

Choose a group in society and consider how they have had to engage with the ‘politics of recognition’ in order to seek greater equality in the last 50 years.

The group that has been chosen for this essay is the ‘Windrush generation’; migrants from the West Indies, that settled in the United Kingdom between 1948 and 1971 (Lidher, 2018). The assignment will consider the ways in which they have engaged in the ‘politics of recognition’ and their fight for equality. It will explore the historical social and political issues to provide context, and then consider the impact of legislation and political engagement, within the past fifty years.

The so-called ‘Windrush generation’ were named after the *Empire Windrush*; the ship that brought the early West Indian migrants to post-war Britain (The History Press, 2019). The first arrivals docked at Tilbury in Essex, in June of 1948. Many of those who made that arduous journey were ex-servicemen who had previously been stationed in Britain during World War II and were lured by the prospect of work and prosperity, due to a shortage in the labour market after the war. As *Empire Windrush* made its way to Britain from the Caribbean Islands, new legislation was being drafted. The 1948 British Nationality Act (The National Archives, 2011) meant all migrants from the United Kingdom and colonies would be granted freedom of movement to live and work anywhere within the British territories, as Commonwealth citizens.

Webster (2018) suggests that many of those who travelled to Britain, having grown up in the colonies, already had a strong sense of ‘Britishness’. On arrival however, the reality was somewhat different. Being a citizen of the British colonies, born and raised under colonial rule, did not sit well with many natives who saw them as alien, rather than British. Cumberland Lodge (2018) produced a briefing for the Race in Britain conference that also suggested that people with black or brown skin were not considered ‘truly British’, and met with hostility, regardless of their British citizenship status. Sigona (2019) however, argues that it is incorrect to refer to the ‘Windrush generation’ as migrants, given that they arrived in the United Kingdom with their status already established as British subjects.

Despite the tensions, a large number of those who arrived on that first historic voyage settled in the London borough of Lambeth. After being temporarily housed in an underground air-

raid shelter, they later settled in Brixton, which by the 1960s was the largest West Indian community in the UK (Lambeth Council, 2018). According to Grant (2019), in the fifteen years that followed that first landmark voyage, around 300,000 migrants made the journey from a number of different Caribbean islands that make up the West Indies. If the islands from which people boarded were varied, the citizens themselves were equally diverse. There were doctors, nurses, engineers, bus drivers and psychologists. Despite the diversity, they appeared to share a common goal; the desire to start a new life, with the lure of prosperity.

Immigration continued freely, and in fact increased significantly throughout the 1950s. Frideres and Biles (2012) proposed that the rapid rise in immigration was a contributory factor in the rioting that broke out in and around Nottingham and the Notting Hill area on London. It was not only racial tension on the streets that was rising; political rhetoric was also shifting its focus towards issues of immigration. In 1960, the then Conservative Home Secretary Richard 'Rab' Butler was seeking to introduce legislation to stem the flow of migrants in the form of the *1962 Commonwealth Immigration Act*. Butler was concerned though, that although the policy was designed to tackle issues of employment in respect of immigration, the new legislation might also have a disproportionately adverse affect on 'coloured people'. According to Verma (2018), this view was shared in general by the opposition Labour Party, who pushed for the *Race Relations Act 1965* in return for allowing the bill to pass. The ground-breaking legislation meant racial discrimination became illegal in public places, at a time when there were an estimated one million Commonwealth immigrants residing in the UK.

Bloch, Neal and Solomos (2013, p. 25) suggest that the short space of time between the 1965 and the 1968 Race Relations legislation that followed was an indication of the urgency with which the government sought to improve increasingly tense race relations. A key development underpinning both acts was the formation of important governing bodies. The Race Relations Board and the Community Relations Commission were created to protect and promote the welfare of migrants, and facilitate social integration. The intention was to raise awareness of cultural diversity, to create more cohesive communities. Alternatively Kahn (2018), put forward the suggestion that the original legislation, progressive though it was, was flawed in so much as it did not go far enough in challenging discrimination. The previous 1965 Act had been limited to public spaces, whereas the legislation within the 1968 Act was extended to address racial discrimination in respect of issues such as housing and

employment rights. It was the introduction of the 1968 Act that led to the now infamous ‘Rivers of Blood’ speech by the then Conservative shadow cabinet MP Enoch Powell. Powell was promptly dismissed the next day, following widespread condemnation of his anti-immigration rhetoric (Schofield, 2013, pp. 210-219).

According to Atkins (2018), the unrest and uprising fuelled by racial tension, has not materialised in the way Powell predicted. Instead, Atkins suggests the true legacy of the speech that was delivered at a Conservative Association meeting in Birmingham, April 1968, has been the language of division and a culture of blame and exclusion. The last fifty years has seen significant struggles in respect of immigration and integration, but despite this, Tomlinson (2017, pp. 1-14) believes that even though it is sometimes difficult to reconcile issues of race and ethnicity with national identity, multiculturalism has in general been relatively successful. Cultural acceptance is not the only challenge though, and it is perhaps in the political arena where the biggest hurdles have manifested.

Consterdine (2016, pp. 1-20) argues that the *Immigration Act 1971* was effectively the single most important piece of legislation for controlling immigration into the UK. The proposition being that the Act was drafted in response to a political conundrum, resulting from the UK entering the European Economic Community (EEC), along with the policy of free movement of workers that that entailed. The Act was widely criticised by many at the time as having racist undertones and bowing to public, as well as political pressure, at what some feared would lead to an influx of economic migrants. Kahn (2018) drew attention to the changes in citizenship that the Labour Government began amending in the *1968 Race Relations Act*, and fully implemented by the time the 1971 Act came into effect. These fundamental changes restricted access to British citizenship for people born in the Caribbean (as well as Africa and Asia). Not only were many Caribbean-born men and women affected, but the implications surrounding nationality extended to their children and grandchildren, regardless of whether they were born in the UK.

The 1971 Act introduced what was referred to as the ‘right of abode’, otherwise known as patriality. This meant anyone qualifying as having the right of abode would be free to leave or enter the UK, without restriction or time constraint, providing they had been resident in the UK for at least five years and had arrived before 1973 when the bill was enacted (Amnesty International, 2018). For the ‘Windrush generation’ there were important protections written

into the legislation to ensure those previously settled in the UK under the United Kingdom and colonies status, retained their right of abode. The legislative instrument did however; place the onus for proving the right of abode upon the claimant. According to Stamp (2018), the introduction of the *British Nationality Act 1981* presented further complexities. Under the new Act, British-born children whose parents were immigrants were entitled to apply for British citizenship, providing they had spent the first ten years of their lives residing in the UK. In reality though, children as old as sixteen were still being subject to immigration control despite meeting the criteria, often because they were unable to afford the fees to apply.

Walawalkar (2019) highlights a similar plight, stating the fee for applying for citizenship was £35 when it was first introduced but has since risen substantially to £1,012. To put the figure into context, £372 of the fee is for administration and £640 is purely profit. This has resulted in a landmark case where two British-born children are taking their case to the High Court, to challenge the Home Office. The two claimants have the backing of campaign groups who argue that poorer families are being priced-out of applications, the result of which is missed opportunities in respect of employment and higher education. Valdez-Symonds (2018) predicted the unjustified charges to apply for citizenship, would become the next chapter in 'Windrush scandal'. One case in point was a young girl that had been born and raised in the UK for ten years, and yet faced deportation because her mother was unable to afford the application fees. Valdez-Symonds argued that the young girl had no less right to British citizenship than anyone else born in UK, other than the absence of registration. Deportation was avoided, only through the generosity of a member of the public.

It is not just the children of the 'Windrush generation' that have faced issues of inequality. The legacy for many those travelled from Caribbean on those early voyages were freely-landed, and arrived with little more than landing passes (The History Press, 2019). This has presented problems in recent times, with the changes in immigration law requiring paperwork for each year of continuous residence in the UK as proof of eligibility. For many, this would be extremely difficult if not impossible. In 2012 Home Secretary Theresa May introduced a 'hostile environment' to tackle illegal immigration. A 'No Time Limit' stamp was introduced at a cost of £229. Failure to secure official recognition through lack of paperwork, meant hundreds were denied access to healthcare, bank accounts and employment. Because there was a requirement for 'Windrush' migrants to apply for British citizenship on arrival, many

simply did not. Again, rather than using government records, the onus of responsibility was the burden of those applying. It has also been revealed that the UK Border Agency destroyed thousands of landing cards in 2010, which for some was their only official documented proof of arrival.

Anderson (2013, pp. 5-6) puts forward the argument that as a society, the notion of being a valued member of the community is sometimes precarious, and social acceptance far from guaranteed. The security provided by community boundaries can be permeable, dependent upon status, which as a non-citizen can easily shift between acceptance, marginalisation and exclusion. The perception of citizenship is not always a question of legality, and will often change with the political and social climate, in much the same way as a legitimate benefit claimant can become labelled as a 'scrounger'. John (2014) suggests that for the West Indian immigrants arriving at Tilbury, full of aspiration for a better life, it was an ignorance of their history and culture from their hosts that was responsible for them being perceived as unskilled, uneducated and of lower intelligence. Those misconceptions lead to social exclusion, and in some areas white families began to move away in what became known as 'white flight'. For the communities that were left behind, there was a legacy of disproportionately poor outcomes for black pupils, who were often labelled as underachievers.

For the hopefuls travelling to the 'mother country', expecting to feel a sense of belonging, the reality was often very different. Facing hostility and gross inequality, they drew upon the culture of their island identities, using their commonality to overcome adversity (Goulbourne, 2018). They set about building their own post-imperial society, taking care not to exclude anyone but instead building new communities based on principles of inclusion. It is sometimes difficult though, to separate the positive aspects of culture from the negative. An example of this can be seen in the events that took place in London, in 1998. Sandell (2002, pp. 206-207) draws attention to the unfortunate timing between the 50th anniversary of the first *Windrush* arrivals, and the completion of the McPherson Report into the death of black teenager Stephen Lawrence. Amongst what should have been a celebration of cultural diversity, with a rich history of music and poetry, darker historical aspects such as injustice, colonialism and slavery would also being brought to the fore.

The effects of colonialism and decolonization on immigration policy between Britain and France, was explored in detail by Bleich (2005). The intention was to ascertain whether their policies of integration directly correlated to their policies of colonization. The study looked how policies had affected social integration and cultural diversity, and in particular the relationship between managing them in the colonies compared to the homeland. Established theoretical social science models were used to formulate arguments and hypothesise about what the legacy of those integration policies may look like. The study found parallels between the colonial policies of post-war Britain and the policies of France in respect of Algerians, around the same period. It was determined that not enough attention had been paid to integration, and that policies surrounding race, ethnicity and nationality were largely reactionary.

The government's 'Hostile Environment' policy, later renamed 'compliant environment', is possibly a prime example. The House of Lords prepared a briefing to examine the impact of a range of measures that were introduced as part of the policy (Parliament UK, 2018a). The policy was intended to deter illegal immigrants, and those without 'leave to remain'. Opposition MPs had called for an end to the policy, due to the difficulties faced by even those with a legal right to reside in the UK. The briefing paper cited 'Windrush' citizens amongst those who had faced such difficulties, largely because of the absence of historical documentation. The report found instances of access to healthcare being denied, termination of employment and at least 63 cases of what was thought to be wrongful deportation by the Home Office.

Grierson (2018), home affairs correspondent for The Guardian, wrote of the divisions and scepticism within the Conservative Party cabinet, surrounding the introduction of the 'hostile environment'. Ministers had allegedly raised concerns that the policy would effectively force ordinary citizens to act as immigration officers. The issue of elderly Caribbean residents being mistakenly identified as illegal, lead to Caribbean foreign officials lodging formal complaints with the UK foreign secretary. The government response to a parliamentary report published by the Home Affairs Committee acknowledged failings in the immigration legislation changes that took place in 2014 and 2016 (Parliament UK, 2018b). The removal of legal protections from the 1999 *Immigration Act*, had resulted in enforcement proceedings being instigated against 'Windrush generation' citizens. The report called for an official apology as well as financial compensation for those affected.

Taylor (2018) reported on the removal of the key legal protection clause, suggesting it had been removed surreptitiously, without debate. A number of MPs and foreign diplomats, it was stated, had called upon the government to provide a satisfactory resolution. In response to issues arising from the immigration amendments, the government introduced the *Windrush Compensation Scheme* (Gov UK, 2019). The scheme is open to almost all Commonwealth citizens who arrived in the UK before 1973. In addition, anyone with ‘settled status’ that arrived before December 31st, 1988 are eligible to apply along with, in some circumstances, children, grandchildren, and close family members of those affected. Hackney Council (2019) was the first council to pass a decriminalization motion in support of the ‘Windrush’ victims. Although they welcomed the introduction of the compensation scheme, they campaigned to restrict the use of claim firms, and to make the process as uncomplicated as possible. They wanted to avoid a ‘one size fits all’ approach and called for the Home Office to engage with applicants on a more personal level. A human rights lawyer working on behalf of the families also felt the scheme was not comprehensive enough (Leigh Day, 2019). There were areas of consequential loss, he suggested, that were not taken into consideration, such as missed career opportunities and insolvency. Concerns were also raised that the marginalisation caused by previous policies, may also prevent some eligible claimants from pursuing compensation.

In conclusion, it would appear that the political and social interactions experienced by the ‘Windrush generation’, have resulted in unquestionable incidents of injustice. The evidence seems to suggest that the social exclusion and marginalisation that has been endured may be, at least in part, symptomatic of reactionary political policies. Flawed immigration legislation and systematic failings, however unintentional, have resulted in exclusion, rejection and in some cases deportation.

For citizens, some of whom have lived and worked in the UK for decades, the fight to prove their eligibility for healthcare, employment, housing and benefits, still continues. Some have not, or will not, live to receive the compensation they could be entitled to, and for them the legacy will always be injustice. In light of revelations thus far, it is hard to imagine there will not be yet another chapter in the ‘Windrush’ saga.

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