

# An alien problem? Criminality and immigration

Tony Kushner describes how successive communities of 'outsiders' have been labelled, and libelled, as criminal.

The story in Spring 2006 of foreign criminals released into the community, rather than having been subject to deportation, has given a fresh impetus to the campaign against asylum seekers, refugees and foreigners. Here was proof of Britain as 'soft touch', a country whose allegedly lax controls allow the importing of the dregs and cheats of the outside world. On one level it is the latest articulation of a xenophobic campaign running since the early 1990s which has been articulated by much of the media and has led to a competition between major political parties to prove who can be firmest on immigration and asylum control (Schuster 2003). On another, it is the manifestation of a specific animus against the foreigner as criminal menace that can be traced back to the medieval period at least.

Concepts of crime and criminology are socially as much as legally constructed. No better proof of this is found than in medieval England and the charges of ritual murder brought against the small Jewish community. Evolving eventually into the full blown blood libel — that Jews not only murdered but drank the blood of their (male) child victims

The story of medieval Anglo-Jewry is a reminder how the legal system could be used to destroy a minority group and to justify so doing by pinning the label of criminality on it. What is perhaps surprising is how nineteenth and twentieth century historians have carried out what has been called an 'historiographic crucifixion of the Jews' (Langmuir 1990), suggesting that the expulsion was justified through the criminal and 'unEnglish' nature of the Jews. An extreme case, it is nevertheless a reminder of the longstanding truth that immigrants and minorities in Britain have been perceived as criminal and deviant, but in fact have often disproportionately been victims, including through the actions of the state, of acts of crime. It is a truth that runs counter to national self-imagery, most recently expressed by Gordon Brown, of the country's essential tolerance and decency.

Post-1290, later immigrant groups coming into Britain have been subject to accusations, which if less extreme, have the same basis — financial dishonesty, sexual violence and general unEnglish behaviour. These allegations were made even with those who have subsequently been idealised, such as the various

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— this was a crime purely of Christian imagination, although its impact on the Jews was real enough in their subsequent violent persecution. Yet rather than regard the accusation as utterly irrational and beyond understanding, it is perhaps more fruitful to regard it as reflecting the anxieties of the time — not just about the Jewish presence, but about the beginnings of an acceptance of the rights of the child in a world in which the murder of infants was beginning to be queried. Rather than accept that Christians were capable of child murder, the 'disappearance' of children could be blamed on an outsider group deemed capable of such diabolical deeds.

The blood libel/ritual murder was not the only crime laid at the door of medieval Jewry. 'Crimes' associated with usury and finance were far less fantastical, but reflected, on the one hand, the legal limitations imposed on the Jews, and, on the other, the dilemmas of the church and society in confronting the early stages of capitalism. As with the blood libel, the result was the further persecution of the Jews culminating in the expulsion from England in 1290.

Protestant refugees coming into Britain from the sixteenth century onwards, including the Huguenots fleeing persecution from Louis XIV (Winder 2004). This is not to say that particular crimes were not levied against specific groups. The Irish in mid-Victorian Britain, for example, were accused of drunkenness and disorder. As with the Jews of medieval England, fears of the day — in relation to the chaos and misery of Britain's fast-emerging industrial cities — were projected onto an easy scapegoat. The Irish became criminalised and subject to specific campaigns by the police. 'Drunk and disorderly' thus became an Irish immigrant crime in much the same way as West Indian youth became associated with 'mugging' in the 1970s onwards, both in popular perception and in police action/court punishment (Davis 1991; Solomos 2003).

It was not, however, until the late nineteenth century and early twentieth century that criminality and immigration first became politicised in a blatant way. On a societal level, the Jack the Ripper murders of 1888 revealed that the mindset leading to the blood

libel accusation had not disappeared. Riots in London's East End that year against Jewish immigrants from Eastern Europe were related to allegations that the Ripper murders were forms of Jewish ritual murder. There was widespread belief that the crimes were so heinous that they could not have been committed by an 'ordinary' Englishman. Crime was constructed as 'alien' and allegations of criminality were one of the persistent weapons of the anti-alien movement. Whilst the *Aliens Act 1905*, was, due to Liberal and other opposition, substantially watered down from earlier bills, the clauses against the entry of criminals, amongst others 'undesirable immigrants', was maintained. Moreover, and of great future relevance, the right was given to the Home Secretary to deport those deemed not to be conducive to the public good. Foreign Jews were not the only victims of this anti-alien movement. Italians were also criminalised with regard to child labour and food cleanliness and the entire German gypsy community was deported from Britain in 1904 (Holmes 1988). The much more draconian *Aliens Restriction Act of 1919*, and the subsequent *Aliens Orders* from 1920 through to 1970, confirmed and intensified the rights of the Home Secretary with regards to deportation. Allegations of alien criminality were, as ever, to the fore. In 1919 one MP accused the Jews of controlling the white slave trade, gambling and being "at the bottom of one half, at least, of the vice of this Metropolis and of this country" (Kushner and Knox 1999). The impact on alien communities in the inter-war period was severe and one Jewish figure commented during the 1920s that the "fear of deportation hangs over the whole alien community". During the same decade, more aliens were deported than allowed entry. Offences leading to deportation could be very minor legal infringements or even simply allegations of (left-wing) radicalism. As with the situation today, many of those deported faced a highly dangerous and uncertain future in their place of origin — post-1918 Eastern Europe witnessed pogroms far more murderous than those before the First World War.

Nor did such policies and procedures end in the 1930s. In celebratory accounts of the refugees from Nazism it is often forgotten that they were also accused of various forms of criminality and some were deported back to Germany before 1939. During the Second World War, Jewish refugees especially were accused of black marketeering, a crime that was legally imprecise but reflected what was perceived as unpatriotic behaviour, undermining the war effort.

In conclusion, it is not being suggested that no immigrant or minority group has ever been involved with crime, whether organised or individual. Whilst it is understandable that such a 'contribution' to British society would hardly be celebrated, crime, like any form of enterprise, has benefited from imported techniques and skills. From a long-term historical perspective, however, what is clear is that the idea of crime itself has been socially constructed with explicit reference to 'foreign' groups — from the Jews of medieval England through to present day

asylum seekers. Such links between crime and the 'alien' often tell us far more about the anxieties of contemporary society than they do about actual criminal behaviour. The fear is that, as in the past, the current wave of xenophobia will lead to the removal of people who are, more often than not, the victims of (largely unrecognised) crime. If removed, they face a future abroad that may well be lethal.

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