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The Invention of Illegal Immigration: Constructing Immigration Control as a Social Problem in the UK

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Immigration control as a social problem

- Emerges as problem in France, Germany & UK from 1960s
- Archival research for each case – national records, early 1960s – 1970s
- But – emerges and is framed quite differently in each case
- How is it identified and constructed as a social problem?

Problem definition literature

- Problem construction as shaped by **institutions**
 - Role of existing ideas, frames;
 - National paradigms/public philosophies
- Problem construction as **strategic** – selective framing for political ends
 - Framing/issue definition and policy venues, target populations
- Either way: strategic fit of problem definition to pre-given interests or ideas
- Space for puzzling?

Why focus on puzzling?

- UK archival data:
 - Unexpected insights into deliberation
 - Officials/politicians weighting range of considerations
 - High degree of uncertainty & indecision
 - Not captured through other methods – but worth exploring....

What is puzzling?

- Assembling ideas into a coherent pattern
- No single/right solution (even assuming pre-given interests/ideas)
- Need to align different **frames of reference**: criteria guiding judgements
 - *Ideological, strategic, operational*
- Frames of reference associated with distinct **modes of reasoning**: inferring conclusions from accepted premises

Frames of reference

| | Ideological | Strategic | Operational |
|----------------------------|---|---|--|
| Relevant claims relate to: | Values and beliefs about social order/good | Political goals, political behaviour | Practical viability, implementation |
| Inference based on: | Background (lay) knowledge, experience, intuition | Political experience, astuteness, data on political behaviour | Operational experience and knowledge; expert evidence & data |
| Authorised participants: | Political representatives, policy-makers, voters | Experienced officials, political advisors, politicians | Practitioners, stakeholders, those implementing policy |

Methodology

- Archival methods: public records (national archives)
- Problem of embargoes... can we generalise from historical cases?
- The case: UK deliberation on response to problem of Commonwealth immigration in 1964
- 670 pp. public records (Home Office, Cabinet Office, Commonwealth Relations Office); newspaper coverage; parliamentary debates

Background to the case

- 1962 Commonwealth Immigrants Act: reduction of immigration
- Spring 1964: numbers rising (66,000 net immigration 1963/4)
- Initial problem construction: too many 'coloured immigrants', concentration in urban areas, risk of social unrest
- Phase of intense deliberation on options (June – August)
- Guided by 3 sets of considerations, or logics: ideological, strategic, operational

Initial problem definition: Ideological reasoning

Concerns about race relations:

We must have our eyes open to the uncertainty that continued immigration at the current rate.... Is bound to build up much graver social problems in the future' (Home Secretary to PM, 31st July 1964)

This is a small and already densely populated country, and social tensions will heighten if immigrants are allowed to come in faster than they can be absorbed into our life and our cities (Home Office, Sep 1964)

- Taken-for-granted ideological beliefs, shared across senior officials/politicians
- Premises and inferences not based on specialised analysis/data
- Fatalistic acceptance of inevitability of social problems

It would be no use directly immigrants to live anywhere but in those places to which they go in any case and where they create the social problems and tensions that make it necessary to restrict coloured immigration (note to Home Secretary, Home Office, June 1964)

Initial problem definition: Strategic reasoning

Calculating political consequences

- Avoid fresh legislation
- Electoral considerations:

There is a great deal of public disquiet on this subject, and many questions on it will be put to our candidates. It will be important that they should have a proper lead on how to deal with them (Home Secretary to PM, 31st July 1964)

- Sustain Commonwealth relations

Elaborating the options: strategic reasoning

Home Office instructed to prepare policy options, June 1964

- Avoid 'parliamentary trouble'
- Respect principles of 1962 legislation:
 - No discrimination among Commonwealth citizens of different countries
 - 'In no circumstances should any Commonwealth citizens be treated worse than an alien'

Initially over-rode other considerations – avoid disruption, controversy

→ Measures within current legislation – reduce employment vouchers, limit family reunion

Limited options....

Elaborating the options: 'radical proposals'

Home Office began 'canvassing one or two radical proposals that have not previously been developed on paper' (note, 25th June 1964)

- Limit 'evasion of control'?
- Not previously seen as problem – limited numbers, regularised if not apprehended within 24 hours
- Focus on evasion as means of limiting numbers – without new legislation
- Ideological appeal to Conservative Govt – people who had 'misled' immigration officials or changed their mind

It would reduce the number who settle and would make our control more realistic if we could reduce the scale of evasion of this kind (Home Secretary, July 1965)

Elaborating the options: operational reasoning

Consultation with range of ministries/services

- Border officials to establish 'bone fides' of entrants? Challenging, potentially discriminatory
- Police resources – photographing and fingerprinting at entry, police registration, and powers to impose deportation
- Cooperation of the courts – decisions on deportation
- Cooperation of Commonwealth countries - 'vexatious measures'

In a country where people are not required to carry identity cards and produce them to the Police no system of internal control can be fully effective (Home Office note in preparation of police meeting, 20th July)

There is little point in having a fierce parliamentary battle to bring in to being such ancillary requirements as immediate registration with the police, and deportation at pleasure for breach of conditions, if the whole exercise is to prove practically ineffective (23rd July 1964)

An example of archival records

Skeleton of the Home Secretary's Paper – sets out grounds on which options are rejected:

- Ideological grounds (e.g. limiting family entry) – ‘this is not acceptable’
- Strategic grounds (e.g. fresh legislation, Commonwealth relations) – ‘politically very difficult’; ‘would be controversial’
- Operational grounds (e.g. police controls, court decisions) – ‘would greatly increase the administrative work’; ‘would be difficult to operate’; ‘doubtful... if would have any great effect’

Not surprising to see different considerations – but rarely broken down in terms of frames of reference and modes of reasoning

Impasse

Memo of options, 21st July.

What emerges from it [the memo] is the rather limited results likely to be achieved by further restrictive measures, either with or without fresh legislation. And even those results seem likely to entail (a) some pretty obvious discrimination, in practice, between citizens of different Commonwealth territories, (b) going rather farther by way of restriction than is at present imposed on aliens (17th August 1964)

But:

I do not think that things can be left as they are. The rate of net immigration is too great (Secretary of state, handwritten note, 21st July)

- General election, October 1964: Conservative Manifesto does not mention evasion of control – only general goal of reducing immigration
- Agreement not to campaign on immigration issues
- Labour Government elected – brings forward measures on evasion of control

Discussion: the case

- Three distinct frames of reference, and modes of reasoning
 - *Ideological*: race relations, family reunion
 - *Strategic*: electoral support, avoiding parliamentary ‘trouble’, vexatious measures/Commonwealth relations
 - *Operational*: entry conditions, enforcement
- Initial problem definition: based on ideological and strategic considerations
- More detailed analysis: incorporated operational considerations
- Failed to find solutions that aligned to three logics
- Impasse → did not communicate policy problem

Discussion: puzzling in problem definition

- All 3 logics are ideational constructs; mutually constitutive
- Distinguished in terms of valid claims, rules of inference, authorised participants
- Garbage can? Puzzling over solution precedes problem – or even precludes definition of problem
- Generalisability:
 - Single case
 - Historical case – and challenges using historical material
 - But – benefits of archival sources

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Thank you

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