

When is a white list another blacklist?

British plans further to tighten the laws on immigration into Britain are either discreditable or are doomed to failure, but either way appear to be designed against the impending general election.

THE British government seems forever to be tinkering with its laws on immigration, chiefly with the intention of restricting the inward flow of people. Part of the explanation is that the social integration of immigrants has been found to be imperfect, to say the least of it. Another is that the financial cost of dealing with immigrants is not negligible. (In the long run, of course, the cost becomes a gain.) But it also seems to matter that a government that is seen to be tinkering with (and tightening) the immigration rules wins the approval of the xenophobic section of the British people, and thus their votes at election time. So it is in accord with recent tradition that the present government, which has to fight a general election within the next eighteen months, should be planning yet another Asylum and Immigration Bill. It is a striking measure of the government's desperation about its electoral prospects that, on this occasion, it has devised a bill that is conspicuously mean-spirited, with elements that belong in the works of Franz Kafka, not in liberal legislation.

The circumstances are these. In considering applications for asylum in Britain, the government now proposes to refer to what is called a 'white list' of countries from which applications for asylum will not be considered. The rationale is that the countries concerned are considered to be 'safe', or free from the threat of political and social repression that justifies the search for asylum elsewhere. That makes sense in certain circumstances. It is, for example, unlikely that people from countries such as Sweden or Switzerland could make a case for seeking refuge in Britain by claiming that their lives would be endangered if they were sent home. But it now seems that the government's white list may include Nigeria, Sri Lanka and Algeria, states hardly distinguished for the humane treatment of their governments' political opponents. (The government confirms the existence of a white list, refuses to specify its contents, but denies the inclusion of the three countries listed.)

The plain truth is that applications for asylum should be judged on their individual merits, and not by reference to arbitrary lists. In 1994, Britain received 33,000 applications for asylum, and adjudicated on 20,990 cases. Britain is far from being an easy touch for asylum seekers: of the 20,990 cases dealt with in 1994, 16,500 were refused, just 825 were accepted and, in the remaining

cases, the applicants were denied refugee status but granted "exceptional leave to remain" in Britain. During the same period, Germany received no fewer than 170,000 applications (and granted a larger proportion of them). In the previous year, Germany took in a substantial proportion of half a million refugees.

The difficulty in Britain is that there is an uncomfortably large backlog of applications, roughly 50,000 in 1994. Those concerned live in reception centres or more generally in the community, now with cut-back social benefits. One of the reasons given for the proposed change of rules is that it will streamline the procedures and so reduce the backlog, but that reasoning carries little force. The mismatch between applications and their adjudication cannot be swollen by people from countries where liberality reigns. Only if the unpublished 'white list' includes countries whose refugees may plausibly claim they will be threatened with persecution if they are returned could its use contribute to the supposed streamlining of the system. But that explanation is denied. The British government cannot have it both ways. Either the white list is as sinister as some suspect, or it is really white in the sense intended, in which case its relevance in the asylum business is unimportant.

Old-fashioned bumbledom is, in any case, a more plausible explanation of the backlog. If the British government were serious about the dangers of immigration, it would long since have done what its European partners have been urging, and would have engaged in the negotiation of common principles to settle the grounds for entry into the European Union (where legitimate residents can move where they wish). In the long run, that is the only way in which to bring this issue to a seemly conclusion. Sadly, the British government seems to prefer a show of acting tough on immigration for the sake of seeming to act in a manner of which xenophobes would approve. (That is the generous interpretation; the other is that the white list is really a blacklist.) That is the spirit in which the same government rejected a few weeks ago the appeal from Mr Chris Patten, the last colonial governor of Hong Kong, that Britain has a moral duty to allow more than the agreed 50,000 residents of Hong Kong to settle in Britain if they wish. (Most would prefer Canada, with or without Quebec.) The motive can only be to win favour at the impending polls. That is a shameful way to carry on. □