

The asylum amnesty ‘scandal’: mind the gap

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A new government, a period of fiscal restraint, problems over a massive asylum backlog, a failed Home Office IT project.... the Coalition in 2011? No – New Labour in 1999. Governments might change, but the gap between policy aims and outcomes (or the difference between what politicians say will happen and what actually gets done) seems as large as ever when it comes to immigration and asylum policies.

Last week’s report by the Home Affairs select committee fits the pattern nicely. It has created some familiar headlines over the UK’s failure to properly deal with the backlog of asylum seekers, mainly by providing an ‘amnesty’ for large numbers of them. If we temporarily put to one side the obvious point that many of these people probably needed and deserved such amnesty, reaction to the report gives us a valuable snapshot of how politicians of varying stripes make sense of this ‘gap’ problem with immigration and asylum. It also shows how scrupulously they avoid the bigger questions about human rights and the responsibilities of liberal democracies in the international system.



Protesters (Credit: Takver, CC BY-SA 2.0)

The committee chairman (Keith Vaz, Labour) adopted a technocratic line, laying the blame squarely at the door of the United Kingdom Borders Agency (UKBA). He repeated the description of the agency as ‘not fit for purpose’ – a phrase famously uttered by John Reid in 2006 (and which led to the death of the UKBA’s predecessor – the Immigration and Nationality Directorate). A Conservative member of the committee (Mark Reckless) banged a different drum – instead choosing to blame the “limitations placed on it by our membership of the EU and application of the Human Rights Act”. His suggestion? “A Conservative government that removes those restrictions, so that we keep the promise we made to our constituents on immigration.”

The obvious problem with claiming that the UKBA is not fit for purpose is that it is not particularly clear what that purpose is: Reduce immigration to a minimum? Maximize the economic benefits of immigration? Meet the UK’s international obligations to refugees? Clear the backlog of asylum claims? Identify and protect victims of human

trafficking? It is expected to do all these things – and on a shrinking budget. The ‘evidence-based’ approach is limited here because striking a balance between these purposes is a deeply political and ethical, rather than technical, question.

As for throwing out the Human Rights Act or tearing up international agreements just to slow immigration or stop people claiming asylum, this would be amusing if Conservative Party leaders (from Hague, to Duncan-Smith, from Howard, to Cameron) did not so frequently repeat it. As long as there is terrible conflict, poverty and suffering in the world there will be people in real need of asylum. The problem is that politicians avoid making the case for a system that actually grants it – they prefer to focus on nailing the people they claim are ‘taking advantage’ of it.

As a liberal democracy that seeks a prominent role in the international community, the UK is far from being a passive recipient of immigration – its actions impact directly on the international flow of people. This could not be much clearer in 2011 in the context of political turmoil in North Africa and the UK’s involvement in the bombing of Gaddafi’s forces in Libya. There is an urgent need for political debate – at national and Europe levels – on how to deal with refugees from these countries, but politicians are as usual taking the easy option. The message the UK is broadcasting to its European partners is about being ‘tough’ on asylum seekers and clamping down on abuse of the system – not the importance of how fair that system is, or about the moral obligation of states to provide a place of refuge on the basis of need.

Ultimately the current government’s efforts to keep its promises (and cut numbers) are as doomed as the previous government’s aim to ‘de-politicize’ immigration through evidence-based policymaking. The irony is that for a long time the left-right gap on immigration in mainstream British politics has been about as thin as the proverbial cigarette paper (to borrow Jack Straw’s metaphor of the late 1990s). Beneath both sides’ technocratic, populist or nationalist arguments lies the same defective authoritarian logic that the ‘chaos’ of asylum and immigration can be tamed through the simple imposition of firm rules, properly implemented. If there is a gap, it is between this kind of flawed thinking and the real moral dilemmas we should be discussing around immigration and asylum policy.

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Further analysis of the issues discussed in this post will be available in the following forthcoming article: Balch, A. and Balabanova, E. (2011) ‘A System in Chaos? Knowledge and Sense-Making on Immigration Policy in Public Debates’, *Media, Culture & Society*, 33 (6).