion that the state should attempt to ban discrimination on the basis of race, colour or ethnic origin through legal sanctions. The latter Act also created public regulatory agencies charged with the task of promoting greater equality of opportunity. These measures were supposed to provide equal access to employment, education, housing and public facilities generally. Successive governments stated their commitment to this broad objective, and developed policies that promised to tackle various aspects of direct and indirect racial discrimination, to promote greater equality of opportunity and to remedy other social disadvantages suffered by black minority communities in British society. According to a number of studies carried out during both the 1980s and 1990s these promises remain unfulfilled (Modood et al., 1997).

For successive British governments, both Conservative and Labour, the need for tight controls on immigration was taken as given. During the 1960s and 1970s the legislative framework for controlling immigration, particularly from the New Commonwealth, became a key component of policy in this field. From a broader historical vantage point, therefore, it is important to remember that since the 1960s the British Labour Party has endorsed the need for immigration controls, and the 1968 Act, driven through

parliament at speed in the face of further migration from East Africa was in line with Conservative migration policy. Although at key points the two parties diverged somewhat as to the specific nature of immigration policy and in the manner in which legislation was to be implemented, the Labour Party differed only to a limited extent from the mainstream of the Conservative Party. This relative consensus in policy agendas between the two main political parties was a feature of the whole period from the mid-1970s to the late 1980s (Solomos, 2003).

During the long period of Conservative domination in Britain from 1979 to 1997, however, there was some divergence in orientation between Labour and the Conservatives. Part of the reason for this divergence can be seen in terms of the shifts within the Conservative Party on questions about race and immigration that became evident under the Thatcher governments from 1979 onwards. The hardening of Conservative rhetoric on race, as exemplified by Thatcher's 'swamping speech' and Tebbit's 'cricket test', was an important element of the neo-Conservative ideology of the right wing of the party (Barker, 1981; Smith, 1994; Ansell, 1997). Throughout the Conservatives' 18 years in government there had been numerous calls for the strengthening of the 1976 Race Relations Act. The Commission for Racial Equality had made detailed submissions supporting these calls and research had highlighted the limits of the 1976 Act, limits that had become pronounced as early as the 1980s. However, the Conservatives had preferred to concentrate on migration controls, arguing that if migration, and hence the size of minority populations, were controlled, there would be no major 'race problem'. The Conservatives introduced a series of Acts designed to exclude migrants originating from some countries, but not others (those granted work permits, admitted to seek work, or granted a variation to their visas to enable them to seek work, have largely come from the white Commonwealth and the USA). The first of these was the 1981 British Nationality Act, which created further categories of citizen with different rights of abode and effectively deprived British citizens of (mostly) Asian origin of the right to live in Britain (Solomos, 2003: 65).

The divergence between the two parties seemed to become more pronounced during the early 1990s as the issue of refugees and asylum seekers moved higher onto the Conservatives' political agenda. Following the fall of the Berlin Wall, the old Cold War certainties and stability disappeared. As a result of the war in Yugoslavia, the number of asylum seekers to Britain had increased significantly, and though they were not of the same magnitude as those seeking asylum in Germany, the Conservative government had responded with very restrictive legislation and very hostile language. In 1993, the Conservative government brought in the Asylum and Immigration Appeal Act, which was the first piece of primary legislation to deal with asylum, and, in 1996, the Asylum and Immigration Act, which

removed asylum seekers from the benefit system and shifted financial responsibility to local authorities.

Labour's response to these developments signalled some opposition, but its core messages were mixed. Tony Blair, then a junior member of the opposition, responded to these Conservative initiatives by arguing that 'good race relations cannot be other than harmed when we pass legislation which in the main will adversely affect one part of our community only' (Hansard, 1992: Col. 36). It was left to Old Labour backbenchers, however, such as Max Madden, Jeremy Corbyn, Bernie Grant and Robert Maclennan, to unambiguously point out the racist nature of the proposed legislation (Hansard, 1992: Col. 65; Schuster 2003a: Ch. 4). In House of Commons debates on the legislation, it was noticeable that senior figures in the Labour party did not contradict some of the fundamental tenets of the Conservative government's arguments on the nature of the 'problem' and on the need to tighten controls and to deal with 'abuse of the asylum system', preferring instead to focus on the letter of the law, wary of being seen as soft on migration. Although Labour opposed some elements of the Conservative policy, it still seemed to accept the notion that the majority of asylum claimants were not 'genuine', and agreed that the focus of legislation should be on reducing the number of people claiming asylum in Britain. In the House of Commons, Tony Blair concentrated on the detail of the appeals procedure and exactly how much time was to be allocated (Hansard, 1992). In opposition, therefore, Labour was still on the defensive about its 'vulnerability' on immigration at the ballot box.

NEW LABOUR IN GOVERNMENT

New Labour's overwhelming victory in the May 1997 British General Election was an opportunity to raise the profile of public policies aimed at tackling racial inequality, to rethink policy agendas about immigration and refuge, and to undo the damage of 18 years of Conservative rule. Throughout its time in opposition, New Labour had worked closely with representatives of minority communities and groups campaigning on a range of issues from black deaths in custody, to asylum and immigration issues. Old and New Labour members, especially those with large minority constituencies had developed strong links with such organizations. Shadow Cabinet Ministers, such as Jack Straw, had become closely associated with, for example, the Stephen Lawrence campaign (a campaign against the institutionalized racism of the London Metropolitan Police in their mishandling of the murder of a black teenager by a gang of white racists). During this period there were close links between New Labour and Amnesty International, the National Assembly Against Racism, the Joint Council for the

Welfare of Immigrants, the 1990 Trust and a number of other community and campaigning organizations. These organizations worked closely with Labour MPs on campaigns against the 1993 Asylum and Immigration Appeals Act and the 1996 Asylum and Immigration Act and assumed that rhetoric in opposition would be translated into action in government (Schuster 2003a: Ch. 4)

It is perhaps not surprising given Labour's statements in opposition that in the immediate aftermath of the 1997 British General Election a more interventionist stance was signalled by the new government on questions of immigration and race relations. The arrival of Jack Straw at the Home Office seemed to bode well in relation to these two policy areas. He was known as someone who was 'good on race relations' and, in opposition, had spoken out on a number of issues, perhaps most notably on the Stephen Lawrence case, but also on immigration and asylum. But what exactly did the new administration do in the aftermath of the 1997 General Election victory? It is to this issue that we now turn.

Social justice and race relations

In the immediate aftermath of the 1997 General Election the most noticeable initiatives were connected to questions about race relations. New Labour attempted to put 'clear blue water' between itself and the Conservative Party by emphasizing its commitment to social justice for racial minorities. It introduced some important initiatives, including the Lawrence Inquiry and the subsequent Macpherson (1999) report, the 1998 Crime and Disorder Act, the 2000 Race Relations (Amendment) Act, and it also seemed to take on board some of the arguments of the independent Parekh (2000) report on *The Future of Multi-Ethnic Britain*. These were only the most high profile initiatives, but they signalled what seemed to be a 'radical turn' in government policy on race relations.

The publication in February 1999 of the Macpherson report into the murder of Stephen Lawrence gave the Home Office the necessary impetus to revisit the 1976 Race Relations Act and seemed to herald a new commitment to racial equality and justice. In many ways the report can be said to contain little that is new, either in conceptual analysis or in policy agenda setting. It is a rather mixed bag of recommendations based on scholarly research over the past two decades and policy recommendations across a whole range of issues. However, the report was greeted with a high level of public attention on publication and in the period that has followed. An important element of its influence can be seen in terms of the fact that it covers a much broader canvas in its recommendations than the actual events surrounding the murder of Stephen Lawrence and the police response to the murder. It includes recommendations, for example, about

general policies on race relations, racism, education and social policy. This is in some ways part of its strength, but it also means that in judging its political effectiveness we have to be aware of the range of policy arenas that are discussed in the report and the likely political outcomes.

There seems little doubt that the Macpherson report has had an important symbolic impact in shaping New Labour's thinking about the question of institutionalized racism, but its impact in terms of practical policy change in the medium term remains to be assessed. The preliminary evidence since 1999 indicates that at least some key elements of the report are being implemented, particularly as the government seeks to show that it is taking the question of 'institutional racism' seriously within its own institutions, such as the police and the civil service. Recent research by the Commission for Racial Equality has indicated that there has been some progress within central government departments, such as the Home Office, in developing programmes to further the recruitment, retention and promotion of minority staff. In particular, the 2000 Race Relations (Amendment) Act may prove to be an important tool in ensuring that public bodies take on board the 'duty to promote' racial equality (Commission for Racial Equality, 2003).

The 2000 Act, which came into force on 1 December 2001, enforces on public authorities a new general statutory duty to promote racial equality (Home Office, 2001). The expectation embodied in the Act is that public authorities will take action to:

- prevent acts of race discrimination before they occur;
- ensure that in performing their public functions they should 'have due regard to the need to eliminate unlawful racial discrimination, and to promote equality of opportunity and good relations between persons of different racial groups'.

While the 2000 Act was generally welcomed as a positive step by many of those concerned with how best to tackle racial discrimination and exclusion, there was, nonetheless, some disappointment that the Act did not take up all of the recommendations made by the Commission for Racial Equality for strengthening the 1976 Race Relations Act. Perhaps the most telling section of the Act was Section 19, which excluded immigration and asylum and refuge from the remit of the Act, a point to which we will return.

During New Labour's first term of office a second significant report was published, this time by the Commission on the Future of Multi-Ethnic Britain, chaired by Bhikhu Parekh. Although the report of the Commission was not officially sponsored by the government it was clearly addressed to the pressing debates of the time, and it included detailed analysis of policy agendas on a whole range of questions at the heart of contemporary anxieties about race relations in British society, including race relations legislation and immigration (Parekh, 2000). The Parekh Report did attract

some lively debate when it was published, but it also became evident early on that it was not likely that it would be translated into a clear agenda that would shape public policy in practice.

If Labour's first term in office was notable for attempts to address racial injustice and construct a multiethnic society, 2001 saw a shift to a much harder position in relation to ethnic minorities. Between May and July 2001, sparked by racists in Oldham, near Manchester, gangs of white and British Asian youths clashed in a number of northern towns, resulting in scores of arrests, hundreds of injuries and considerable damage to property. In September of the same year, the attacks on the World Trade Centre in New York changed the terms of public discourse about race, while throughout the summer of that year, asylum had been headline news as attention focused on a shelter at Sangatte in northern France for migrants trying to cross to Britain.

Politics of immigration, asylum and refuge

In terms of immigration and asylum policy New Labour has been very prolific, with two major pieces of legislation, a range of secondary legislation and a raft of new initiatives that seek to set European and international agendas. On taking office as Home Secretary, Jack Straw quickly announced a major review of the migration system and promised a shift from ad hoc crisis-driven policy to 'evidence-based' policy-making, and certainly the Home Office has financed a wide range of research projects in the last six years, including reports on the economic and social impact of migration, of enlargement on migration, on the impact of dispersal, on the decision-making of asylum seekers, and on the impact of asylum policies in the European Union (EU).³ During Labour's first term, its legislative programme focused largely on restricting the entry of undesirable migrants, especially asylum seekers. However, in the immediate aftermath of the May 1997 General Election victory it seemed as though, unlike the Conservative government, Straw might be prepared to think beyond restrictions. The new Home Secretary had introduced some measures that were seen as positive. The *White List*⁴ introduced by the erstwhile Conservative Home Secretary, Michael Howard, was abolished and the percentage of applications for asylum that were accepted increased. The Refugee Council and others had argued that the use of a *White List* meant that summary decisions would be taken. The Labour Party had supported these criticisms and so the abolition of the *White List* was welcome, though not a surprise. And yet a *White List* continued to operate unofficially, and was reintroduced in 2002 (PN 267/2002), initially including only the 10 candidate countries for admission to the EU, subsequently extended to a further 17 countries in February 2003 (PN 036/2003) and in June 2003 extended to a

further seven countries (for an up-to-date list, see [<http://www.ind.homeoffice.gov.org>]).

The Home Secretary also granted leave to remain in Britain to approximately 70,000 long-standing applicants. While the migration review was underway, the numbers of people claiming asylum (up from 37,000 in 1996 to 41,500 in 1997 and 68,000 in 1998), the backlog of cases (peaking at over 100,000) and the length of time people were having to wait for a decision had all continued to grow. While the granting of limited leave to remain brought relief to many thousands of asylum seekers in Britain, from the government's perspective, it should be remembered that the primary goal was to reduce the pressure from an increasingly unmanageable backlog of applications, rather than a humanitarian response to the needs of people who had been left in limbo for years.

In spite of these limited positive moves and the possibility that the review of the immigration and asylum system would lead to a new and fairer system, from the outset there were clear signs of continuity, both with the previous Conservative government and with Labour's actual record on immigration. Among the earliest signs of this continuity were the new Labour government's response to a decision from the European Court of Human Rights (ECHR) criticizing the lack of an effective domestic remedy to review the Home Secretary's decision (Article 13) to deport on the grounds of national security,⁵ and to the arrival of around 800 Roma from Slovakia and the Czech Republic. In direct response to widespread and hostile media coverage of these arrivals, Jack Straw announced that, where officials believe that a claim is manifestly unfounded, an asylum seeker would have only five days to appeal, instead of 28 days. This tended to confirm media and public perceptions of the Roma as 'bogus' asylum seekers.

In response to the ECHR decision, the Labour government brought the Special Immigration Commission Bill before the House of Commons. The Commission was created to hear appeals against the Home Secretary, so that the government could once again proceed to deport. From the tone of the discussions across the floor of the House of Commons, in which Conservative members accepted and approved the new Home Secretary's response to the decision of the ECHR, it seemed as though there was very little 'clear blue water' between the parties. These cases were unlikely to have a significant impact on the numbers of people allowed to remain in Britain, but they served to illustrate New Labour's concern with being, and being seen to be, tough on immigration and protective of the powers of the executive.

These concerns have been the defining feature of New Labour's policy in this area throughout its time in office. In addition, policy initiatives continued to be driven by crises – actual or constructed, such as that following the introduction of a new computerized system at the Home Office,

which coincided with an office move, and then the 'Sangatte crisis' in 2001 (see Schuster, 2003c). The proposed solution to the first 'asylum crisis' was the 1999 Immigration and Asylum Act. The main measures related to the introduction of vouchers instead of cash benefits, of a system of forcible dispersal outside of London on a no-choice basis, and an increase in detentions and deportations. Other innovations included the reduction of appeals to a single One-Stop Appeal at which all grounds for appeal (including those on Human Rights grounds) would be considered; provision for the posting of bonds on behalf of those whose visa application immigration officers were minded to reject (subsequently dropped in the face of opposition from Britain's Asian communities who would have been badly hit); and an increase in the use of airline liaison officers at the point of embarkation to check documentation. One important 'fair' measure that had been fought for was the right of detainees to an automatic bail hearing. This, however, was never implemented and the 2002 Nationality, Immigration and Asylum Act dropped it altogether.

The introduction of vouchers was particularly problematic. Destitute asylum seekers with additional difficulties (destitution alone brings with it no entitlement) were entitled to the equivalent of 70 percent of income support (£37) in vouchers, redeemable at certain supermarkets and charity shops. The Liberal Democrats, Labour backbenchers such as Diane Abbott, Jeremy Corbyn and Neil Gerard, as well as many of the charities operating the charity shops predicted, accurately, that this would lead to the stigmatization and humiliation of asylum seekers, marking them out clearly as 'different' and 'dependent' (Bloch, 2000), making them targets for hostility. Pressure from a wide range of groups, including those just mentioned, meant £10 worth of vouchers were redeemable at post offices for cash. Continued hostility, most notably from Bill Morris of the Transport and General Workers Union (TGWU), and reporting of the difficulties faced by individuals and families trying to use the vouchers, led to a Home Office review of the voucher system (Eagle et al., 2002). From April 2002, asylum seekers' vouchers became exchangeable for cash, though still only at a level worth 70 percent of income support.

Dispersal was a second key element of what became the 1999 Immigration and Asylum Act. Pressure had been building on local authorities, in particular in London and parts of the south-east, especially parts of Kent, and dispersal was to provide a way of sharing the 'burden'. Once again, non-governmental organizations (NGOs) and concerned others warned that dispersal was a recipe for increasing racism and racist violence, that it would leave people with limited language skills and little or no support in areas of Britain that were both largely homogeneous and socially deprived. The 1998 White Paper (Home Office, 1998) had expressly announced the Labour Government's intention to place asylum seekers in areas where accommodation costs would be low. Cassandras who warned that this

would mean dumping asylum seekers in sink estates were proved correct (Sighthill in Glasgow, the Landmark in Liverpool, the Caia estate in Wrexham), as were the warnings from the NGOs and campaign organizations. A number of reports were published, including one from the National Audit Commission (Audit Commission, 2000), warning that the conditions in which asylum seekers are being housed are unsafe, unfit for human habitation in some cases, and expose them to attacks. A second from the United Nations High Commissioner for Refugees (UNHCR) heavily criticized Britain's treatment of asylum seekers. Others, such as the European Race Bulletin, have catalogued a series of attacks on asylum seekers around the country (2000), including the death of Firsat Dag in Glasgow. At the time of writing, the most recent of these attacks, involving a mob of 200 on an estate in Wrexham attacking a small group of Iraqi Kurds, resulted in the evacuation of all asylum seekers from the estate.

The 1999 Immigration and Asylum Act stepped up the practice of detention, massively increasing the number of places, especially in prisons (of almost 2000 detainees about 75 percent were held in prisons, a practice criticized by UNHCR). The Home Office argues that only those believed to be likely to abscond are detained, and usually at the end of the process. To underline this, detention centres have been renamed removal centres. However, many people are detained on arrival and it seems likely that the goals of this policy, for New Labour as much as for the Conservatives before them, is deterrence and the facilitation of removals. The Home Secretary promised that asylum seekers would no longer be held in prisons, but in purpose-built detention centres. The first dedicated detention centre for families was opened at Oakington in Cambridge in March 2000 and has since been joined by others, including one at Harmondsworth outside Heathrow and another at Dungavel in Scotland. The flagship centre at Yarl's Wood in Bedfordshire was partially destroyed by a fire in February 2002 and was subsequently closed.⁶ In practice asylum seekers continue to be housed in prisons. While detention had been introduced by the Conservative government, detention, including the detention of children, only became 'normalized' under New Labour.⁷

The 1999 Act was, at best, a contradictory piece of legislation. It was incoherent legally, and it misdiagnosed the challenges posed by asylum-seekers and migrants. It continued to define the 'problem' facing the state as one of control, of the state's inability to control the numbers of people entering the country. These numbers were perceived to be a problem because it was assumed they would exacerbate 'racial' tensions and because of the perceived costs to an overstretched welfare system. However, unsurprisingly, the 1999 Act did not reassert the state's control over its borders, it did not create a system that was either fair or fast, and it seemed to validate the fears and prejudices of those hostile to migrants arriving in Britain.

While still Home Secretary (he is now Foreign Secretary), Jack Straw argued that the failure of the government's policy was due in no small measure to the definition of a refugee contained in the Geneva Convention. He argued that it was no longer fitted to today's world. As the 2001 General Election approached, he also spoke with approval of the attempts to find a harmonized definition of who was a 'refugee' at EU level. Straw argued 'that there is a limit on the number of applicants, *however genuine*, that you can take' (*The Observer*, 20 May 2001 – our emphasis) and that a cap or quota would have to be introduced. He went on to explain that the limit is dependent on 'the ability of the country to take people and public acceptability'. He did not refer to the role that government can and does play in creating public tolerance and acceptance.

At this time, Sangatte began to appear on front pages with headlines such as, 'Stop the Invasion', 'We can't take any more asylum seekers', 'Asylum invasion reaches 12,000 a month', 'Asylum: we're being invaded' and 'Refugees, run for your life' (all from *The Express*, July 2001). Under Jack Straw, the position had been that Sangatte was a matter for the French; and that, if the cross-Channel carriers did not want to pay fines for stowaways, they should increase the security at the French terminals – i.e. there was no Sangatte crisis. For Straw, and initially for David Blunkett, who replaced him as Home Secretary, the crises were elsewhere, for example in Britain's northern towns. Though Conservative attacks during the 2001 General Election on Labour's competence with regard to asylum had no great impact on votes, they heightened the sense of crisis around the issue, and in September 2001 former Conservative Home Secretary Kenneth Clarke declared that the 'immigration system had totally collapsed because of ministerial incompetence at the Home Office' (BBC, 4 September 2001).

LABOUR'S SECOND TERM

On 29 October 2001, the new Home Secretary, David Blunkett, in a statement on asylum, migration and nationality told the House of Commons, 'I do not intend to tinker with the existing system but to bring about radical and fundamental reform' (Hansard, 2001). He had already, within days of taking office, made migration and asylum a priority area and quickly announced plans for a new migration bill, just two years after the 1999 Asylum and Immigration Act. This signalled a key thrust of policy in the aftermath of the 2001 General Election. During New Labour's second period in government there have been three main developments: new channels of migration for certain classes of worker, an intensification of the struggle to control the entry of asylum seekers and a shift from multiculturalism to a demanding policy of integration.

Managed migration

By the end of the 1990s, in line with other European states, the British Labour government had accepted that there were labour shortages in certain sectors of the economy, and set about creating a system of 'managed migration' that would facilitate the entry into Britain of the hundreds of thousands of migrant workers needed by both the private and public sector. A government report, emphasizing the positive contributions that migrants can make, and that ultimately migration is good for the country and the economy, was published (Glover et al., 2001). The Highly Skilled Workers Programme (HSWP), Seasonal Agricultural Workers Scheme (SAWS) and the Sector Based Schemes Workers (SBS) were launched. Highly skilled migrants have always been able to get work permits, but the HSWP allows workers meeting strict criteria to enter for the purposes of seeking work. The creation of entry channels for unskilled workers is an echo of the European Voluntary Workers Scheme, the SAWS and SBS schemes imposed strict conditions for entry and stay on such workers, including age limits (18–25 and 18–30 respectively).

Of the 20,000 permits to be issued through the Sector Based Schemes (SBS) in 2003, 7500 will go to EU accession countries. Presumably, other permits went to non-EU accession countries (e.g. Ukraine, Bulgaria), so a majority will be white. During 2000, prior to the introduction of these two schemes, 82,400 work permits were issued and these 'economic' migrants came from the USA (40% of work permits granted), Australia and New Zealand (70% of those admitted to seek work). Of those granted an extension to their visas to seek work, 55 percent were South African and 30 percent were from Australia and New Zealand (Home Office, 2000). Though it is not specified, it seems safe to assume the overwhelming majority of these migrants were white.

While New Labour's acceptance that migration is needed for the efficient running of the economy does mark a shift from the Conservatives' long-standing perception of migration as marginal to the economy, something to be tolerated rather than welcomed, there is strong continuity in terms of the emphasis on control and the colour-coded nature of this policy. With large numbers entering each year, the government continues to place its faith in technology and its ability to monitor and manage movements across frontiers. Recognition of the economic benefits of large-scale immigration did not, therefore, signal a break in the direction of government policy. Rather, it signalled the development of a twin track approach aimed at the controlled inflow of selected numbers of desirable migrants and the exclusion of undesirable migrants. Asylum seekers and undocumented entrants are a problem because they are uncontrollable – undocumented migrants because they evade controls altogether, or get round them by entering on short-term visas and overstaying, and asylum seekers

because they are claiming to be refugees – people who should not be refused entry.

The fight against asylum seekers

The successes of the far right British National Party (BNP) in local elections, the rise of the Far Right in continental Europe, especially in France and the Netherlands, drove New Labour into a stance of aggressive defence in relation to migration, and specifically asylum. Blunkett put pressure on his French counterparts to close Sangatte, which it was argued was acting as a magnet for migrants trying to cross to Britain. The French had argued that Sangatte was a problem of Britain's making – that the right to work and the absence of identity cards made Britain more attractive than France (Schuster, 2003c). As a result, at the same time that labour shortages were being acknowledged and entry smoothed for some, Blunkett abolished work permits for asylum seekers and is currently pressing the case for identity cards.

It was assumed that fear of migration, and asylum seekers in particular, was responsible for an increase in support for the BNP and that therefore the government had to be seen to be addressing these concerns. In order to reassure the electorate that the government was taking its concerns seriously, Tony Blair announced he was taking charge of the issue. In searching for other, more radical, solutions to the challenge from the far right, Blair has flown a number of kites – suggesting sending the Royal Navy to the Mediterranean to intercept traffickers, using the Royal Airforce to deport groups of people, and setting up Transit Processing Camps on the EU's borders. None of these have come into force, all display a limited understanding of the issues at stake, but they have heightened the sense that this government is not in control (and that the far right have correctly identified the 'problem') – that there is a crisis.

It is interesting to note in this regard that most of the 2002 Nationality, Immigration and Asylum Act, the major piece of legislation in this field that New Labour has introduced during its second term, is devoted to measures designed to reduce the number of asylum seekers entering Britain and to facilitating the removal of those deemed to have no right to remain. Beverley Hughes, the minister for Citizenship and Migration summarized the key provisions of the Act as follows (Home Office, 2002b):

- Establish an effective and efficient end-to-end asylum process, with a system of induction, accommodation and removal centres.
- Speed up the asylum process, improve contact management and reduce opportunities for abuse of the system, which is widespread.
- Strengthen the integrity of our borders by ensuring that our

immigration controls are sufficiently robust to exclude those who are an immigration or security risk, but to be efficient, flexible and responsive so as to speed the entry of the many people who are coming here legitimately.

- Tackle illegal working, people trafficking and fraud.
- Update nationality law and enhance the importance of citizenship.

The implementation of these provisions has not been particularly smooth for the government. By July 2003, only one induction centre, at Dover, had been opened, and owing to objections from local people in the areas where they were to be sited, no accommodation centres. These objections have so far carried more weight than concerns expressed by children's charities, campaign organizations, MPs, trade unions, academics and others about the declared intention of educating children in the accommodation centres, rather than in local schools. This treatment of asylum-seeking children is one of the more worrying features of New Labour's drive to deter asylum seeking.⁸

There is increased tracking and monitoring, especially of new applicants, facilitated by greater reporting restrictions requiring people to sign in at police stations regularly and the use of 'smart cards' that carry data on individuals. Of the provisions that have come into effect, the most devastating for asylum seekers has been Section 55, which denies support to those who do not apply for asylum immediately on arrival and gives effect to plans first introduced by the Conservatives in 1996. Justice Collins in the Court of Appeal ruled against the Home Office in a case brought by six asylum seekers, arguing that the implementation of Section 55 was inhumane, and could 'lead to a real risk of destitution which could lead to injury or death'. In response to an appeal by the Home Office, however, the Attorney General, while accepting that the Court of Appeal 'was right to hold that in each of the individual cases the applicant had been treated unfairly initially', nonetheless considered Section 55 of the Nationality Immigration and Asylum Act a satisfactory measure if certain operational changes were made, that is, that more efforts would be made to ascertain why an application had not been made as soon as practicable. As a result of this decision, and the lack of an entitlement to a work permit, many asylum seekers are now without any form of support. Blunkett himself pointed out that: 'The message at home and abroad must be crystal clear, but tough; sending a signal to people throughout the world that the United Kingdom is not a soft touch' (Hansard, 2001).

Certainly, the 'New Vision for Refugees' proposed in 2003 by Blair and Blunkett is designed to underline this toughness. Although thanks to the objections of Germany's (normally hard-line) Minister of the Interior, Otto Schilly, and Sweden's Goran Petersson, the plans to export asylum seekers to Transit Processing Camps⁹ in countries just outside the EU have been

abandoned (for the moment). Those to establish Regional Protection Zones are continuing – though without the support of the EU.

The 2002 Nationality, Immigration and Asylum Act also included sections on citizenship, demanding that those migrants allowed to enter and settle develop a ‘shared sense of belonging and identity’ and acquire a knowledge of the language (English, Gaelic or Welsh), while offering new citizens the opportunity to celebrate the acquisition of their new nationality (Home Office, 2002a: 1). It is interesting to note that the government has shifted increasingly since 2001 towards a language of ‘integration’ and of the need to ‘maintain and develop social cohesion and harmony within the United Kingdom’ (Home Office, 2002a: 27). The rhetoric of social cohesion reflected concerns voiced in the Cattle (2001) report into the disturbances of summer 2001, but none of the government’s proposals or policies address either the racism that ignited the riots in Bradford, Burnley or Oldham or the social deprivation experienced by the minorities and the majority in those areas. Terms such as integration, inclusion, exclusion are deployed in various policy discourses, such as education, poverty, health, so that they become normalized and their ubiquity obviates any need for a discussion of their meaning – they acquire the status of common sense. It is presented as obvious that those who settle in Britain should respect and embrace ‘our values’, should seek to share our ‘sense of belonging and identity’ (Home Office, 2002a: 3). Citizenship classes, already introduced for school children, are now to be made compulsory for those wishing to naturalize in order to help ‘them’ fit into ‘our’ society. Bernard Crick has been placed in charge of ‘Citizenship Task Force’ and is consulting with various bodies as to what such classes might deal with, but as yet there is little to signal what kinds of policies on citizenship will be pursued in practice.

CONCLUSION

What then are we to make of New Labour’s policies on immigration and race relations in the period since 1997? Do they signal a significant turning point in the course of state policies in this field that is likely to lead us in a radically new direction? We have attempted to deal with both of these questions in the course of our substantive analysis of what New Labour has done in this area since it came to power in Britain in 1997, but a concluding general appraisal may be useful in order to pull the threads of our argument together.

The first point to make is that there have been some positive developments, particularly in relation to the attempts to prioritize measures to tackle racial inequality and discrimination. It is interesting to note,

however, that recent research from the Commission for Racial Equality points to an uneven response from key public bodies to the new duty to promote racial equality (Commission for Racial Equality, 2003). The limitations of both current and past policies in tackling the causes of racial inequalities in the labour market, and other social and economic arenas, has also been acknowledged by a report from the Cabinet Office's Strategy Unit, which highlights, among other arguments, the persistence of racial inequalities in Britain over the past three decades (Cabinet Office Strategy Unit, 2003). The public discussion about the Macpherson report and the impact of the 2000 Race Relations (Amendment) Act are perhaps the most important expressions of this change in direction. More generally, the attempts by the government to include questions about race and ethnicity in its wider agendas about social exclusion and urban deprivation may bear some fruit in the medium term.

However, there are fundamental contradictions at the heart of Labour's policies on immigration and refuge and asylum. Migrants, especially asylum seekers and undocumented migrants, have become the targets of racist campaigns that have not been confined to rhetoric but have erupted into violence in Liverpool, Glasgow and Wrexham. It has become evident that rather than questioning and challenging some of the press and public misperceptions around this question New Labour has, if anything, stoked them. The political culture that has emerged in the past few years over questions linked to immigration and refugees signals the dangers that we face in dealing with such sensitive political issues. According to a report produced by European Commission against Racism and Intolerance (ECRI) in 2001:

Problems of xenophobia, racism and discrimination persist and are particularly acute vis-à-vis asylum seekers and refugees. This is reflected in the xenophobic and intolerant coverage of these groups of persons in the media, but also in the tone of the discourse resorted to by politicians in support of the adoption and reinforcement of increasingly restrictive asylum immigration laws. (ECRI, 2001: 4)

Perhaps the most worrying feature of the last six years in Britain is that New Labour has not merely sustained, but has heightened a climate of fear about refugees and asylum seekers, and has increased the fear and racist violence suffered by these groups themselves.

New Labour came to power with an extraordinary mandate, and at a time when the Conservative opposition was so devastated that it was very likely that Labour would have a second term in office. This confluence meant that it was presented with an historic opportunity to change both the migration system and the lives of Britain's minorities and migrants for the better. New Labour could have shifted the terms of the debate. This did not happen and Labour's return to power after 18 years may come to be seen

as a tragic missed opportunity. Indeed, in many ways New Labour's policies on migration and on race relations have displayed marked continuities with previous British Labour and Conservative governments. While the 2000 Race Relations Amendment Act may make some difference for established minority communities in the medium term, any progress in this field is likely to be undermined by legislation on migration and asylum. The 1999 Immigration and Asylum Act was as ill-conceived and as ineffectual as the legislation passed by the Conservatives, and the 2002 Nationality, Immigration and Asylum Act, while creating a gateway for 'useful migrants', punishes asylum seekers even more harshly. This is because the logic that underpins current legislation on migration and on race relations in Britain assumes that good race relations depend on ever more strict immigration controls. What the new legislation also signals, however, is that the language of New Labour is moving towards a political agenda on identity and social cohesion that is likely to have a major impact on the position of established minority communities and their everyday experiences of British society.

In this context there is a need for a sustained critical analysis of both the political agendas and legislative programmes pursued by New Labour since 1997. Such an analysis, as we have argued in the course of this article, needs to combine an understanding of initiatives on race relations with questions about asylum and refuge. If this is done it will be all the more evident that, far from representing a radical break with the past, New Labour is stumbling along a path that has been shaped by fears and preoccupations that have much in common with both previous Labour and Conservative administrations. Indeed, New Labour's policies in the area of immigration and asylum seem likely to lead to new patterns of marginalization and exclusion for sizeable groups in British society.

Notes

- 1 The continuities in policy, especially in terms of controlling migration, pre-date the Second World War, but the focus of this article is the Labour party, and particularly Labour government policies, and hence the post-Second World War period.
- 2 For a discussion of the reasons for the apparent reluctance to legislate at this time on these issues, see Joshi and Carter, 1984: 55–63; Miles and Phizacklea, 1984: Ch. 2; Phillips and Phillips, 1998).
- 3 These reports can all be found at [<http://www.homeoffice.gov.uk>]. However, the government remains selective in the use of such research. Griffiths, one of the authors of a Home Office report on asylum policies in the EU felt compelled to write to the *Guardian* newspaper complaining about the timing of the report's publication and the Minister's focus on one result and omission of all the others. He pointed to 'a general and worrying trend that academic research is being used to buttress government policies in a way which is illegitimate and which depends upon an extremely partial reading of research results' (*Guardian*, 26 June 2003).

- 4 This is a list of counties in which it was presumed there was no general risk of persecution, and is a departure from the principle that every individual had the right to have his or her asylum claim examined individually.
- 5 See *Regina vs Secretary of State for Home Department ex parte Chahal* and Schuster and Solomos (2002).
- 6 Following unrest at Campsfield detention centre, where charges against detainees were dropped when it became clear that the security agency was actually responsible for the damage, it seems few lessons were learnt at Yarl's Wood. There was no sprinkler system, there had been no fire drills, and a group of detainees are currently (July 2003) on trial for arson and related charges. Although material witnesses have been deported, rendering the fairness of the trial questionable, charges against some of the defendants have already been dropped. For full details see [<http://www.barbedwirebritain.org.uk>]. Following the fire at Yarl's Wood, the Home Secretary asked in the House of Commons if this was how detainees showed their gratitude – we remain unclear what it is they should be grateful for.
- 7 For a discussion of this process and the racist nature of dispersal, detention and deportation policies, see Schuster (2003b).
- 8 The UK has also entered reservations to the United Nations Convention on the Rights of Children in respect of the children of migrants and asylum seekers.
- 9 Presumably the idea for situating the camps in Albania or Croatia was borne of the frustration expressed by Beverley Hughes, who, unable to get agreement to open accommodation centres, remarked that they would have to be situated in somebody's back yard.

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Consensual governance and myopic academia

A response to Liza Schuster and John Solomos

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A decade ago, the British Labour Party's then shadow Home Secretary, Jack Straw, described his outlook on immigration as an electoral issue. For him, the priority lay in ensuring that no more than a proverbial cigarette

paper separated the electorate's understanding of the position of the Labour opposition against that of the incumbent Conservative government. For this, Straw was amply condemned from the left of his party and beyond for a strategy of populist appeasement, an approach that seemingly undermined Labour in office during the 1960s and 1970s. Criticism from the right – including the Tory front bench – highlighted the awkward fragility of Straw's argument. Indeed, it both unmasked Labour's own sense of vulnerability on the issue and also reinforced the potential dividends for Conservative Party strategists keen to exploit low-level anti-immigrant political sentiment. In 1995, for instance, a Conservative Party vice-chairman, John Maples, went so far as to record officially this lucrative prize in a private memorandum to party officials. When leaked, few were genuinely surprised at its contents.

The Straw argument encapsulates the trade-offs in a 40-year-long dilemma for the British Labour Party. This has had three basic planks, namely that its reputation among sceptical voters on immigration has been questionable, that its capacity to identify with the political interests of black and ethnic minorities has been limited, and that its appetite to address race and racism explicitly has been subsumed into a wider social exclusion agenda.

The article by Schuster and Solomos is a useful overview of the Labour Government's broad approach to these issues. It is especially perceptive in drawing out the circumstances of several key advances made in office against the backdrop of the realist legacy of Straw and others. For instance, the Race Relations (Amendment) Act, 2000, adopted a strikingly bold stance in its internal logic and practical means for addressing racial discrimination in the public sector. The authors note this and correctly deduce that such a reform in many ways cuts against the grain of the party in office, where so often the 'threat' posed by the integration efforts of minorities and the 'differences' of newcomers dominated the agenda of community cohesion. The authors in that sense judge correctly the politics of the Labour Party in office by recalling the dualism arguments of Miles and Phizacklea (1989) two decades previously. However, the article misses several critical distinctions and nuances in drawing any overall assessment. These relate principally to the scope, evidence and intellectual linking points of the article, and are discussed below.

First, the scope of the authors' work has not succeeded in drawing out the key historic dilemmas and lessons of the past. The historic overview they furnish is adequate in describing a number of epochs in the politics of immigration and race relations, but nevertheless suggests that contradiction is the only identifiable outcome. This characterization lacks nuance since it implies that opposing sides of an argument are effectively mobilized in policy and strategic decision-making. The reality is often much less ordered or orchestrated. Additionally, writers such as Katznelson (1973),

Layton-Henry (1992) and others have criticized the party's lack of strategic direction on immigration in the past, at least opening the possibility that this may have been attributable to the absence of internal debate over principles and frameworks that might guide policy. Labour's apparently principled disagreement with the 1962 Commonwealth Immigrants Bill, under Hugh Gaitskell whilst in opposition, has often been linked to the tradition of socialist internationalism within the party. One wonders where these avenues and forums for conditioning the thinking and outlook of activists and elites are found in the modern Labour party. The article is curiously silent on this point of parallel.

Other writers such as Favell (1998), Hansen (2000) and Bleich (2003) have all pointed to the limited room for independent direction that British nationality and immigration law created, and this too is left out of the authors' equation. Finally, Crewe (1983), Studlar (1993), Messina (1998) and others (including myself, Saggar 2000) have emphasized the electoral trap faced by Labour over many decades. This is a wider point about the nature of UK party competition on these and related issues, and is a first order contextual matter that cannot be understood through Schuster and Solomos's article. This is especially disappointing because of the scant attention paid by political scientists to such issues in assessing issue-voting and party behaviour.

The second drawback of the article is in its use of evidence to support its broad claims. This is apparent in some areas more than others, and the characterization of an administration's appetite for 'evidence-based' policy is obviously flat and unrealistic. The publication in 2001 of the Home Office study, *Migration: An Economic and Social Analysis*, was instrumental in developing fresh thinking within government on immigration policy (Glover et al.). It was a report which additionally set off a series of pieces of analytical and policy work within government (some private in nature) on the managed migration agenda. It is puzzling, therefore, to see that the authors felt it necessary to dwell on the press-spun reports of a particular member of the research syndicate behind another important piece of work. A more general observation this episode alludes to is that the Labour administration continued to show exceptional anxiety over the risk of being miscast by the press and Opposition. The only credible response in the end is to push ahead against such doubts. It seems trivial, by contrast, to think that government is beyond short-term crises of self-confidence.

Elsewhere in the article the authors misunderstand the nature of a recent Cabinet Office report 'of' government comprising agreed policy. This report, *Ethnic Minorities and the Labour Market: Final Report* (Cabinet Office Strategy Unit, 2003) – and here I declare an interest as its lead author – aimed to raise the long-term labour market achievements of ethnic minorities using a strategy that brought together action to combat discrimination with policies to improve human capital and address circumstantial

barriers such as housing immobility, transport and child-care. This is evidence-based policy on social exclusion in action and can be criticized as such. Worries about timing and self-editing by government spin-doctors is an irritant but should not get in the way of a better, shared understanding of Labour ministers using the reins of government power.

The limits of the article extend also to its use of evidence relating to political behaviour. There are two unrelated hypotheses at which researchers have chipped away, one concerned with the electoral consequences of white backlash upon Labour's fortunes, and the other relating to the electoral support among ethnic minorities for the Labour Party. These are themes that have been richly explored in recent years by, *inter alia*, the British Election Study, British Social Attitudes, the British Candidate Study, and standalone surveys of party membership by Seyd and Whiteley (1992) and others. Throughout their article the authors make many assumptions about the degree of electoral vulnerability faced by Labour on issues of race and immigration. It is clear that the issues are no longer the electoral albatross of the Smethwick era, but it would have been helpful to pin down the answers where possible. In the absence of any appetite for precision, we are left with a degree of inference and supposition that no serious commentator can want or defend.

Finally, the article only scratches the surface of understanding the modern British Labour Party's presumed commitment to equality. In part, this is because the language and politics of equality in political life has been transforming considerably in recent years. The modern concern is with 'joined-up' approaches to delivering more equality of opportunity. The approach of the Labour administration to a single equalities body is one reflection of this but it is also seen in the work and consequences of the Kingsmill review (Kingsmill, 2001), inter- and intra-party reforms to raise further minority and women's representation in elected office, and the work-life balance agenda of parts of the business community and government. A more profound driver, however, is the internal repositioning of the Labour Party on social exclusion. The racial or ethnic dimension to this commitment can be all too easily obscured. The early work of the Policy Action Teams (PATs) assembled by the Social Exclusion Unit in conjunction with other parts of government amply show this. The lesson, if there is one, is that the ideological appetite of the Labour Party to recognize and sponsor issues of race and equality are limited. Therefore, such issues will need to be pushed, driven, narrated, integrated, and even spelt out, if progressive change is to be achieved.

It may sound too much like a messy game of compromise and non-commitment. For sure, evidence-led pragmatism conditions much of the Labour Party's agenda for holding office. Therefore, although the authors have not seen this, issues of race, immigration and asylum are pertinent examples of a wider phenomenon. In conclusion, if the factors behind

long-term inequality experienced by some ethnic minority communities are of a fundamental nature, this will need to be laid out systematically to a party which, by and large, has doubts about generalized racial divides in Britain. This is a serious challenge for the research and policy communities. Anything less is grossly unrealistic for those committed to a progressive politics that would cut away the need for Jack Straw's original dictum.

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From New Right to New Labour – continuity or contrast?

A response to Liza Schuster and John Solomos

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Changing the law on asylum is the only fair way of helping the genuinely persecuted – and its best defence against racism gaining ground (sic). We have cut asylum applications by a half. But we must go further. We should cut back the ludicrously complicated appeal process, derail the gravy train of legal aid, fast-track those from democratic countries, and remove those who fail in their claims without further judicial interference. (Tony Blair, speech to the Labour Party Conference, 30 September 2003)

The Queen's Speech in November 2003 announced the new Asylum Bill. It will include: provision to limit appeals to a single hearing, removing the right to judicial review; criminalizing people for destroying travel documents; limiting legal aid to five hours; electronic tagging of asylum seekers; and legislation to take into care the children of asylum seekers whose claims are refused if they do not leave the country voluntarily. Michael Howard, erstwhile British Conservative Home Secretary and newly installed as Leader of the Opposition, described the last proposal as 'despicable' and said that the government had 'lost all sense of shame'; failed asylum seekers (and their children) should be forcibly removed from the country. Earlier in 2003, Blair had suggested to the EU that 'Zones of Protection' should be established to 'process asylum claims without people travelling to the countries in which they seek asylum'. Yet when the Conservative Shadow Home Secretary, Oliver Letwin, subsequently suggested that asylum-seekers

should be accommodated on 'an island far, far away', the Home Office rejected this as 'laughable'.

This would seem to bear out Schuster and Solomos's argument that in the areas of immigration and asylum there is more continuity than contrast between the Conservative regimes of 1979–97 and the Blair governments, notwithstanding the latter's ostensible commitment to diversity and some advances in other areas of policy. They argue that this is true both of policy and of rhetoric, and that the assumptions, arguments and language of Conservative opposition to immigration are all present in Labour's current discourse.

This may be true, but to provide evidence for this claim would require two moves the article does not make. One is to make a very clear distinction between policy and rhetoric. For example, it is not clear to me whether the shift 'from multiculturalism to social cohesion' identified in the article is understood by the authors, or is in fact, a shift of policy or a shift of political rhetoric. In terms of policy, clear discontinuities are noted in the article, importantly in the opening up of the possibilities for 'economic migration'. Rhetorically, the presentation of this as a legitimate and potentially positive possibility may, as the authors suggest, have the effect of intensifying implicit criticism of asylum seekers in particular as both economic burden and social problem. However, a shift that involves accepting that some inward migration is an economic asset, especially in the context of rising dependency ratios, is itself a major change in rhetoric. To establish the degree and nature of continuities and changes in political rhetoric would require the second move, namely a much more detailed exposition of New Labour's discourse surrounding its policy interventions – which would include both the policy documents themselves, the discussions of them in parliament, and wider public discourse including speeches by politicians and different sections of the media. This is particularly important given the importance of 'spin' to the New Labour project. The language of New Labour has been discussed by numerous academic and journalistic commentators, and one of its key features is its use of flexible concepts and its tendency to double-speak, in order to keep different constituencies of opinion on board. The existence of elements of tabloid populism in relation to asylum cannot be simply taken as representing the whole of New Labour discourse in this area. For example, Blair's proposal to the EU about refugees was couched in terms of 'better management', just as the new orientation to migration is flagged as 'managed migration', in keeping with the generally managerial orientation of New Labour. The language of social cohesion noted by Schuster and Solomos has been a dominant element of the New Labour project since before the 1997 election, and is not a language that was, or is typically, deployed by Conservative politicians.

Arguing for rhetorical continuity requires a much more consistently

critical and analytical approach to New Labour's language. It is true that 'terms such as integration, inclusion and exclusion are deployed in . . . policy discourses . . . so that they become normalised . . . and acquire the status of common sense'. But an analysis of political discourse demands that one systematically excavate the implicit meanings of these terms, while noting the rhetorical function of apparently empty signifiers. Small slippages in phraseology can carry major differences in connotation and effective meaning. Take, for example, the question of 'institutional racism' that is discussed in relation to the Macpherson report (Macpherson, 1999). I take institutional racism to mean structures and processes that produce negative outcomes for racial or ethnic minorities that do not depend on decisions or actions embodying racist or discriminatory attitudes by individuals. What is interesting about the discourse around the Macpherson report is that police, politicians and media all talked of rooting out *institutionalized* racism – a term that refers to cultures and practices in institutions that embed and legitimate individual racism, and is thus quite antithetical to institutional racism itself. It is effectively an elaboration of the 'bad apple' theory, except that there are lots of bad apples encouraging each other. The idea of institutionalized racism is far more consonant with New Labour's overall project and discourse, since it focuses on individual behaviours, not on structural processes. The slippage from one term to the other has become commonplace, but even if innocent in intent and born of confusion, it is not innocent in its discursive effects.

It would be interesting to see a more detailed treatment of these issues, and how they fit into the New Labour project as a whole. Given the general continuities between the underlying characteristics of the New Right and New Labour, a substantial degree of parallel between substantive policies is not surprising. However, Labour's general rhetoric in most areas has been rather different from that of the New Right. The question of whether asylum and immigration are exceptional in this regard has yet to be answered.

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New Labour adrift – the retreat from multiculturalism and multilateralism

A response to Liza Schuster and John Solomos

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One can scarcely think of a more important and timely theme for consideration and critical reflection in the pages of *Ethnicities* than the evolution of policy in Britain concerning race, immigration and asylum. Happily, Liza Schuster and John Solomos have risen to the challenge. They have provided a fine-tuned, thoughtful and revealing analysis of New Labour's policy agenda on race, immigration, and asylum and have anchored that account most convincingly in the context set by previous British Labour and Conservative governments. They identify the ebb and flow of New Labour's policy from the emphatic commitment made immediately after the 1997 General Election to put 'clear blue water' between New Labour and the Conservative Party, through resolute action to advance social justice for ethnic minorities to the post-2001 General Election, and post-September 11 hardening of positions on immigration, asylum and refuge, leading to an increasingly obsessive concern with 'managed migration' and the control of asylum seekers.

At the same time, Schuster and Solomos make the case for a lamentable continuity between Conservative and Labour Party agendas, arguing that too often both have embraced policies whose bottom line is that social harmony, cultural cohesion, and good race relations rely on a numbers

game – cut the inflow to a trickle and all will be well. They are absolutely right to argue that Labour as well as Conservative governments have ‘actively regulated and racialised immigration,’ and to see troubling continuities between Thatcher’s 1979 ‘swamping’ speech, the increasingly shrill rhetoric of both Straw and Blunkett, and the exclusionary logic of the successive race and immigration acts that have been introduced. Indeed, not much has changed in an apparently never-ending sequence of ‘blame the victim’ justifications for increasingly harsh and unfair efforts to control UK borders.

Pointing to the ‘fundamental contradictions at the heart of Labour’s policies on immigration and refuge and asylum,’ the framework introduced by Schuster and Solomos helps make sense of the Queen’s Speech in November 2003, which formally announced that the Asylum Bill will include the stipulation that failed asylum seekers must face a draconian, heart-wrenching choice: they must either ‘voluntarily’ accept a paid-for flight to the country from which they fled or have their children taken into government care. For without a firm awareness of the continuities between Conservative and Labour policies on race and immigration and a clear recognition of the rightward slide of New Labour policy in this area, this new and brutally mean-spirited effort to control the entry – and try to assure the forced exit – of asylum seekers would defy all comprehension. Even placed in context, the policy is hard to fathom. It may violate the Human Rights Act and prove counterproductive as well, since it is likely to force some parents who fear repatriation to go underground altogether with family in tow, rather than see children removed from their custody and take the risks associated with returning to the country they fled from.

Like so many of New Labour’s recent policy decisions (I am thinking of the decision to march lockstep with George Bush to war in Iraq, but the claim could extend to proposals about foundation hospitals or university top-up fees) the policies on race, immigration, and asylum beg for a deeper explanation – one beyond the cataloging of continuities and discontinuities. Is there a common thread?

If there is an underlying logic that makes sense of these disparate and inexplicable policies, it may lie at the ontological core of New Labour. In the end, the key may be New Labour’s resolute commitment to sever the party’s historic ties between political projects and collective interests, whether defined by class or by any other schema for describing collectively distributed social and economic inequalities, constituting group attachments, and defining political constituencies. Unanchored in this way, New Labour is awash with that old-style nationalism that an older form of Labourism used to temper by some vestigial commitment to class-based justice. Not so New Labour: its political project rejects the class basis of center-left politics and, most important here, it likewise affords little political recognition to the specific needs of ethnic minority communities.

Hence, social and economic policy is directed at generic 'social exclusion' as New Labour rejects an American 'rainbow coalition' politics that responds in a targeted way to the rights or needs of specific social groups defined by culture, ethnicity, and race. Again, in contrast to the USA, in the UK race and immigration policies are not constrained by blocs of ethnic minority voters or, for that matter, the historic legacy of New Deal, civil rights, or Great Society coalitions. In this context, freed from all political mooring, policy becomes footloose and ephemeral.

As a consequence, at the pleasure of the Prime Minister, Tony Blair, British domestic politics and preferences can be linked to (on occasion, subordinated to) broader foreign policy designs, whether in Iraq, or on immigration and asylum policy. Thus, swept up in the frenzy of a fortress Europe mentality, and looking for an opportunity for European Union (EU) leadership (perhaps to compensate for reduced influence due to Britain's euro laggard status), at the EU summit in Seville in June 2002, Blair and his Spanish counterpart, José Maria Aznar, led a campaign to harden trade policy and suspend foreign aid to developing countries that refuse to take back refugees whose applications for asylum have been rejected. The plan was turned down by the summit and Blair suffered recriminations from immigrant and human rights groups, European allies (the Swedish Prime Minister called the proposal 'stupid, unworkable and an historic mistake'), and even from his own Minister for Development, Clare Short (who called the proposal 'morally repugnant.'). The summit took place in the same month that the Nationality, Immigration, and Asylum Bill was introduced in Parliament. So all was not lost: Blair laid down his marker in Europe that he and the center-left could be as tough on immigration as the xenophobic right that was threatening to sweep the continent and he could win the battle at home.

Is it possible that the decision to invade Iraq and the set of decisions that have led to increasingly restrictive and intrusive immigration and asylum policy share a common mindset? Do they flow from the same sorry logic of a British government desperate to recapture great power influence and a Labour Party – in this regard more 'old' than 'new' – laying claim to a racialized vision of the British nation and an imperial world view? Do the rejection of multiculturalism and of multilateralism have a common root in a New Labour politics that is both rudderless and drifting without an anchor? I cannot make the case here but, as with Iraq, we find Blair and Aznar in alliance on one side (with Jack Straw in the wings) and Clare Short raising powerful moral objections on the other. We are either faced with a remarkable coincidence or the beginnings of an intriguing new explanation of New Labour's agenda for race, immigration, asylum and a whole lot more.

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Making sense of New Labour on race and immigration

A reply

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We welcome this opportunity to respond to the three sets of comments about our original article. Given the ethical and political dilemmas we all face at the present time in relation to the issues covered in our article, there is an urgent need for clear-headed scholarly debate about the key facets of New Labour's evolving policy agenda on race and immigration in Britain. It is also good to see that the three comments find at least something of interest in some of our arguments, even when they do not agree with us in substance. Bearing these points in mind we would like to provide some brief responses to the comments in order to facilitate more debate.

All three of the commentators make valuable points in response to our original arguments, although they obviously come at this question from rather different angles. We find little to disagree with in the comments of Joel Krieger and Ruth Levitas. Krieger's account provides some interesting insights into key facets of the overall policy agenda followed by New Labour, and we are broadly in agreement that there is a need to explore the underlying logic of this agenda. Indeed he is perhaps right that there is something deeper than we have suggested in New Labour's seeming inability to negotiate on key aspects of its social agenda. Levitas is more critical of our core arguments, though again we found her criticisms helpful in thinking through the logic of our position. Her key criticisms seem to relate

to a distinction between policy and rhetoric and the nature of new Labour's discourses about policy intervention. She implies that a weakness of our argument is that we tend to collapse the first distinction and to insufficiently distinguish New Labour's discourses from those of the Conservatives and the New Right. While conceding that there may be some justification in terms of the former, a point also raised by Sagggar, we feel that New Labour's rhetoric itself has shaped the political and academic discourse, and that it has a concrete impact on migrants and minorities in Britain. There is room for debate on both these issues, though we must say that we believe we are careful in our article to suggest that there are, in practice, areas where New Labour, at least during its first period in office, made some positive contribution to policy change (and to public discourse) in this field, particularly in relation to racial inequality and social exclusion.

The core arguments developed by Shamit Sagggar are a more substantial critique of aspects of our argument. Perhaps the main theme that underlies his critique of our analysis is the claim that our account misses out on the nuances and historical dilemmas faced by Labour in office. He also seems to imply that we are somewhat 'unrealistic' in some of our criticisms and evaluations of policy issues. His criticisms are not ones we find convincing, although we do welcome his attempt to provide a kind of defence of the key policy agendas of New Labour in office.

The most sustained element in Sagggar's analysis is that we fail to give enough weight to the electoral dilemmas faced by New Labour. This is somewhat surprising, since a key argument we do make here and elsewhere is that the Labour Party has developed its policies on immigration and race relations within a frame that seeks to maintain electoral support, even at the expense of broader ethical and ideological principles (Solomos, 2003; Schuster, 2003). Of greater concern is Sagggar's misreading of sections of our article. We do in fact discuss at some length the role that electoral and other pressures play in New Labour's thinking on questions about immigration, asylum and race relations. We therefore reject the criticism that our article is based on 'inference and supposition'. The fact that we disagree with Sagggar on this and other interpretations does not render our arguments more speculative than his, although this is clearly the inference his comments seek to make. On the contrary, we draw on a wide range of policy documents and related evidence precisely because we wanted to untangle the various elements of governmental thinking.

What seems odd to us is that New Labour can be defended as developing policies on the basis of 'evidence-led pragmatism', when much of the current policy agenda is driven by speculative gestures, flies in the face of published evidence (even that published by the Home Office), and at times is expressed in a language that owes little to what we would understand as a 'progressive politics'. We are also unconvinced by Sagggar's insistence on the 'modern Labour Party's commitment to equality'. It is difficult to see

this 'commitment' as anything other than limited, especially in the light of New Labour's most recent asylum proposals, which single out asylum seeking families for 'unequal' treatment.

A recent intervention by the current British Home Secretary, David Blunkett, for example, argues forcefully that the reason why new legislation is needed is that 'failure to tackle all types of immigration head-on can open the doors wide to the extreme right'. He then goes on to argue that in order to defeat the British National Party it is necessary to 'understand fears' about immigration (Blunkett, 2003), a theme, incidentally, that can be traced back through previous administrations. It is necessary to ask, however, what exactly the 'evidence base' for this argument is. Is there evidence that 'reducing fears' about immigration and asylum can defeat racism? On this and other issues it seems to us that it is important for scholarly research to open up such arguments to critical scrutiny and to carry out substantial research to find out what is actually happening on the ground, rather than assume that such claims can be taken at face value.

It is always difficult to make accurate judgements about policies that are evolving and changing, and we may well need to develop elements of our analysis in order to provide a fuller picture of the direction of New Labour policies in this area. At the same time, however, critical research needs to ask awkward questions about not just the political dilemmas that we face at the present time, but, as importantly, the *ethical* dilemmas. Whatever the merits of the arguments we seek to develop in this article we do feel that it raises certain key issues that are deserving of careful consideration and analysis.

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