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LIZ FEKETE

The emergence of xeno-racism

Once, the West saw its ‘superior’ civilisation and economic system as under threat from the communist world. That was the ideological enemy as seen from the US; that was the hostile intransigent neighbour as seen from western Europe. Today, the threat posed by 125 million displaced people, living either temporarily or permanently outside their countries of origin¹ has replaced that which was posed by communism. For, in this brave new post-cold war world, the enemy is not so much ideology as poverty. As western security agencies, supranational global bodies, intergovernmental agencies and national governments mobilise against migratory movements from ‘overpopulated’ and ‘socially insecure countries with weaker economies’,² a whole new anti-refugee discourse has emerged in popular culture. Those seeking asylum are demonised as bogus, as illegal immigrants and economic migrants scrounging at capital’s gate and threatening capital’s culture. And it is this demonisation of the people that the capitalist western world seeks to exclude – in the name of the preservation of economic prosperity and national identity – that signals the emergence of a new racism. As Sivanandan has argued:

It is a racism that is not just directed at those with darker skins, from the former colonial territories, but at the newer categories of the displaced, the dispossessed and the uprooted, who are beating at

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western Europe's doors, the Europe that helped to displace them in the first place. It is a racism, that is, that cannot be colour-coded, directed as it is at poor whites as well, and is therefore passed off as xenophobia, a 'natural' fear of strangers. But in the way it denigrates and reifies people before segregating and/or expelling them, it is a xenophobia that bears all the marks of the old racism. It is racism in substance, but 'xeno' in form. It is a racism that is meted out to impoverished strangers even if they are white. It is xeno-racism.³

In Britain, it was not until the election of the New Labour government in 1997, that xeno-racism became fully incorporated into domestic asylum policy. By making 'deterrence' (of 'economic migrants'), not human rights (the protection of refugees), the guiding principle of its asylum policy, a government committed, on the one hand, to dismantling institutionalised racism has, on the other, erected new structures of discrimination and, in the process, provided the ideological space in which racism towards asylum seekers becomes culturally acceptable.

'Managed migration': the new socio-economic Darwinism

Over the last decade, the EU, while encouraging member states to harmonise asylum policy, has slowly been introducing measures to control 'migratory movements'. But it was only recently that the EU's approach coalesced into an overall philosophy, going under the name of 'global migration management'. Since the UN warned of the growing demographic crisis in Europe, brought on by an ageing workforce and declining birth rates,⁴ there has been a growing recognition within western Europe that immigration is necessary and that refugees might even provide an important source of skilled labour. Indeed, since the European Commission indicated in November 2000 that the EU should open up legal routes for migration,⁵ and national governments within Europe followed its lead by adopting skills-based recruitment programmes for foreign workers, European governments have been openly supporting 'managed migration'.

But while 'managed migration' may well be a means of opening up avenues for skilled immigrants (including refugees) to enter Europe as guestworkers, there is also another aspect to it, leading throughout Europe to moves to abolish the right to claim asylum, as guaranteed by the 1951 UN Convention on the Status of Refugees. For global migration management is not just a philosophy within which skills shortages are addressed; it has emerged as part of the strategic response of the powerful nations of the First World to the economic and social dislocation engendered, first, by the break-up of the former communist zone of influence and, second, by 'the impact of globalism's insatiable

demand' on the Second and Third Worlds 'for free markets and unfettered conditions of trade'.⁶ It is a strategy that arises, ironically enough, from the recognition that the global market-induced displacement of people cannot be left to market forces but must be managed for the First World's benefit. If global capitalists are concerned with 'building a stable and regional environment for global accumulation' and 'a new legal and economic superstructure for the world economy',⁷ they are equally concerned with building a new global structure of immigration controls to decide which people can move freely around the world, and which people will have their movements restricted. One result of this is that the Fortress Europe 'zero immigration' approach, which characterised the end of the twentieth century, is not so much abandoned as refined.

But to understand how such a strategy of global migration management leads to xeno-racism, it is necessary first to outline the scale of international cooperation on migration issues and detail specific, internationally agreed measures through which seeking asylum came to be regarded as an illegal, criminal act.⁸ Although the targets of policies of global migration management may differ in terms of North American, Australian and European concerns, these power blocs also share a common interest, as demonstrated by their cooperation in supranational bodies and intergovernmental agencies in pooling information on migratory movements. Such cooperation then informs regional policy, at the EU level for instance. The industrialised nations liaise through bodies like the International Centre for Migration Policy and Development (ICMPD), founded in 1993, which developed out of the Inter-Governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia. It was originally set up to co-ordinate refugee and migration policies following the break-up of the former Soviet Union and sees its role as 'advising governments on the prevention of migratory movements from East to West and South to North'. Other mechanisms include regular meetings of the secretariat of the Budapest Process, a conference of ministers from some thirty-four states and representatives from intergovernmental organisations, which deals with the prevention of illegal migration and recommends action on issues like trafficking, smuggling and pre-entry and entry controls. There are at least thirty other networks and fora of activity set up by European states and intergovernmental organisations to predict migratory flows and to advise on border controls. On many of these, international and national security agencies are represented, as well as the governments of the US, Australia and Canada, either as fully-fledged members or as observers. Most recently, the focus of these fora has shifted from predicting migratory flows to combating smuggling and trafficking. The year 2000 was designated by the EU, the Group of 8 industrialised nations

and the Organisation for Security and Cooperation in Europe (which includes Canada and the US) as the year of the ‘anti-trafficking plan’.

Criminalising irregular migration

The overwhelming focus of supranational bodies and intergovernmental fora on trafficking networks (termed by the G8 as the ‘dark side of globalisation’), coupled with a complete absence of concern for refugee protection, has led the human rights organisation Migrant Rights International to warn that ‘in national and international fora, the dominant considerations regarding displacement of people have deteriorated from assistance and hospitality to rejection and hostility’.⁹ In effect, that aspect of international law which once upheld the right of all migrants to claim asylum in another country, regardless of their means of entry, and placed on all governments the obligation not to return refugees, either directly or indirectly, to a country where they face a real risk of persecution (non-refoulement), has been entirely negated.

While no-one can deny the exploitative nature of the smuggling networks which control so many of the routes through which asylum seekers reach Europe, Australia and the US, what these international fora have blatantly failed to address is that it is the very regime that governments have instigated (carriers’ liability, visa requirements, readmission treaties and electronically fortified borders) that has blocked all legal routes for those seeking asylum and thrown them into the arms of smugglers and traffickers. Western governments refuse to countenance this. Instead, refugees trafficked into Europe are described, as the UK Home Office puts it, as people who seek illegal entry ‘after receiving daily images of the potential economic and . . . social benefits available in richer countries across the globe’. Informed by such blinkered views, international bodies, hardening themselves against the plight of millions of displaced people across the globe, adopt anti-trafficking measures which elide the difference between the traffickers and the trafficked so as to treat both as part and parcel of the same shadowy continuum. Indeed, the Smuggling Protocol of the 2000 UN Convention on Transnational Organised Crime states unequivocally that the ‘migrant’ should not be viewed as a blameless victim but, rather, as partly complicit in the act of ‘illegal migration’. It is now an international offence to assist any person in an illegal border crossing, regardless of whether she or he is a refugee in need of protection or not.¹⁰

Governments admit, when it suits them, that the traffickers trade in human misery. The women and children thrown overboard in the Atlantic by traffickers desperate to avoid detection and the fifty-eight Chinese who suffocated in a refrigerated lorry on its way to Dover were cited by UK prime minister Blair as vulnerable victims of the

trafficking trade when he launched the joint Anglo-Italian initiative to clamp down on trafficking via the so-called Sarajevo route.¹¹ But when former home secretary Jack Straw implies that trafficking is carried out on such a large international scale that it threatens national sovereignty over immigration issues, then he is linking trafficked and traffickers in a criminal conspiracy.

The ‘war against trafficking’ serves, in effect, both as the means of and justification for states to recast asylum seekers in the public mind as ‘illegal immigrants’. To break domestic immigration laws (through, for instance, entering a country as a stowaway) is now redefined as a criminal act, even though the 1951 UN Convention on the Status of Refugees upholds the right of refugees to break domestic immigration laws in order to seek asylum. In such ways has the EU succeeded in shifting the terms of the asylum debate so as to treat asylum seekers not as people from many different countries, with many different experiences and each with an individual story to tell, but as a homogenous and undifferentiated mass. Hence, the fascination among its politicians and press with flat statistical projections of asylum flows; hence the offensive language in which migratory movements of displaced people are described in terms of environmental catastrophe; hence the dehumanisation of asylum seekers as a ‘mass’, ‘horde’, ‘influx’, ‘swarm’. In this, xeno-racism against asylum seekers resonates with the past. Jews under Nazism, blacks under slavery, ‘natives’ under colonialism, were similarly dehumanised, held to possess mass characteristics which justified exploitation, victimisation and, at the last, genocide.

Imposing western immigration controls

But there is another aspect to the ‘war against trafficking’ and the criminalisation of asylum seekers. For, if asylum seekers who break domestic immigration laws are seen to have carried out an illegal act that links them to an international criminal conspiracy, then the EU is justified in imposing its own immigration policies on states that tolerate illegal migratory movements or fail to control the movements of internally displaced people.

How does this work in practice? It was at the Tampere European Council summit in October 1999 that the processes were formalised under which the EU instituted policies that turned Third World governments into immigration police for western Europe. (Such structures already existed for the so-called ‘buffer states’ of central and eastern Europe).¹² Prior to this, in late 1997, the EU (borrowing from the Canadian practice of posting immigration control officers at airports across the globe) substantially increased the number of airline liaison officers posted at airports and other ports to stop suspected illegal immigrants from travelling. Such officers, who have no training in

refugee protection, also act as immigration staff at embassies and consulates throughout the world. The EU High Level Working Group on Asylum and Immigration,¹³ which had already drawn up draft action plans to stop refugee movement from Afghanistan, Albania (and Kosovo), Morocco, Somalia, Sri Lanka and Iraq, also started to seek ways in which trade and development arrangements could be used as levers with which to achieve the EU aim of refugee reduction.

The new policies instituted at Tampere, in essence, formalised arrangements that had earlier been ad hoc and piecemeal. In future, western Europe's asylum policy would not commence at the point of arrival in Europe; rather, the EU's policy of 'refugee reduction' would be achieved at the point of departure, via pre-embarkation checks. In future, responsibility for the prevention of refugee movements would be passed on to the asylum seeker's country of origin or the countries through which asylum seekers passed on their way to Europe. This was to be encouraged by the adoption of plans that tied trade and humanitarian aid to the prevention of 'refugee flows' and the return of rejected asylum seekers. Thus, the Lomé convention was redrawn in February 2000 in order to tie £8.5 billion in aid and trade agreements between the EU, Africa, the Caribbean and Pacific region (ACP) to specific rules guaranteeing the repatriation and expulsion of people deemed to be 'illegal' within the EU.¹⁴

In this way, the discourse around global migration management – of opening avenues to skilled migrants – camouflages the First World's true approach to immigration controls. Effectively, it takes control of migration strategy and policy, a basic state function, from those nations that have no sway on the supranational bodies which set out the stall of global migration policy. It takes it, too, from the countries of central and eastern Europe which are so anxious to join the EU that they will forfeit border controls as a condition of entry. Just as a Third World country has to accept World Bank and IMF austerity measures imposed through Structural Adjustment Programmes (SAPs) if it is to survive in the era of globalism, it also has to accept the imposition of migration controls. And, just as SAPs mean pauperisation and the erosion of education, social and welfare provision, western-imposed immigration controls lessen the life chances of globalism's victims still further, by denying them freedom of movement, confining them to camps in their own countries, and removing the hope of obtaining sanctuary from the persecution of authoritarian regimes.

To put it another way, whereas European nation states are prepared to pool sovereignty on immigration and asylum issues in order to stop asylum seekers from getting in to the EU, the poorer nations of the world lose their sovereignty over immigration controls in order to stop their citizens getting out. Unless, that is, these citizens are part of the chosen few: highly-skilled computer wizards, doctors and

nurses trained at Third World expense and sought after by the West. Global migration management strategy saps the countries of the Third World and the former Soviet bloc of their economic lifeblood, by creaming off their most skilled and educated workforces. Since the Tampere summit, the thrust of EU refugee policy has shifted to include integratory measures for officially recognised refugees (henceforth ‘genuine refugees’), while moving towards the total exclusion of asylum seekers (henceforth ‘bogus claimants’ and ‘economic migrants’), preferably through pre-embarkation controls. But former UK home secretary Jack Straw, the master of the Dutch auction, has gone one better in his proposal to compel refugees to remain in their region of origin, in huge refugee camps from which Europe will ‘select’ a quota to be brought to Europe for resettlement.¹⁵

But what would be the criteria for such selection? Given the EU’s eager support for a policy of managed migration, are we now to see a situation develop in which the displaced people of the world are screened and selected, sectioned off into categories of skilled and unskilled, through a sort of economic natural selection process ensuring the survival of the economically fittest? Global migration management heralds a new Darwinism. Not the old Social Darwinism that believes that the advance of civilisation is dependent on the advancement of the superior race, but a socio-economic Social Darwinism that allows the rich First World to maintain its economic dominance by emptying the poorer worlds of their skilled workforces. In the era of globalisation, the skills pool, not the genes pool, is key.

The new state racism and the philosophy of deterrence

For many decades, campaigners in the UK have fought against the racism of the British state as epitomised in discriminatory immigration laws. The Commonwealth Immigrants Act of 1962 had, for the first time, limited the entry of (black) British subjects, imposing on them the requirement of work vouchers and, by 1971, primary immigration was all but abolished for black people. The state racism of today, however, differs from that of the earlier period in that the national state is not its primary originator; rather, state racism is derived from a globalised racism which is designed by supranational bodies, incorporated into EU programmes and transmitted to the member states for inclusion in their domestic asylum and immigration laws. With the EU intent on institutionalising policies which undermine Article 31 of the 1951 Geneva Convention by criminalising illegal entry, it was only a matter of time before the UK government followed in the footsteps of its counterparts across Europe. But it was not until the 1999 Immigration and Asylum Act (whose passage coincided with the EU’s harmonisation of asylum and immigration policy at Tampere),

that the UK government put in place internal mechanisms reflecting the EU approach to asylum seekers as the outriders of a criminal fraternity in need of constant surveillance. The creation of a separate system of welfare provision for asylum seekers, linked not to social care but to immigration control, and the introduction of a special asylum detention regime, ensured that from this time on asylum seekers living in the UK would be treated as a suspect community, a rightless group, within a framework designed to contain them specifically.

But, of course, none of this was acknowledged by New Labour, which introduced the 1999 Immigration and Asylum Act as a progressive reform designed to bring about centralised control of an asylum system that had spun out of control under the previous Conservative administration. Whereas the Conservatives had an unplanned and piecemeal approach to asylum, New Labour would base its ‘fairer, faster and firmer’ approach on a system that was ‘comprehensive and cohesive’.¹⁶

It was certainly true that the Conservatives had sought to divest the state of its responsibilities, off-loading the costs of asylum seekers’ welfare on to local authorities (an attractive option as most asylum seekers were accommodated, at that time, in Labour-controlled London boroughs) while presiding over an asylum claims system which was on the point of breakdown. And it was also true that it was the Conservatives who first began to divest asylum seekers of their welfare rights. At the beginning of the 1990s, a person’s immigration status had very little direct bearing on his or her entitlements to welfare and housing services. This gradually changed between 1993 and 1996, under the impact of successive pieces of Conservative legislation. Prior to the 1996 Immigration and Asylum Act, asylum seekers were entitled to the same welfare benefits as UK citizens, but at 90 per cent of the normal rate; they could also claim housing benefit to cover rent. But the 1996 Act removed all rights to housing and financial support from asylum seekers who failed to claim asylum at a UK port of entry or who received a negative decision on their asylum claim or appeal. What this meant was that these asylum seekers had to be provided for by local authorities which, under the National Assistance Act 1945 and the Children Act 1989, were compelled to provide accommodation and food for the destitute. London local authorities – where 90 per cent of all asylum seekers were living – came to resent the burden that asylum claimants placed on budgets. So, at a time when London property prices were booming and temporary accommodation was both costly and in short supply, London local authorities decided to get round their responsibilities by unofficially ‘dispersing’ asylum seekers into cheaper temporary accommodation outside London, in ‘bed and breakfasts’ in seaside ‘resorts’ on the south coast that had fallen on bad times, and even further afield.

New Labour, anxious to sell its asylum package as a progressive reform, held out that asylum seekers were the responsibility of central and not local government. Yet, at the same time as re-establishing a national asylum system, New Labour was quite clear that its overall approach to asylum issues in future would be governed by the philosophy of 'deterrence'. For, according to the Home Office, traffickers from 'overpopulated' and socially and politically unstable 'countries with a weaker economy' were 'facilitating the migration of people who are not entitled to enter the UK'.¹⁷ And this, in turn, was leading to the mushrooming of manifestly unfounded claims, based on a 'tissue of lies', and the subsequent breakdown of the asylum system. Hence, in its 1998 White Paper on immigration and asylum ('Fairer, faster, firmer'), the Home Office argued that it was essential to introduce new legislation to 'minimise the attraction of the UK to economic migrants' by removing access to social benefits and making cash payments as small as possible. Home secretary Jack Straw later made it clear that he viewed the introduction of vouchers as essential, as 'cash benefits in the social security system are a major pull factor that encourage fraudulent claims'.¹⁸ The only obligation that the state had towards asylum seekers who could not be wholly supported by friends or relatives, implied the White Paper, was to protect them from absolute destitution.

What signal does it send out to society at large when a home secretary broadcasts that the purpose of social legislation is largely punitive, to deter the unfounded claims of bogus asylum seekers? The overall message – that asylum seekers, in future, will be treated as a suspect group – is one that justifies popular resentment and fuels prejudice. Held under suspicion of being illegal entrants and economic migrants, and guilty – until proved innocent – of lodging false claims, asylum seekers were, henceforth, to be subjected to policies designed not to protect their human rights but to protect the public from them. They were to be enclosed within a separate system of administrative controls designed to act as a cordon sanitaire around mainstream society, as though seeking asylum was an infectious disease that needed to be quarantined.

The philosophy outlined in the White Paper was soon followed by changes in the government's administrative apparatus, in line with the White Paper's proposal that 'all funding for support of asylum seekers should be brought into a single budget managed by the Home Office'. Since the 1999 Immigration and Asylum Act, responsibility for the housing and welfare of destitute asylum seekers has passed from the Department of Social Security (welfare benefits) and the Department of Environment, Transport and the Regions (housing benefits) to the Home Office. In other words, the housing and social care of asylum seekers is no longer considered an issue of social welfare

but one of immigration control, to be administered by Home Office officials trained to detect false claimants. Furthermore, an entirely new administrative body, the National Asylum Support Service (NASS) has been established in the Home Office's Immigration and Nationality Department to oversee the new control mechanisms.

Compulsion, exclusion and the denial of dignity

How does this 'philosophy of deterrence' translate into practice? What characterises a 'deterrent asylum system'? In exchange for basic subsistence and shelter, asylum seekers must accept a regime that denies them access to the welfare state. In exchange for protection from homelessness and starvation, asylum seekers are, quite literally, stripped of human dignity and divested of even the most basic civil and social rights. In this, the state's approach to asylum seekers' 'welfare' is without parallel in modern times. Indeed, the only parallel lies within the pre-welfare state administration of poor relief, most specifically the Poor Law of 1834, which institutionalised the dreaded workhouse system, forcing paupers who passed the 'workhouse test' for indoor relief to submit to a regime so awful as to deter them from seeking refuge in the workhouse in the first place.

Just as that reforming Whig government of the early nineteenth century instituted the workhouse regime as a utilitarian response to increasing pauperisation, so New Labour created NASS as an administrative response to the housing shortage in London and the burden asylum seekers were placing on services both in London and the south-east. And like their nineteenth century counterparts, who saw it as essential to make the workhouse so grim as to deter all but the most needy, New Labour is establishing a regime for asylum seekers so stringent as to deter, or turn away, all but the most desperate.

Today, destitute asylum seekers are not sent to the dreaded workhouse but, instead, must apply to NASS for support, either for living costs, accommodation, or a package comprising both. Those who opt for both housing and welfare support, and pass the NASS destitution test, then receive the accommodation part of the package – transportation to accommodation in a part of the country selected by NASS. The fact that no consent is needed and no choice is given, the fact that those who are absent from this accommodation for more than seven days lose all right to financial support, is the first major component of New Labour's 'deterrent regime'. It is modelled on the 'designated accommodation system' already practised in Germany, the Netherlands, Switzerland and Scandinavia, where asylum seekers are accommodated in reception centres and refugee hostels while their claims are considered.¹⁹

Compelling asylum seekers to live in designated accommodation may seem bad enough, but the system was made worse by changes in

housing legislation. Previously, homeless asylum seekers could apply to a local authority for assistance and gain access to the local council housing register. But the 1999 Act was complemented by amendments to housing law which, under the Housing Accommodation (Persons Subject to Immigration Control) (Amendment) (England) Order 1999, stripped asylum seekers of their former eligibility for council housing. In addition, the 1999 Immigration and Asylum Act stipulated that anyone housed through the NASS scheme would be excluded from the security of tenure provisions of current housing legislation, ensuring that he or she could be legally evicted from accommodation with just seven days notice, and had no legal redress from landlord harassment. Thus, the cumulative effect of the 1999 Act and these new housing regulations was to strip asylum seekers of housing rights afforded to the rest of society, including the homeless. Rendering asylum seekers *en masse* a group without legal redress, with no security of tenure and no protection from eviction, is a fundamental underpinning of the NASS scheme. For NASS does not itself provide housing for dispersed asylum seekers but contracts out the delivery of support services, including housing and vouchers, to 'accommodation providers' in both the public and private sectors. Initially, NASS had hoped to work with twelve regional consortiums in the dispersal areas, made up of local authorities and social or private landlords. But, for a variety of reasons, only 40 per cent of the beds needed for 2000/01 were provided by the consortiums, while a staggering 60 per cent were provided via direct private contracts. To make matters more complicated, the majority of private providers are accommodation agencies which subcontract accommodation from private landlords. This led the housing charity, Shelter, to conclude that 'complicated subcontracting arrangements, involving several tiers of subcontractors are developing, with small landlords becoming subcontractors without any checks being made about their past record or suitability'.²⁰

The state's policy of denying basic civil rights to asylum seekers is well understood in the twilight zones of the unregulated private housing sector where, huddled in bedsits, shared houses, overcrowded hostels and bed and breakfasts, they face private landlords who see in them a lucrative business opportunity. According to Shelter, new landlords are entering the market to take advantage of profitable contracts providing accommodation for asylum seekers, who are actually preferred to other groups precisely because of their rightlessness and their inability to complain effectively. Asylum seekers have now become the 'new exploited homeless'.²¹

Some of the worst examples of abuse come from the large hostels where hundreds of asylum seekers are herded into dormitory conditions. Under New Labour's 'deterrent' regime, food is often inedible, sanitation and hygiene deplorable, heating insufficient and fire and

safety regulations ignored. Scarcely any shred of dignity is left to the asylum seeker. Nor is there any privacy in the meagre living space, which can be searched at a moment's notice by police and immigration officials to ensure that only the person designated to live at the accommodation is actually there. And private landlords, too, assume similar rights. Hence in Liverpool, residents of two tower blocks (the Landmark and the Inn on the Park), deemed unfit for council tenants, are not allowed visitors without the prior consent of the landlord. Individual rooms have no locks and staff have access to all flats. Inmates who complain are threatened with violence or eviction.

This is an all too common story. More and more protests erupt as the 'politics of deterrence' provokes the politics of defiance. In September 2000, following a series of hunger-strokes at an asylum hostel in Langley Green, West Midlands, inmates held a rooftop protest and occupied the main road to protest at cramped living conditions, poor food and inadequate health care. There have been at least two mass protests at the Angel Heights Hostel in Newcastle, punished by the arrest of those Iraqi Kurds who were deemed ringleaders. And in January 2001, asylum seekers at the International Hotel in Leicester, a rundown former hotel, who for months had complained about severe problems of hygiene, inadequate heating and poor food, took their beds out on to the streets in protest. These were the same conditions that were among the factors that led a young Iranian resident to commit suicide. 'We came to England to seek safety but have been treated worse than animals', commented one asylum seeker.²² By introducing measures which strip people of basic rights, the state has issued private landlords with a charter for abuse and victimisation as well as, incidentally, landlord fraud.²³ Such is the first component of New Labour's 'deterrence regime'.

Stigmatisation through vouchers

The second component of the 'deterrence regime' was the replacement of cash benefits from 3 April 2000 by NASS vouchers, only issued to a named recipient at a post office. Modelled on existing schemes in Switzerland and Germany, vouchers were expressly introduced by Straw to stop what he described as the phenomenon of 'asylum shopping' in which asylum seekers are said to shop around for the European country with the best and most easily obtainable social security benefits. Vouchers are worth only 70 per cent of income support (a benefit of last resort to prevent destitution), amounting to just £36.54 per week for a single person over 25 (£10 of which is in cash) and must be spent at designated supermarkets. Any change for unused portions of the vouchers is pocketed by the retailer.

As with the dispersal system, vouchers were not strictly the invention of New Labour for, under the previous Conservative asylum system,

some local authorities had resorted to issuing vouchers to meet their financial obligations to destitute asylum seekers. But what is different today is that vouchers are issued by the government as part of a national scheme, linked to deterrence. The government has justified its introduction as an anti-fraud measure. In Straw's words, 'cash benefits in the social security system is a major pull factor that encourages fraudulent claims'.²⁴ Just as NASS contracts out the provision of accommodation, the voucher system has been contracted out to the French multinational, Sodexho Pass International, which already operates a similar scheme in Germany where vouchers were introduced in the 1990s as an essential component of the 'politics of dissuasion'. The German scheme was criticised as a regression from inclusive post-war social security provisions that reflected the constitutional protection of human dignity, towards a system based on the type of compulsion, exclusion and denial of dignity last seen under National Socialism. For, just as the pink triangle and the yellow star of David marked out gays and Jews as 'deviant', vouchers brand asylum seekers as fraudsters. Given that no other social group in the UK today is given welfare benefits in voucher form, commentators are quite right to point out that they are, in essence, discriminatory and regressive.

In that the politics of deterrence leads to the degrading voucher system, the government demeans the authority of the state by making it the instrument of the systematic humiliation and stigmatisation of asylum seekers. No one who has witnessed asylum seekers, painfully aware of drawing attention to themselves as they attempt to calculate the cost of goods to the last penny, all under the disapproving eye of other shoppers who often comment on the appropriateness of what food should be bought with vouchers, can fail to be aware of this. When the government sets out to treat a diverse social group – including pregnant women, unaccompanied children, the chronically sick, torture victims, the disabled – as though they were an army of calculating swindlers shopping around Europe (presumably on the back of lorries) for state welfare systems to rip off, it is inevitable that the result will be untold misery: children unable to go to school because parents don't have the bus fare; old people left without warm clothing for the winter because they live on half of what a UK pensioner has; disabled people who do not enjoy the same benefits as disabled citizens and cannot afford the specialist items they need; mothers of newborn children who have no cash to purchase the essential baby equipment that other parents take for granted.²⁵ And even bereaved asylum seekers are subjected to the same privations. NASS refuses to pay even the most basic funeral expenses on the grounds that, once an asylum seeker has died, he or she is no longer NASS's responsibility 'because they are no longer seeking asylum'.²⁶

Research by the King's Fund has concluded that there is a marked deterioration in asylum seekers' mental health in the first six months of their stay, particularly in the form of depression and anxiety.²⁷ Such mental health problems are a direct result of the politics of deterrence, as those who must shop with vouchers and who are ferried around the country, not knowing where they will end up, experience disorientation, uncertainty, loneliness and isolation. Grinding down the victims of torture, children, the elderly, is, I suppose, the harsh medicine that unctuous politicians prescribe for the protection of the deserving majority from the undeserving – foreign – poor. Such is the second component of the deterrence regime.

Internment and xenophobia

At the same time as it produced the 1998 White Paper, the government also initiated a major review of existing facilities within the immigration and prison services, with the express aim of identifying new sites in which to detain asylum seekers arriving at UK ports and airports. Having created a new asylum detention centre at a former military barracks in Oakington in which to hold 400 asylum seekers (including, for the first time, women and children) whose applications for asylum would be fast-tracked; having transformed Aldington prison, near Ashford, into a special detention centre for asylum seekers; having commandeered a wing of South Yorkshire's Lindholme prison for the same purpose, the Home Office was, by January 2001, ready to set specific targets for detention and removal. It announced that it would double the number of asylum seekers and immigrants it detains and more than double the numbers it removes from the country.²⁸

What lies behind this extraordinary attempt to create a separate prison regime for the ever increasing number of asylum seekers detained at the point of arrival in the UK? How, indeed, can democratic European states justify imprisoning individuals who have not been brought before a court for a specific criminal offence but are targeted by the state and committed to prison on suspicion alone?

In fact, the imprisonment of asylum seekers in this way is not new. Part of New Labour's justification for the creation of a factory-style system for the detention and removal of asylum seekers was the mess left by the previous Conservative administration. Despite the Conservatives' current call for the mandatory detention of all those who apply for asylum in the UK, they presided over chaotic detention arrangements which developed ad hoc and piecemeal. While there were small detention centres near airports and, by 1993, a new purpose-built high-security immigration and detention centre at Campsfield House, Oxford, the vast majority of a growing population of immigration detainees were held in existing prisons, often for extremely long periods of time. Both within Campsfield House and

ordinary prisons, asylum seekers were denied the right to any sort of activity or meaningful employment and treated, in many respects, far worse than those convicted of a crime – as has been acknowledged by a former chief inspector of prisons.²⁹

New Labour, however, in attempting to cohere the elements of these ad hoc arrangements into a special asylum prison regime linked to the politics of deterrence is attempting to establish something qualitatively different.³⁰ And, once again, it is a system that bears the stamp of the EU, designed as it is to harmonise UK practices with those already existing on the European mainland where asylum seekers are imprisoned at different stages of the asylum process. It is a system characterised by centres to fast-track the applications of new arrivals; special holding centres for interning problem applicants; discreet detention centres close to airports, where asylum seekers are held pending deportation. What has resulted, in all EU member states, is a separate prison complex for asylum seekers, underpinned by specific legal powers and instruments in a Europe-wide system of control and surveillance. The use of measures more germane to serious criminal investigation, such as the compulsory fingerprinting of all asylum seekers, has become routine, as has the complete disregard for civil liberties in the storage of personal data on asylum seekers on the Schengen Information System. This, the EU's largest computer database, can be accessed from 50,000 terminals across Europe. As around 90 per cent of the information stored on it concerns immigration rather than criminal cases,³¹ and as this database is considered to be at the heart of the EU's internal security system, it follows that the EU considers the movement of the world's 125 million displaced people the most important security issue it faces.

By detaining vast numbers of asylum seekers, the UK government replicates on the domestic plane the EU's linkage of asylum with internal security. Little by little, step by step, New Labour implements measures that target asylum seekers, enclosing them in a separate system of surveillance and control. But even as it creates what is, in effect, a separate police state for asylum seekers, New Labour denies that it is doing so. It still continues as a signatory to the UN Geneva Convention, despite the fact that Article 31 expressly states that asylum seekers should not be criminalised for entering a country illegally. The government gets around such unpalatable truths, however, with characteristic spin and subterfuge. It denies, for instance, that asylum seekers sent to Oakington House are being interned for the crime of illegal entry (the centre is merely to fast-track manifestly unfounded claims); it denies that it operates a 'white list of safe countries' (yet nearly all those sent to Oakington for a quick passage back are eastern European, mostly Roma). Indeed, bizarrely, it seems not to accept that asylum seekers are being 'imprisoned' at all. Thus,

when the Oakington detention centre was opened, the Home Office described it as a 'privately run reception facility'; not so much a prison as a hotel, depicting inmates (who are not allowed to leave or move between buildings unless escorted by security guards) not as prisoners but as guests.³²

In fact, New Labour is right. These so-called guests are not prisoners under domestic UK law, for then a court would have had to detain them for a specific criminal offence. The unpalatable truth that must be camouflaged is that detained asylum seekers are internees – and internment is a wartime measure usually invoked against 'enemy aliens' (yet more proof that New Labour has gone to war with the displaced people of the world). Internees are separate from other prisoners in that, historically, they have usually been committed to detention by 'emergency powers' such as those that obtained during the first and second world wars, under the Prevention of Terrorism Act (Northern Ireland), or during the 1991 Gulf war, when male Iraqi students were interned in British jails.

In Italy, with its experience of fascism, progressives within the criminal justice system have argued that the imprisonment of asylum seekers constitutes internment: the Italian Association of Democratic Magistrates, for instance, has denounced the creation of a 'special legal regime for foreigners' as a threat to democracy.³³ But in the UK, a New Labour government which purports to be progressive seems to have little regard for democratic traditions, as well as scant historical awareness, remaining apparently oblivious to the direct link between the current onslaught against asylum seekers and the internment of Jewish refugees during the second world war.³⁴ But then, this lack of historical and political recall is hardly surprising, given the doublethink that characterises the government's approach to asylum. By its actions and policies, New Labour treats asylum seekers as though they are enemy aliens and a threat to national security; yet government ministers repeat the mantra that they welcome 'genuine refugees' (without expressly detailing just how). By its language, New Labour declares itself a government opposed to institutional racism, yet by its actions it embraces and mobilises xeno-racism. The internment of asylum seekers, the third component of the politics of deterrence, legitimises the increasingly hysterical press climate against new arrivals.

What has finally set the seal on xeno-racism, legitimising even further its populist and inflammatory expression in the press, is the passing of the Terrorism Act 2000. This, the first permanent anti-terrorism law in twenty-five years, directly targets exile organisations. Even as Macpherson in his report into the death of Stephen Lawrence warned of the danger of stereotyping black communities as criminal, the government gave legitimacy to a new set of stereotypes: asylum

seekers are phonies and fraudsters; refugees are terrorists and the 'enemy within'.

What is happening today in the field of immigration and asylum policy, we are constantly told, has nothing to do with racism. How can we be racist, asks the *Sun*, when most asylum seekers are white?

If this is not racism, what is?

Xeno-racism, the new racism against asylum seekers, marries up the worst racist practices throughout the western world: the segregation of asylum seekers mirrors the anti-black racism of apartheid, or of segregation in the US; the debate about asylum numbers throws us back to Britain's anti-immigrant racism of the 1970s; the scapegoating, victimisation and internment of asylum seekers mirrors the treatment of Jews during the second world war; the targeting of refugee communities under the 2000 Terrorism Act mirrors the anti-Irish racism of the earlier period of PTA emergency powers.

References

- 1 UN 1999 figures quoted by Patrick A. Taran in 'Migration, globalization and human rights: new challenges for Africa', a workshop paper for Migrants' Rights International. Some 14 million of these displaced people are recognised by the UNHCR as refugees.
- 2 The phrases are those used to describe those migrating to the UK, including refugees, by the UK Home Office in its 1998 White Paper, 'Fairer, faster and firmer' (London, Stationery Office, 1998).
- 3 Quoted in *IRR European Race Bulletin* (No. 37, June 2001) from a workshop paper for the Institute of Race Relations.
- 4 UN Population Division, 'Migration Report' (New York, UN, March 2000).
- 5 Communication from the Commission to the Council and the European Parliament on a Community Immigration Policy (Brussels, 22 November 2000).
- 6 See A. Sivanandan, 'Refugees from globalism', *Race & Class* (Vol. 42, no. 3, 2001), pp. 87–91.
- 7 See Jerry Harris, 'US: the politics of globalisation', *Race & Class* (Vol. 41, no. 3, 2001), pp. 59–72.
- 8 I draw heavily in this section on the definitive account of both these processes by John Morrison, 'The trafficking and smuggling of refugees: the endgame in European asylum policy' (UNHCR, July 2000).
- 9 Taran, op. cit.
- 10 See John Morrison, 'The dark side of globalisation: the criminalisation of refugees', *Race & Class* (Vol. 43, no. 1, 2001).
- 11 *Observer* (4 February 2001).
- 12 See Liz Fekete and Frances Webber, *Inside Racist Europe* (London, Institute of Race Relations, 1994).
- 13 Formed in 1999 to establish a common integrated 'cross-pillar' approach targeted at the situation in the most important countries of origin of asylum seekers and migrants, the High Level Working Group is comprised of 'high level officials' from each member state and the European Commission.
- 14 *Statewatch* (Vol. 10, no. 2, March–May 2000).
- 15 This proposal was first mooted by Straw at a European conference on asylum held in Lisbon on 16 June 2000. See *Migration News Sheet* (No. 208, July 2000).

- 16 'Fairer, faster and firmer', op. cit.
- 17 *Ibid.*
- 18 *Hansard* HC (14 June 2000).
- 19 See 'Lessons from Europe: how the UK government's asylum proposals will create racism and social exclusion', *IRR European Race Bulletin* (No. 30, July 1999).
- 20 Deborah Garvie, 'Far from home: the housing of asylum seekers in private rented accommodation' (London, Shelter, 2001).
- 21 The phrase is that of the (then) head of the Local Government Association, Mike Boyle, as quoted in *Big Issue* (2–8 August 1998).
- 22 'Ramin Khaleghi: asylum policy kills', *CARF* (No. 60, February–March 2001).
- 23 The Audit Commission estimates that local authorities are being defrauded of up to £100m a year by unscrupulous landlords who make false claims for housing asylum seekers and that this is a 'significant new area of fraud'. Audit Commission, 'Protecting the public purse' (London, 2001).
- 24 *Hansard*, HC (14 June 2000).
- 25 All examples given by the TGWU, Oxfam and Refugee Council in their joint publication 'Token gestures – the effects of the voucher scheme on asylum seekers and organisations in the UK' (TGWU et al., 2001). As we go to press, home secretary Blunkett has ordered a review of the voucher system and asked civil servants to find an alternative. A package of reform measures is expected to be announced in the autumn which, it is believed, will lift the ban on asylum seekers working for the first six months but also introduce a stricter regime for those whose applications fail and who face deportation. 'Blunkett to axe asylum vouchers', *Guardian* (28 July 2001).
- 26 *Big Issue* (4–10 June, 2001).
- 27 David Woodhead, 'The health and well-being of asylum seekers' (London, Kings Fund, 2001).
- 28 As cited by *CARF* (No. 61, April–May 2001).
- 29 See, in particular, Sir David Ramsbotham 'Report on a short unannounced inspection of HM Prison Rochester, 31 August–3 September 1999 (HM Inspectorate of Prisons, 2000).
- 30 In reality, large numbers of asylum seekers are still detained in ordinary prisons.
- 31 See Justice, 'The Schengen information system, a human rights audit', (December 2000).
- 32 See coverage in *Guardian* (22 October and 17–20 November 1999).
- 33 See *IRR European Race Bulletin* (Nos. 33/34, August 2000).
- 34 See Steve Cohen, 'From the Jews to the Tamils: Britain's mistreatment of refugees' (Manchester, Manchester Law Centre, 1998).