

# On Immigration and Refugees

Michael Dummett

Thinking in Action



MICHAEL DUMMETT

**On**  
Immigration and  
Refugees



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# On

## Immigration and Refugees

Michael Dummett is one of the sharpest and most prominent commentators on the ethical and political dilemmas raised by the treatment of immigrants and refugees in Britain and Europe, having campaigned for their just treatment for over thirty years.

*On Immigration and Refugees* draws together his thoughts on this major issue for the first time. Clearly but passionately written, he begins by reflecting on some of the fundamental issues underlying the confused and often highly unjust thinking about immigration. He questions what rights opponents of immigration are invoking, what principles govern a state's policies on immigration, and how such policies often conflict with the rights of refugees as laid down by the Geneva Convention. He also spells out that arguments often used in support of curtailing immigration, such as perceived threats to the national culture, the swelling of local population levels, or that it is somehow 'good for race relations', are often completely ungrounded.

Michael Dummett then recounts, with some astonishing examples, the actual treatment of immigrants and refugees in Britain and Europe, and how such treatment frequently betrays racist origins. Calling for a new international body to deal with the problem, *On Immigration and Refugees* points a new way forward for a humane solution to a problem none of us can afford to ignore.

**Michael Dummett** is Emeritus Professor of Logic at the University of Oxford. His many books include *Frege: Philosophy of Language*, *Origins of Analytical Philosophy* and *Principles of Electoral Reform*.

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**To**

Ian Martin

## Preface

At the invitation of Routledge and the series editors, I have tried in this book to bring together two things that interest me: philosophy and the politics of race, something I had never thought of doing before. From 1950 to 1992 I devoted myself professionally to philosophy, teaching it and writing about it. I have continued to write and lecture about it since my retirement in the latter year. But I have had for all my adult life an especial loathing of racial prejudice and its social manifestations. After some little experience of these on visits to the United States – I was in Montgomery, Alabama, in 1956 during the bus boycott which first brought Dr Martin Luther King to national prominence, and was a rank-and-file member of the Congress On Racial Equality on visits to California – in 1964 I became involved, together with my wife Ann, in the struggle against racism in Britain. For four years I devoted every minute that I could spare to that struggle; I carried out my teaching duties, but abandoned all attempt at creative work in philosophy. The affiliation to the national Campaign Against Racial Discrimination (CARD) of the local group of which I was co-founder – the Oxford Committee for Racial Integration (OCRI), whose first paid officer my wife later became – brought me into CARD and soon on to its executive committee.

It was more or less accidental that I became particularly involved with immigration. At that time the entry clearance system was not in operation: people arrived at Heathrow from the Caribbean or the Indian subcontinent, and were summarily put back on the next returning plane if the immigration officer refused them entry. It was, however, possible to intervene to 'make representations' on behalf of anyone refused entry if one could do so before the person was put on the plane. It was also sometimes possible to get a decision reversed after the person refused had arrived back where he had started: my wife, acting on behalf of OCRI, succeeded after many months in doing this for a young boy who had arrived on his own and had been sent back on his own on the basis of false information supplied by the Oxford police. Local community groups from all over the country were sometimes able to intervene when their members were expecting relatives; but the system was very haphazard, and many people were sent home without having anyone to make representations for them. Acting in the name of CARD, I set up an unofficial network of informants at Heathrow who would telephone me, at any hour of the day or night, when they heard of someone's being refused. I had then to telephone the Chief Immigration Officer, and tell him, when at last I got through, that I wished to make representations; next I had to dash to the airport, find out the background facts and make my representations to the immigration officer. Remarkably, these were often successful; but the system was still haphazard, and very disruptive of my teaching work.

In the autumn of 1967, after months of preparatory work visiting local organisations all over the country, in which I took a large part, we held the founding meeting of the Joint



Council for the Welfare of Immigrants (JCWI). The purpose was to unite local and national organisations for a twofold purpose; about 200 of them affiliated at the inaugural meeting. One of the aims was to carry out casework on behalf of intending immigrants threatened with refusal and those already settled experiencing difficulty in getting their families allowed to join them, and so plug the gaps in the haphazard arrangements hitherto existing. The second objective was to campaign against the injustice of the immigration laws. CARD itself virtually collapsed at the end of 1967: JCWI continues to flourish. I became its first Vice-Chairman, and was later Chairman for some time. I am still connected with it as Trustee, and remained on its executive committee for a great many years.

By chance in the first instance, my work in the collaborative effort to combat racism had come to concern the very well-spring of British racism. Turning the screws ever tighter and tighter against the entry of immigrants – always understood as ‘coloured’ immigrants – was the racists’ demand and the politicians’ code signal that they sympathised with them: it could easily be read as saying, ‘We don’t want those people here’. It was readily transmuted into national hostility towards refugees, and a tough policy towards them. A detailed account of the whole process is given in Part Two of this book.

Apart from two essays I have written about nuclear deterrence, my work in philosophy has mostly lain far away from its social, political and moral sectors: it has chiefly concerned logic, the philosophy of mathematics, the philosophy of language and certain parts of metaphysics. I have sometimes been asked whether it was my philosophical views that had impelled me into participating in the struggle against racism,

but this has not been so at all; I have a general belief that it is the duty of intellectuals to engage in any matter of social importance to which they see that they can contribute, but philosophy has not driven me in this respect any more than it has driven my wife, who until her recent retirement has devoted her whole career, in one capacity and another, to the same objective, but has no interest in philosophy whatever. But, when invited by Routledge to write a volume looking at immigration and asylum with a philosopher's eye, I found the idea attractive. I have attempted, in Part One of this book, to formulate and justify general principles governing the matter. Most of the philosophy I have written in the past has been addressed primarily to other philosophers. This book is not. I have written for the general reader; there is no technical discussion using terms of art familiar only to philosophers: all is comprehensible to any reflective person. I hope nevertheless that the argument is rigorous.

Many people – above all, those much younger than myself – do not understand how we in Britain got to where we are: in particular, they do not realise how deeply rooted in the history of British racism are today's attitudes to asylum seekers. I believe it important that these things be understood, and have, for that reason, devoted the first two chapters of Part Two of the book to explaining them. The last chapter offers an impressionistic account of the situation in other countries of the European Union. Readers must be warned that in every country of Europe, and in the Union itself, policy towards immigration and refugees, and the laws and regulations applying to them, change so rapidly that any book on the subject is bound to be out of date by the time it appears in print. The provision of up-to-date factual information is of course not a major aim of this book; but readers ought to be

aware that important events are highly likely to have occurred between the writing of this preface and the publication of the book.

Oxford, July 2000

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Part One  
**Principles**



# One

What principles have governed the policies of successive British Conservative and Labour governments since the Second World War towards immigrants and refugees? And what principles have governed the policies advocated by the British media during that period towards immigrants and refugees? The newspapers, with only occasional partial lapses into decency, have acted upon a very simple principle: identify a fairly widespread prejudice, pander to it and inflame it, in the process misleading or actually lying to the readers as far as can be safely done. The objective aimed at in following this principle has of course been to increase the circulation of the newspapers and, likewise, the numbers of people listening to or watching the broadcast programmes. This is of course a hostile description: but no lover or servant of the British media could make a case that I have distorted the facts. The principle governing the policies of the Conservative and Labour governments, and indeed, with a very few honourable exceptions, of all Conservative and Labour politicians, has been exactly the same. The objective, in this case, has been to maximise electoral support: to gain votes. This, indeed, has always been the principle on which British governments have acted in respect of would-be immigrants and refugees. It had emerged in the Aliens Act of 1905, designed principally to

keep out European Jews, and the Aliens Restriction Act of 1914 and the Aliens Restriction (Amendment) Act of 1919, designed to keep out Germans. Reflection on these and other capitulations to and encouragement of real or supposed illiberal popular sentiment may prompt reflection on how to achieve a democratic system under which the representatives of the electorate were not motivated, or at least were less motivated, by the desire to gain votes in the next election; but this problem will not be discussed here.

So long as the present political system endures, there is a great danger that British immigration and refugee policy will continue to be based on this unworthy principle alone. It is not a principle that will commend itself to any political theorist. It is a pressing matter, and of at least theoretical interest, to enquire what principles ought to inform a country's policy towards would-be immigrants and refugees so long as it retains untrammelled control over their admission. Indeed, reflection on this question, if the British public could be induced to engage in it, might sufficiently alter public attitudes so as to affect the dispositions of politicians to try to appease the assumed public hostility to the admission of anyone we have the power to turn away.

The first question is on what the identity of a state should be founded. This is relevant, because the state may choose freely to admit a potential immigrant who shares the identity by which it defines itself. Israel, for instance, identifies itself as a Jewish state, and on this ground operates the law of return, under which anyone who qualifies as a Jew is guaranteed admission and settlement. Another example is Germany, which still in part identifies itself by ethnic descent: all people of demonstrably German ancestry, no matter how remote, such as those who emigrated to Russia generations ago, are



assured of admission to the homeland, at least if they are deemed to partake of German culture. Equally, a state may choose to exclude those who do not share the identity it ascribes to itself: the White Australia policy, now for some decades abandoned, refused admission to anyone other than those of white European descent. Conversely, the constitution of Malawi denies citizenship to anyone not of black sub-Saharan race. Thus nationality or race may be treated as part of a state's identity, so that those not of the right race or descent are to be denied entry, residence or the ultimate certification of belonging, citizenship. Again, the identity of a state may be founded upon a particular religion, as is that of all those countries designating themselves 'Islamic Republics'. This was true of almost all European countries during the Middle Ages and for some centuries afterwards: they proclaimed themselves to be Christian kingdoms; after the schism, to be Catholic or Orthodox kingdoms; after the Reformation, to be Catholic, Orthodox or Protestant kingdoms or republics. As being Christian states, they took for granted their right, when they wished, to expel Muslims or Jews. Israel is a mixed case. To be a Jew and so claim admission under the law of return, one must prove birth from a Jewish mother: the criterion is racial. The claim is not invalidated by failure to practise the Jewish religion or even by overt renunciation of it; but the criterion is in part religious nevertheless, because adherence to any other religion is held to invalidate the claim. Language may be seen as essential to a state's identity: Mussolini endeavoured to suppress the use of French or German by inhabitants of Italy, even though the country contains numerous people whose languages those are; and in our own day Turkish governments have forbidden the use of Kurdish. In both cases, even schoolchildren have been prohibited from