

### **3. Towards an Immigration Policy**

#### **Stemming the tide**

Until late century, Victorians had an open door to foreigners, drawing no distinction between an economic migrant and asylum seeker. Policy changed with the assassination of Alexander II on 13 March 1881. Alleged Jewish complicity sparked a pogrom in Georgia within weeks, rekindling hatred and persecution from earlier centuries. Riots and reprisals then spread to Ukraine, Poland, Belorussia and Lithuania. A second wave of pogroms occurred in 1905 with the first Russian Revolution and again between 1917 and 1921.

In the forty years between 1881 and 1921 nearly three million Jews migrated westwards to escape persecution, poverty and conscription, and to seek work. Restrictions were harsh. Jews were forbidden to own or settle on land outside towns, move between villages and enter higher education and the professions.

This triggered a fierce debate in Britain on immigration, reminiscent of today, fuelled by a clash of values, ideology and economic anxiety. By 1901 with many Russian, Austrian and Polish Jews arriving, immigration was a serious political issue, regarded as a threat and 'alien invasion.' The British Brothers' League, forerunner of the National Front and British National Party, was founded in the East End in that year. Historian V. Lipman estimates the number of Russian-Jewish immigrants who settled permanently in Britain between 1881 and 1905 was about 100,000.

The 1901 Census stated the highest proportion of foreigners to total British population was in London where it reached 30 per thousand. This masked pockets where immigration was extremely high such as Stepney at almost 40%. Parts of Spitalfields, now Whitechapel, had a 95% Jewish population. Only 13 towns or cities had a foreign population greater than 1%, including Manchester, Tynemouth, South Shields, Leeds, Grimsby, Hull, Liverpool, Swansea and the expanding resort of Bournemouth.

#### **Tightening the System**

The anti-immigration climate led to the setting up of a Royal Commission in 1902 on Alien Immigration, resulting in the 1905 Aliens Act. Liberal MP, Sir Charles Dilke, claimed the figures were exaggerated as many arrivals were en-route to the USA. In 1904 four emigrant companies reduced their fares from London to New York to £2, much lower than the fare from Germany direct to the USA. Others followed with Liverpool an alternative port.

Of great concern to Dilke was the exclusion of victims of political and religious persecution, notably Russia, as the Bill excluded these people. Hounding, mob violence, disappearance, immediate arrest on mere suspicion, stripping of possessions, a pension of 40 rubles for the family of Russian soldier and none for a Jewish family and escaping tyranny - how can we just ignore such distressing circumstances, Dilke contended.

Major Evans-Gordon, the MP for Tower Hamlets and Stepney, instigator of the 1902 Royal Commission, former officer in India and prime contributor of evidence protested, reminding the House "some 1.5 million human beings of every age, sex and religion, the healthy and hopeful, the diseased and hopeless, good, bad and indifferent, are on the move from the South and East of Europe, pressing towards the West." He insisted the causes were mainly misgovernment and oppression and enticement by shipping companies, fuelling demand. "Every single person who can be induced to travel is another ticket sold."

Evans-Gordon spoke for his constituents. "It is the poorest and least fit of these people who move, and it is the residuum of these again who come to, or are left, in this country. Are we to sit still and do nothing, and without reference to our own social problems and industrial conditions."

Colonel Seely disagreed. Yes, keep out the criminal, not the poor. The issue had much to do with sweated labour, long hours of work and over-crowding. These required solutions. "It is not wise for a Christian people to begin this sinister form of legislation. We can now say that where a man is naked we clothe him; when he is a stranger we take him in. We have not done badly, and I for one will heartily oppose any attempt at legislation such as this." The government was on thin ice with the Liberals waiting in the wings.

The Aliens Act 1905 watered down the original provisions in the Bill but gave government inspectors the power to exclude paupers, unless they could prove they were entering the country to avoid persecution or punishment on religious or political grounds or for an offence of a political nature.

On coming to power in 1906 the new Liberal government did not rigorously enforce the law and exclusions were relatively small. A prime requirement was to be self-supporting. Each person had to show they had £5 with £2 for each dependent. Overcoming this was easy. Pass £5 up and down the queue, or simply to lend it. Concessions were made for asylum seekers fleeing pogroms, persecution and oppression who usually arrived in steerage class.

A cold welcome often awaited, but if you had means you were in as inspection was fairly cursory. The aim was to reduce the flow. In 1909 a report said barriers set up by the Act may be avoided with considerable ease. Whilst weak in operation, it was the beginnings of an immigration policy. As historian David Glover comments, "The Act set the precedent for the ever-tightening web of immigration control that is in place today."

### **The Yellow Peril - from Limehouse to Liverpool**

The years leading up to the Boxer uprising in China in 1899-1901 had witnessed a period of concerted British expansion. As soldiers, missionaries and merchants set sail from Limehouse to defend and extend British interests, a small Chinatown developed in the dockside streets and in Liverpool around Pitt Street and Tiger Bay, Cardiff. Some Chinese sailors jumped ship to settle, opening lodging houses, provisions stores, cafes, halls and laundries to cater for transient seamen. Indentured labourers were often signed up in China by merchant shipping companies. The Gentlemen Magazine reported that "The Chinese shops are the quaintest places imaginable" with Chinese writing to indicate the style and type of business. A map of China and a Chinese Almanac were also displayed.

Local ill-feeling grew. In 1908, in opposition to Chinese labour, hordes of British seamen prevented Chinese seamen from signing on as crew. They had to return to their lodging houses under police escort. In 1911 in Cardiff, all 30 Chinese laundries were attacked by local mobs. In Liverpool, great concern was expressed over Chinese men marrying English women, the extent of gambling and the smoking of opium. Local women thought highly of Chinese men. They were usually hard-working, often did not drink alcohol and took care of their families.

Soon, stories emerged and myths with politicians manipulating local fears and writers seizing their chance to exploit the dramas of drug-trafficking, gambling and sexual ensnarement, with Limehouse the magnet. The 1913 publication, the first Sax Rohmer tales about the evil

Dr Fu-Manchu, created near hysteria. The perceived 'Yellow Peril' intensified, following the Opium Wars, with many believing the Chinese were intent on plotting revenge. The Chinese community depended on buoyant maritime trading but this declined in the thirties. Only 100 families then lived in Limehouse.

In 1934 J.B. Priestley toured England, investigating the social fabric of much changed towns and cities. From a rather dismal tour of the Potteries, J.B.P arrived in Liverpool. His first stop was former merchant houses. Gone were the days a century before, "thinking about their cargoes of cotton and tobacco from New Orleans, and of rum and sugar from Jamaica." The charming and dignified facades looked forlorn. Once fine houses were now slum tenements. Peeling paint, ragged curtains and broken and boarded windows, reminded JBP of Georgian Dublin. "The buildings were rotting away and some of the people were rotting with them."

"Port Said, Bombay, Zanzibar and Hong Kong had called here. Babies all told the tale plainly enough. They were all shades, and Africa and Asia came peeping out of their eyes." A vicar showed JBP around. "This little chap there," pointing with his stick. "He's one of four; all with different fathers. His mother's a nice woman, a very good sort." A visit to a local school was enlightening. "All the races of mankind were there; wonderfully mixed."

Appearances were deceptive. A handsome sturdy lad, with a fine head, proudly carried, and big flashing eyes, was the grandson of an African chieftan. Children with a Chinese strain interested the vicar most. "A boy could look pure Liverpoolian and prove to be three parts Chinese. Many would go to China in a few years." An uncle of one was now an important official in the Chinese Republican Government and resentful of British influence - and slums.

On this murky late November afternoon, there were still a few signs of occupation around Pitt Street: a Chinese Republican Club, a Chinese Masonic Hall and a few Chinese shops selling ivories and tea; a handy stop for a cuppa upstairs. It was deserted, except for a couple of Chinese playing cards. Talking in whispers, the waitress explained why the area was rapidly disappearing. First was trade, for the Chinese go where the money is; not here. Second was interference with customs, including gambling, smoking opium and also secret societies thought JBP. Apart from returning East, Rotterdam was a favoured destination.

### **A Sense of Nostalgia**

In Bradford, where he was born, J.B. Priestley thanked German & German Jewish merchants and banks for the meteoric growth in the Victorian era. "Intelligent, cosmopolitan and liberal in outlook, they were fundamentally business people, very much part of the Bradford scene." World War 1 altered this. "The city seemed smaller and duller now." The sinister rise of the Nazi party meant many fled, sensing dark times ahead. The welcoming hospitality afforded by locals was not shared by an antagonistic press, "yelping again about Keeping Foreigners Out." JBP was incensed. "History shows us that the countries that have opened their doors have gained, just as the countries that have driven out large numbers of its citizens - for racial, religious or political reasons, have always paid dearly for their intolerance."

Concerning him too was nationalism, economic and political, in an age of passports, visas and quotas. Immigration was tightened even further by the British Nationality and Status Aliens Act 1914. The League of Nations standardised passports and the famous 'old blue' was issued in 1920. JBP contended all this made it "impossible for the wonderful leavening process to continue," in raising aspiration and achievement, and a better life for all.

## **The Plight of Jewish German Refugees**

Late evening on 21 November 1938, after a lengthy debate in the House of Commons, the Home Secretary, Sir Samuel Hoare, announced the Government was prepared to accept an unspecified number of unaccompanied Jewish and 'non Aryan' children into the UK. "Here is the chance of taking the young generation of a great people; here is a chance of mitigating to some extent the terrible sufferings of their parents and their friends." This later became known as the Kindertransport.

Philip Noel-Baker MP was a tireless campaigner, pleading passionately to absorb those who were desperate to get out of Germany. The theme was taken up by Samuel Hammersey who urged Parliament to "look upon this problem of 500,000 refugees in Germany as just another practical problem" to solve. Geoffrey Mander wanted temporary camps, removal of visa restrictions and an amendment to the Aliens Act, "never intended to exclude political exiles." At the end of an intensely moving debate, the only concession was admittance of an unspecified number of children.

Hoare insisted there was to be no large movement of refugees to the UK, Palestine or the Dominions and that applications for asylum would continue to be dealt with case by case, despite the huge backlog. Migration came with caveats. Children could be accommodated only if their maintenance was guaranteed, not by the government but privately, "without any harm to our own population." The Home Office would do nothing more than "to give the necessary visas and to facilitate their entry into this country." Parents and families were not to receive similarly favourable treatment.

Over the next eleven months some 10,000 children were brought to the UK to start a new life. Parents had an agonising choice to make. Hoare stated he had received assurances from a Quaker relief worker that German Jewish parents "were almost unanimously in favour of facing this parting with their children and taking the risks of their children going to a foreign country, rather than keeping them with them, to face the unknown dangers with which they are faced in Germany." The possible fate of parents was not mentioned.

## **Commonwealth Immigration**

In response to Britain's desperate labour shortage after World War 2, the British Nationality Act 1948 was passed, encouraging colonial residents to settle. On 22 June 1948 The Empire Windrush, carrying about 500 workers from the Caribbean, docked in London. This was a symbolic start to mass migration from the Commonwealth. Immigrants were encouraged by adverts for work, a sense of patriotism and wish by some to rejoin the armed forces, having fought for Britain during the war.

Race riots erupted, encouraged by right-wing pro-white groups that built on ill-feeling, with competition for housing and jobs. Riots started in Liverpool in August 1948, spreading in the 1950s to Birmingham, Nottingham and West London. Rioting culminated in the infamous Notting Hill riots of August 1958. Unrest was sparked by separate assaults of five black men by white youths in Shepherd's Bush and Notting Hill. Around midnight on 30 August, rioting broke out and lasted a week.

In 1968 the Kenyan government introduced a law insisting 'foreigners' could only hold a job until a Kenyan national was found to replace them. It became impossible for Kenyan Asians to work in the country. Many had to give up their homes and businesses. In their holding

pre-independence British passports, thousands of Kenyan Asians turned to Britain as a safe haven to start a new life.

In a speech to the Conservative Association in Birmingham in April, Enoch Powell inflamed the media with his metaphor, "Like the Roman, I seem to see the river Tiber foaming with much blood." He was referring to immigration policy and anti-discrimination laws. Sacked from the Shadow Cabinet, Powell's views gained widespread support. Four years later, new immigration restrictions meant British passport holders born overseas could settle in Britain only if they had a work permit and a parent or grandparent born in the UK. This effectively made immigration more difficult for non-white Britons born overseas.

Powell's speech is often quoted whenever the subject of immigration becomes sensitive. But Labour backbencher Maurice Foley is arguably the more interesting and important figure in the debate on immigration in the 1960s. At issue was Powell casting doubt on the capacity of immigrants to integrate into British society.

### **The Price of Pragmatism**

"Maurice Foley was young and marked out for great things. He was a rapidly rising and very talented MP in Harold Wilson's government of 1964-70. Raised in an Irish working-class family, Foley was charming, quick-witted and courageous. He had impeccable trade union credentials, was strongly pro-European and opposed South African apartheid."

From 1965-67 Foley was given the tricky post of under-secretary at the Home Office with "special responsibility for immigrants." Not for nothing is the Home Office regarded as the graveyards of politicians. The post killed his political career. Before it did so, Foley spent two years travelling up and down the country talking to people about immigration.

Foley knew there were limits to his influence in his ministerial brief. Any attempt to improve welfare provisions for immigrants would have provoked an electoral backlash, even though better housing provision was sorely needed. This young minister realised that the battle to be waged came down to rhetoric as much as policy. He declared immigration to be "one of the great questions of the age in which we live" and set about opening Britain's eyes to the fact that it was already a multi-racial society.

Foley's language was hard-hitting. He spoke of thousands of Commonwealth immigrants "herded together in ghettos", "ignored and abandoned" in many parts of the country, not integrated into society and "barely tolerated." He warned of the growth of extremism.

He was among the first politicians to point out the National Health Service would collapse without immigrants. He pleaded for a climate of common humanity, based on recognising that many immigrants led distinctive lifestyles. Foley accepted "there were certain ways of doing things" in Britain, but immigrants should not be asked to abandon their own traditions and cultures.

Whatever politicians at Westminster did, or said, for Foley it was at the local level, among those who lived day-to-day with the social tensions surrounding immigration, that mutual tolerance and understanding had to be built." The problem was how as many voters felt antipathy when it came to housing, schools and jobs and burden on state services, faced with what they saw as unrelenting immigration.

## **Fighting Talk**

"Today's politicians might look at Foley and conclude that entering the immigration debate – even with good intentions – can obliterate your political prospects. Or, more optimistically, they might see in his story a way out of their current rhetorical impasse."

Foley understood that voters were starting to doubt the liberal assumption that the longer immigrants stayed, the more likely they would be to integrate. Instead, the idea of a "threshold of safety" was beginning to take hold. Let a certain number of immigrants in and they could be absorbed by society, but any more and social breakdown would likely ensue.

This idea has framed political debate about immigration ever since. Regardless of whether a "threshold of safety" does or does not exist, the very idea has tended to straitjacket all talk of immigration. "Foley was staking out the ground for immigration to be discussed more broadly than a game of mere numbers."

He recognised that words matter, choosing his words carefully when debating immigration. Foley saw that immigrants were invariably talked about as people who are different – and by virtue of this somehow not representative of us viz British. In the 1960s, immigrants were commonly referred to as "strangers." The cumulative effect of such language was to make it increasingly difficult for the host society to believe that immigrants could integrate.

Foley was also acutely aware of how immigrants from the so-called "new" Commonwealth – mainly the Indian subcontinent and the West Indies – were repeatedly referred to as a problem, implying the demands on social welfare and competition for jobs. It's a theme that was regularly revisited, for example in 2014, in reference to Eastern European immigrants. As Foley appreciated, language like this has the potential to consign immigrants to the role of second-class citizens and pave the way toward a more segregated society. It also sparks nationalism and protectionism too.

Whist never attaining high office, Foley became a very respected backbencher, particularly for his views on African affairs. His great insight was to take the debate about immigration out of Westminster and into the country and areas most affected. His aim was to bring to the surface the underlying attitudes and assumptions about immigration that shaped and constrained public policy. The problem was, in some areas, a public unprepared to listen.

Having laid bare such attitudes and assumptions, Foley then sought to shift people's thinking about how British society was changing as a result of immigration and what those changes ultimately implied – and the benefits they might bring.

"Today we argue endlessly about quotas; around the margins of precisely how many people can be absorbed into the UK; how long immigrants should have to live in the UK before they are entitled to benefits. What we don't do is probe into the premises upon which answers to those questions rest."

## **A Steady Relentless March**

Through the 50s and 60s, immigration increased. The UK foreign-born population grew by over one million people to 6.4% of the total population. By 1961 over 100,000 Indian and Pakistan nationals had taken up residence. A 1960 Home Office report showed a total of 34,600 Indian and 4,800 Pakistan children in Britain; about two-thirds were British-born.

Legislation restricting immigration was passed in 1968 and 1971. By this time immigration was in excess of three million, including 171,000 identifying themselves as Jamaican origin,



313,000 from India and 676,000 from Ireland. Indian origin was the largest immigrant group in the 2011 census. On 1 January 1972 legislation was introduced to limit the number of people moving to Britain from the Commonwealth, even if they had a British passport.

In August, President Idi Amin of Uganda, a brutal dictator, used killing squads to eliminate political opponents. In August 1972 he then targeted African-Asians, expelling over 80,000, seizing their assets. This mass expulsion was largely blamed for collapse of the Ugandan economy. As immigrants to Uganda from Commonwealth countries, many African-Asians held British passports. Within two months the UK had admitted 28,000.

In November 1976 the government established the Commission for Racial Equality (CRE), a statutory body charged with tackling racial discrimination as the laws of 1965 and 1968 were considered ineffective. The Commission's duties were to: work towards elimination of racial discrimination, promote equal opportunities and foster good relations between racial groups. It suggested extending the existing law to protect groups defined not only by race, colour, nationality or ethnicity, but also by religion.

Conservative opponents insisted on making discrimination a civil offence, not a criminal one, causing Labour backbenchers and anti-racism campaigners to say the law was not tough enough. The act outlawed racial discrimination on the "grounds of colour, race, or ethnic or national origins," This included hotels and restaurants but excluded not only private boarding houses but shops. The decision could be seen as not only hypocritical but discriminatory in application, from both the standpoint of employees and consumers.

### **Immigration Since 1997**

From 1979 to 1997, policy continued on the same track, albeit with a stronger emphasis on limitation and restriction. The British Nationality Act of 1981 ended centuries of common-law tradition, removing the automatic right of citizenship to those born on British soil.

The target of policy changed from the late 1980s onwards with the influx of asylum-seekers. Fall of the Berlin Wall in 1989 and break-up of the Soviet Union, plus conflicts in the former Yugoslavia in the early 1990s. All these led to increased humanitarian flows to the United Kingdom and other European countries.

Two major Acts of Parliament encapsulated the changes. The 1993 Asylum and Immigration Appeals Act created new "fast-track" procedures for asylum applications, allowing detention of asylum seekers while their claims were decided, and reducing entitlement to benefits. The 1996 Immigration and Asylum Act continued in similar vein with new measures and concepts designed to reduce asylum claims.

When the Labour party came to power in 1997, migration policy shifted course. The direction of policy was "selective openness" to immigration, with a commitment to economic migration whilst developing a tougher security and control framework. Security was accelerated after the attacks of 11 September 2001, with greater efforts to combat illegal immigration and reduce asylum with new visa controls.

Labour reinforced anti-discrimination measures and developed policies around "community cohesion," to bring together segregated communities and foster shared values. The year 2002 was a turning point. The government expanded economic immigration and, for the first time, introduced visas for highly skilled economic immigrants to come to the United Kingdom on the basis of their skills. They were not required to have a job offer as a pre-condition.

Other changes impacted on immigration, including encouraging international students and new labour market programs. This culminated in a Points-Based System and, significantly, a decision to allow full labour market access to citizens of an enlarged Europe.

In January 2010, Prime Minister David Cameron said that immigration would be limited to “tens of thousands” more than those departing to live abroad. The control henceforth was to be based on net migration, a confusing, misleading and impractical measure! Cameron stated that, in the decade prior, net migration had been around 200,00, implying an increase of two million over a decade. He was seeking a return to the levels of the early 1990s. At issue was the cumulative effect and the prospect of a national population around 70 million, putting immense strain on public services.

Whilst favouring a points-based system, Cameron wanted a cap. He hoped the best students would stay. Frank Field for Labour and Nicholas Soames for the Conservatives were both members of a cross-party group on immigration. They welcomed the statement, fearing a backlash and the consequences of an unrestrained policy, not only the additional cost to the Exchequer but ability to provide the basics from education and housing to jobs and welfare.

In April 2018 a storm erupted over treatment of the Windrush generation. Many arrived in the UK as children on their parents’ passports. Though living in Britain for decades they had never become British citizens, simply because they thought they were! Disturbing stories emerged of being detained, of possible deportation, denial of free life-saving treatment in failing to provide requisite documentation of legal status, and of losing a long-held job. The Home Secretary at the time, Amber Rudd, apologised, whilst “not aware of any person being removed.”

Although little mentioned three years after the EU referendum of 2016, immigration was a key issue. It is apparent that, more than a century after the Aliens Act of 1905, the topic of immigration, and more especially criteria, quotas and integration, is as toxic as ever. Strong views are held in local communities from Blackburn and Burnley in Lancashire to Barnsley in Yorkshire and Boston in Lincolnshire.

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