



Universiteit  
Leiden

The Netherlands

## **Social Subjecthood? The inclusion of (post)colonial migrants in Dutch, French, and British welfare states, 1945-1970**

Wolff, E.A.

### **Citation**

Wolff, E. A. (2024, June 18). *Social Subjecthood?: The inclusion of (post)colonial migrants in Dutch, French, and British welfare states, 1945-1970*. Retrieved from <https://hdl.handle.net/1887/3763857>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/3763857>

**Note:** To cite this publication please use the final published version (if applicable).

## 5. Migration and boundary-making in colonial empires

### 5.1. Introduction

Over a 35-year period that began during the Second World War, between 5.4 and 6.8 million people from European empires moved to the metropole, marking the continent's transition from a place of net emigration to net immigration.<sup>1</sup> Contemporaries called some of these newcomers repatriates, others refugees, and still others labour migrants. Smith describes the group as “remarkably heterogeneous” given the “complexity of individual colonial histories and... distinct decolonisation experiences.”<sup>2</sup> This chapter is dedicated to unpacking this complexity. It introduces the imperial history of each country case and outlines the legal contours of colonial citizenship and subjecthood as it pertained to residents of the territories of origin that I have selected for this study (Algeria, present-day Indonesia and the British Caribbean islands). It analyses the formal and substantive rights of (post)colonial migrants in the domains of citizenship and immigration legislation leading up to and during the post-war period. It also tells a story of racialisation, and constitutive processes of constructing cultural proximity and deservingness. While Chapter 4 focused on developments on the European continent or British isles, this chapter is mostly concerned with developments overseas.

### 5.2. Totoks, Indische Nederlanders, Moluccans

#### 5.2.1. Overview

When the dust from the Second World War settled, the Dutch empire was the third biggest after the UK and France, occupying territory fifty times the size of the Dutch metropole.<sup>3</sup> The principles of constitutional law in force in the Netherlands were not applied to its colonial territories.<sup>4</sup> This made it possible for some 99 per cent of the total population in the Netherlands Indies to be disenfranchised subjects - and not citizens - of The Netherlands. This distinction was accomplished by way of a racialised nationality code. In the Netherlands Indies, residents were grouped into one of three distinct legal categories: ‘Foreign Oriental,’ ‘native’ and ‘European.’ Only the latter had citizenship. Although some contest the assertion that these were racial categories,<sup>5</sup> they emerged within a racial ideology whose classificatory schema

---

1 Smith, “Introduction,” 9.

2 Smith, 11.

3 Colley, “‘This Small Island’: Britain, Size and Empire,” 172–73.

4 Cornelis Fasseur, *The Politics of Colonial Exploitation: Java, The Dutch, and the Cultivation System, The Politics of Colonial Exploitation* (Cornell University Press, 2018), <https://doi.org/10.7591/9781501719127>.

5 Bart Luttikhuis, “Beyond Race: Constructions of ‘Europeanness’ in Late-Colonial Legal Practice in the Dutch East Indies,” *European Review of History - Revue Européenne d’histoire* 20, no 4 (2013): 539–58; Ulbe Bosma, *Terug Uit De Koloniën: 60 Jaar Postkoloniale Migranten En Hun Organisaties* (Amsterdam: Bert Bakker, 2009).

emphasised Europeaness and civilisation.<sup>6</sup> Between 1945 and 1968, almost all Dutch citizens from the former East Indies migrated to The Netherlands.<sup>7</sup> Many would become known as repatriates (*gerepatrieerden*). Several special admissions schemes, however, accommodated a select number of Indonesian citizens, who otherwise required an entry visa, and many Dutch citizens were discouraged from exercising their entry rights.

### 5.2.2. Dutch empire

Dutch colonialism dates to the era of the Dutch Republic. In 1602 United East Indian Company (VOC, *Vereenigde Oostindische Compagnie*) was founded; in 1621 the West Indian Company (WIC, *West-Indische Compagnie*) followed. From the early seventeenth century, overseas possessions fell under the authority of the States-General,<sup>8</sup> an assembly of representatives from all seven united provinces. Initially these possessions took on three forms: colonial settlement, like in North America (~1624-1664); capturing and occupying trading posts, like in Brazil (1630-1654); and expanding conquest by the VOC (1600-1796) followed by the gradual introduction of governmental institutions under the authority of the States-General, like in the former Netherlands Indies (1796-1949).<sup>9</sup> In 1795, the Dutch state, which had just come under French rule, dissolved the VOC and WIC, and took over their responsibilities.<sup>10</sup> The state thus ‘inherited’ several territories, many of which it would subsequently lose to England. In the Netherlands Indies, it opted to depart from the old VOC model of direct rule over a small number of Europeans and indirect rule over all other residents, instead pursuing a more centralised administrative system based on direct rule and control over the entire population.<sup>11</sup> The result was an administrative structure for Europeans whose highest civil servant was the Governor-General, assisted by a council (*Raad van Indië*).<sup>12</sup> Alongside this structure was an ‘Indigenous Administration’ run by regents and local officials known as *wedono*’s. The judicial system was also divided, such that there was a high court and justice councils available for Europeans and residence courts for non-Europeans. The highest civil servant in the Netherlands Indies was the governor-general,

From 1813 until Indonesian independence in 1949, Dutch colonial territories could be divided into the West and East Indies. The Dutch West Indies included Suriname on the South American continent, as well as the Caribbean islands of the Dutch Antilles: Aruba, Curacao, Bonaire, Saba, Sint-Eustacius and Sint-Maarten.<sup>13</sup> The Netherlands Indies, also called the Dutch East Indies, spanned present-day Indonesia, which also includes the Moluccan islands and

6 Bart Verheijen, “Staatsburgerschap en Nederlanderschap in Nederlands-Indië in de negentiende eeuw,” *Tijdschrift voor Geschiedenis* 134, no 3 (December 1, 2021): 453, <https://doi.org/10.5117/TVG2021.3.006>. VERH.

7 Willems, “No Sheltering Sky: Migrant Identities of Dutch Nationals from Indonesia,” 34.

8 Simon Groenveld and Pieter Wagenaar, “De Republiek Der Verenigde Nederlanden: Het ‘makelaarskarakter’ van Het Nederlandse Openbaar Bestuur (1555-1795),” in *Duizend Jaar Openbaar Bestuur in Nederland*, ed Pieter Wagenaar, Toon Kerkhoff, and Mark Rutgers (Bussum: Uitgeverij Coutinho, 2011), 124.

9 Groenveld and Wagenaar, 125.

10 Boels, “Van Statenbond Naar Eenheidsstaat: De Groei van Een Natie (1795-1880),” 187.

11 Boels, 187.

12 Boels, 187.

13 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 608.

Western New Guinea. Colonial territories were central to Dutch economic development. For example, in 1830, the governor-general of the Netherlands Indies introduced the “Cultivation System” (*Cultuurstelsel*) on the island of Java, a law under which the indigenous population was forced to cultivate products like coffee, indigo, sugar, and tea for the metropolitan market.<sup>14</sup> Farmers were paid a price well below market value. A state-owned enterprise would transport these goods back to the metropole. The system generated enormous profits for the Dutch treasury, while aristocrats in The Hague and Amsterdam acquired the most lucrative contracts.<sup>15</sup>

In 1945, metropolitan Netherlands contained fewer than nine million inhabitants, while the Netherlands Indies counted 70 million.<sup>16</sup> Suriname, despite its size (almost 150,000 square kilometres) had a far smaller population of around 140,000 individuals, while the six Caribbean islands taken together had 108,000.<sup>17</sup> In the twentieth century, colonial administration fell under the remit of the Department of Colonies and its successors: the Ministry of Overseas Kingdom (1949) and the Ministry of Overseas Affairs (1957). In 1959, the administration of Western New Guinea was placed in the hands of the Ministry of the Interior.<sup>18</sup>

### 5.2.3. A nation without citizens

Racialisation shaped citizenship law. This is manifest in the ongoing coexistence of slavery and subjecthood with the institution of citizenship. Some have argued that the Dutch lack an ‘internal’ tradition of slavery.<sup>19</sup> If ‘internal’ is understood as taking place on metropolitan soil, this is only partly true. Slavery was uncommon, but not unheard of in the Dutch metropole: Blakely documents 130 African slaves in the province of Zeeland in 1596, and “hundreds of black servants and slaves” serving as domestic workers, coachmen and in military roles in the mid-eighteenth century.<sup>20</sup> That said, slavery was more visible in other parts of Dutch empire. Enslaved Africans, whose labour on plantations powered the Surinamese contribution to the Dutch economy, formed a “mainstay of Suriname’s population”<sup>21</sup> beginning in the 1650s. In 1821, the Dutch government in the West Indies clarified that slaves were not citizens because “they are the property of their master.”<sup>22</sup> When slavery was abolished in 1863, the two systems of law that divided the free and enslaved merged into one, and all inhabitants of the Dutch

14 Hoogenboom, *Standensrijd En Zekerheid: Een Geschiedenis van Oude Orde En Sociale Zorg*, 61.

15 Hoogenboom, 61.

16 Gert Oostindie, “Postcolonial Migrants in the Netherlands: Identity Politics versus the Fragmentation of Community,” in *Postcolonial Migrants and Identity Politics: Europe, Russia, Japan and the United States in Comparison*, ed Ulbe Bosma, Jan Lucassen, and Gert Oostindie, vol 18, *International Studies in Social History* (New York, Oxford: Berghahn Books, 2012), 96.

17 Oostindie, 96 A.E Bayer, *Surinaamse Arbeiders in Nederland* (Assen: Van Gorcum & Comp N.V., 1965).

18 Vincent Kuitenbrouwer, “Beyond the ‘Trauma of Decolonisation’: Dutch Cultural Diplomacy during the West New Guinea Question (1950-62),” *The Journal of Imperial and Commonwealth History* 44, no 2 (2016): 306–27.

19 Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*; Mies van Niekerk, “Afro-Caribbeans and Indo-Caribbeans in the Netherlands: Premigration Legacies and Social Mobility,” *International Migration Review* 38, no 1 (2004): 158–83.

20 Allison Blakely, *Blacks in the Dutch World: The Evolution of Racial Imagery in a Modern Society* (Bloomington and Indianapolis: Indiana University Press, 1993), 225.

21 Karwan Fatah-Black, *White Lies and Black Markets: Evading Metropolitan Authority in Colonial Suriname, 1650-1800* (BRILL, 2015), 27, <https://doi.org/10.1163/9789004283350>.

22 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 61.

West Indies were formally granted full Dutch citizenship. Substantive rights followed later, as the enslaved were forced to remain in service with their old “master” for a further ten years.<sup>23</sup> The institution of slavery stretched to the Netherlands Indies as well, where rough estimates point to a VOC slave trade of approximately the same scale as the Dutch-Atlantic slave trade, even if the enslaved proportion of the total colonial populations was lower than in the West.<sup>24</sup>

Moreover, in the East, even if they were not enslaved, most inhabitants lacked citizenship rights. The 1892 *Nationaliteitswet* divided the population into citizens (with political rights) and subjects (without them). The vast majority of residents were assigned subject status. This status was then subdivided into a status for *inlanders* (‘indigenous’ Indonesians – an overwhelming majority) and so-called ‘Foreign Orientals’ (*Vreemde Oosterlingen*; mostly of Chinese origin).<sup>25</sup> Meanwhile, citizenship was granted white Europeans, who were also known as *totoks*, after a Malay word for ‘foreign-born,’<sup>26</sup> as well as a select number of non-Europeans. To become Dutch citizens, those assigned subject status needed to have a European father (a white mother did not count), and they or their ancestors needed to have been officially recognised by their father before 1892.<sup>27</sup> This constituency was known as *Indische Nederlanders*. A 1910 law kept this citizen-subject distinction but gave it a new name: *inlanders* became ‘indigenous Dutch subjects non-Dutch citizens’ (*Inbeemse Nederlandse onderdanen niet-Nederlanders*) and Foreign Orientals became ‘non-indigenous Dutch subjects non-Dutch citizens’ (*Uitbeemse Nederlandse onderdanen niet-Nederlanders*).<sup>28</sup> Dutch citizens remained Dutch citizens (about 60-70 per cent of which were *Indische Nederlanders* and 30-40 per cent *totoks*).

Some scholars have argued that these classifications were not racial, because they were about Europeaness, religion, class, or education.<sup>29</sup> They cite the fact that, for instance, ‘Europeaness’ was a status also granted to Africans recruited from the Gold Coast for military service from the 1820s on.<sup>30</sup> However, race has been historically related, but not logically reducible, to skin colour. It is a mode of classification that divides human subjects based on dimensions whose relationship to phenotypes is tenuous. In this case, citizenship categories in the Netherlands Indies were racial because they used cultural markers like ‘Europeaness’ and ‘civilisation(al attainment)’ to create discrete categories of human subjects,<sup>31</sup> clearly arranged

23 Bayer, *Surinaamse Arbeiders in Nederland*, 18.

24 Reggie Baay, *Daar Werd Wat Gruwelijks Verricht; Slavernij in Indië* (Amsterdam: Athenaeum, 2015).

25 Oostindie, “Postcolonial Migrants in the Netherlands: Identity Politics versus the Fragmentation of Community,” 96.

26 Residents of the Netherlands Indies who were born in China were also called *totok* Chinese, as opposed to *peranakan* Chinese who were born in the colony.

27 Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*, 83.

28 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 82 Laarman, *Oude Onbekenden: Het Politieke En Publieke Debat over Postkoloniale Migranten, 1945-2005*, 36.

29 Luttikhuis, “Beyond Race: Constructions of ‘Europeaness’ in Late-Colonial Legal Practice in the Dutch East Indies.” Verheijen, “Staatsburgerschap en Nederlanderschap in Nederlands-Indië in de negentiende eeuw.” Bosma, *Terug Uit De Koloniën: 60 Jaar Postkoloniale Migranten En Hun Organisaties*.

30 Blakely, *Blacks in the Dutch World: The Evolution of Racial Imagery in a Modern Society*, 240.

31 Verheijen, “Staatsburgerschap en Nederlanderschap in Nederlands-Indië in de negentiende eeuw,” 453.

into a hierarchy where rights and freedoms accrued to one end and lacked in another. In practice, such schema are always unruly and messy.<sup>32</sup>

#### 5.2.4. Decolonisation

The Second World War marked the beginning of several years of fighting over the future of the Netherlands Indies. By the 1930s, powerful pro-independence movements had emerged. During the Second World War, their mobilisation capacity grew.<sup>33</sup> In 1942, anticipating that their authority in the colonies might suffer, the Dutch government-in-exile called for a ‘kingdom congress’ (*Rijksconferentie*). The idea was to renegotiate the relationship between different parts of the kingdom.<sup>34</sup> Queen Wilhelmina had envisioned “a new kingdom, in which... each entity would be independent, but certain problems would be decided jointly by an authority in which both parties would be represented.”<sup>35</sup> Indonesian nationalists had other plans and declared independence two days after Japanese capitulation on 17 August 1945. The Dutch government, however, was not ready to grant it. Joseph Luns, the Catholic foreign minister, cited a fear of descending to the “rank of Denmark” in international politics if the Netherlands Indies were lost.<sup>36</sup> The Dutch private sector also had substantial economic interests that mainstream political parties were keen to defend.<sup>37</sup> Subsequently the government deployed nearly 220,000 troops in major military operations known euphemistically as ‘police actions’ designed to thwart Indonesian independence<sup>38</sup> and, ostensibly, to protect Dutch lives in the colony.<sup>39</sup> From the perspective of the Dutch government, these campaigns succeeded militarily in (re)capturing territories and independence leaders.<sup>40</sup> However, they came at a high political cost. A recent analysis of witness accounts suggests that Dutch forces committed at least 800 and possibly more like ‘tens of thousands’ of war crimes during this time.<sup>41</sup> The Netherlands became one of the first countries to be condemned by the new UN Security Council.<sup>42</sup> In March 2020, the king of the Netherlands offered his apologies to the Indonesian government for the “excessive violence on the part of the Dutch” in those years.<sup>43</sup> Indonesia achieved its independence in 1949. The Netherlands and Indonesia cooperated in a new federal

32 Stoler, *Along the Archival Grain*.

33 Oostindie, “Postcolonial Migrants in the Netherlands: Identity Politics versus the Fragmentation of Community,” 98.

34 Ryçond Santos do Nascimento, “Het Koninkrijk Ontsluierd” (Groningen, Rijksuniversiteit Groningen, 2016), 248.

35 van Nieuwenhuizen, *Willem Drees: Vernieuwer Voor*, in *En Na de Oorlog*, 96.

36 Kuitenbrouwer, “Beyond the ‘Trauma of Decolonisation’: Dutch Cultural Diplomacy during the West New Guinea Question (1950–62),” 309.

37 van Nieuwenhuizen, *Willem Drees: Vernieuwer Voor*, in *En Na de Oorlog*, 102.

38 Arend Lijphart, *The Trauma of Decolonization: The Dutch and West New Guinea* (New Haven and London: Yale University Press, 1966) Gert Oostindie, Ireen Hoogenboom, and Jonathan Verwey, “The Decolonization War in Indonesia, 1945–1949: War Crimes in Dutch Veterans’ Egodocuments,” *War in History* 25, no 2 (April 2018): 254–76, <https://doi.org/10.1177/0968344517696525>.

39 van Nieuwenhuizen, *Willem Drees: Vernieuwer Voor*, in *En Na de Oorlog*, 100.

40 Andeweg and Irwin, *Governance and Politics of the Netherlands*, 9.

41 Gert Oostindie, *Soldaat in Indonesië, 1945–1950* (Amsterdam: Prometheus Books, 2017), 176.

42 Andeweg and Irwin, *Governance and Politics of the Netherlands*, 9.

43 Royal House of the Netherlands, “Statement by King Willem-Alexander at the Beginning of the State Visit to Indonesia” (Jakarta, March 10, 2020), <https://www.royal-house.nl/documents/speeches/2020/03/10/statement-by-king-willem-alexander-at-the-beginning-of-the-state-visit-to-indonesia>.

structure known as the Netherlands-Indonesia Union until Indonesia left it in 1956. Relations between Indonesia and its former coloniser soured rapidly. Diplomatic ties were severed in 1960. Western New Guinea remained Dutch up until 1962.<sup>44</sup> The Netherlands had historically justified their control over Western New Guinea in racial terms, arguing that the Papuans who lived there differed from other populations in the Indonesian archipelago on account of their “negroid” race and benefited from Dutch tutelage.<sup>45</sup> Kuitenbrouwer argues that this logic became problematic after UNESCO published a report condemning race as a social myth.<sup>46</sup>

Immediately after Indonesian independence, Antillean and Surinamese colonies acquired new importance in Dutch domestic politics.<sup>47</sup> With an eye to avoiding another colony unilaterally terminating the colonial relationship, a Round Table Conference (RTC) was prepared.<sup>48</sup> This conference served as the basis for the 1954 Charter of the Dutch Kingdom (*Het Statuut*), which entered into force on 29 December 1954. The Charter established the new legal structure of the Kingdom of the Netherlands as a voluntary relationship between the ‘equal’ and ‘autonomous’ countries of the Netherlands, Suriname, and the Antilles.<sup>49</sup> Dutch citizens enjoyed freedom of movement within the empire, but because of an asymmetry in overall economic and political power across the countries, Oostindie considers these promises of equality “utterly fictitious.”<sup>50</sup> Governance would be assured by a ministerial council of the kingdom (which included ministers from Suriname and the Antilles), but there was no representative assembly, creating “the democratic deficit of a kingdom government without a corresponding kingdom parliament.”<sup>51</sup>

Not long after the RTC, Dutch attachment to its colonies waned. In 1959, Prime Minister Drees had asked whether the Netherlands could unilaterally restrict entry of citizens from its colonies, as migration from the Caribbean picked up. The Ministry of Justice answered in the negative, concluding that such a restriction would require approval of the ministerial council of the kingdom and be “virtually impossible.”<sup>52</sup> Between 1961 and 1970, an average of 4,000 new entrants from this region had arrived per year.<sup>53</sup> In 1970, there were 40,000 Surinamese and Antillean Dutch citizens living in the Netherlands.<sup>54</sup> By the early 1970s, Labour MP van Lier spoke of a “rising tide” of immigration, and the headline of an interview

44 Kuitenbrouwer, “Beyond the ‘Trauma of Decolonisation’: Dutch Cultural Diplomacy during the West New Guinea Question (1950-62),” 309.

45 Kuitenbrouwer, 312.

46 Kuitenbrouwer, “Beyond the ‘Trauma of Decolonisation’: Dutch Cultural Diplomacy during the West New Guinea Question (1950-62).”

47 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 182.

48 Jones, 182.

49 Jones, 187.

50 “Black Power, Popular Revolt, and Decolonization in the Dutch Caribbean,” in *Black Power in the Caribbean*, ed Kate Quinn (Gainesville: University Press of Florida, 2014), 240.

51 Oostindie, “Black Power, Popular Revolt, and Decolonization in the Dutch Caribbean.”

52 Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*, 131.

53 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 209.

54 Oostindie, “Postcolonial Migrants in the Netherlands: Identity Politics versus the Fragmentation of Community,” 100.



with the Christian Democratic Prime Minister van Agt read: “the Surinamese current must be dammed.”<sup>55</sup> Schuster notes the impact of these metaphors in Dutch national discourse after the North Sea flood of 1953 (*Watersnoodramp*), an unprecedented natural disaster for the twentieth century during which dykes were breached in over 150 locations and 1,836 people lost their lives.<sup>56</sup> Suriname became independent in 1975.

### 5.2.5. Citizenship after Indonesian independence

In this section, I chart how the legal status of former Dutch citizens and subjects of the East Indies changed with Indonesian independence. A 1949 agreement (*Toescheidingsovereenkomst*) between the Netherlands and the new Indonesian Republic crystallised citizenship rights. The agreement borrowed the racial distinctions from the colonial nationality code to divvy up citizenship rights. Those with Dutch citizenship according to 1892 and 1910 law (less than one per cent of the population) would receive Dutch citizenship, while former Dutch subjects would become Indonesian citizens. Dutch citizens could opt for Indonesian nationality within two years if they were born in Indonesia or had lived there for at least six months.<sup>57</sup> The jurist Kollewijn, who chaired the Dutch delegation of negotiators with Indonesia in 1947, explained that this clause was mainly aimed at dissuading Indische Nederlanders from keeping Dutch citizenship.<sup>58</sup> His team had pushed for a longer time period, but the Indonesians had wanted only six months, and two years was seen as an acceptable compromise. Dutch multinationals like Shell and Unilever also encouraged the adoption of Indonesian nationality so as to retain their employees.<sup>59</sup> Notably, the largest interest group representing Indische Nederlanders, the IEV (*Indo-Europeesch Verbond*), also supported staying in Indonesia, having crossed over from the Dutch to Indonesian side during the immediate post-war years.<sup>60</sup> However, IEV membership dramatically decreased due to this move.<sup>61</sup>

The Dutch government used creative tactics to cordon off access to political membership in the wake of Indonesian independence. As the two-year period drew to a close, and less than 20 per cent of Indische Nederlanders with the right to opt for Indonesian nationality had done so,<sup>62</sup> High Commissioner Lamping delivered an impassioned radio speech pleading for the adoption of Indonesian nationality. In Lamping’s speech he argued for his listeners “not to keep [their] sights set too firmly on the Netherlands or on Dutch citizenship.”<sup>63</sup> The speech is noteworthy for its deployment of multiple rhetorical devices, including appeals to reason (“I would like to encourage everyone who stands before this difficult choice not to be

55 Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*, 134.

56 Schuster, 134.

57 Schuster, 93.

58 Schuster, 83.

59 Rosen Jacobson, ‘*The Eurasian Question: The colonial position and postcolonial options of colonial mixed ancestry groups from British India, Dutch East Indies and French Indochina compared.*’ (Hilversum: Verloren, 2018), 151.

60 Rosen Jacobson, ‘*The Eurasian Question*’, 137.

61 Rosen Jacobson, ‘*The Eurasian Question*’, 138.

62 Jones, ‘Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,’ 147.

63 NL-HaNA-2.20.27-24- Speech Lamping, December 1951.



seduced by sentiments and impulsivity”), reference to employment prospects (warning against the “diminishing opportunities for work and existential difficulties”), and imbuing the choice with the moral and family values animating Dutch life at the time (“this is a decision of vital importance for your offspring”). He concludes that “only those who know the Netherlands well enough to know that they will feel at home there, and will be in a position to eke out a reasonable existence there, despite the *fierce and increasing* competition on the labour market of an *overpopulated* country with *specialised labour power* in every field, should hold on to their Dutch nationality.”<sup>64</sup> When the two-year time period elapsed on 27 December 1951, there were approximately 13,600 requests to swap Dutch for Indonesian nationality (about half of which took place in December); since these were per family, about 31,000 former Dutch citizens became Indonesian.<sup>65</sup> From that moment on, Dutch opted for a new tactic of scrutinising the rights of existing citizens. The case of the intellectual Guus Cleintuar is illustrative. Having come to the Netherlands in 1946 with a Dutch passport, Cleintuar reported to his local municipality in 1952 only to find out that his passport was being taken back because his great-grandfather had not recognized his grandfather by Dutch law before 1892.<sup>66</sup>

### 5.2.6. Repatriates and regretants

The word ‘repatriate’ (*repatriant* or *gerepatrieerde*) first appeared in official Dutch statistics in 1931, but gained traction during the Second World War, which provoked mass dislocation. In May 1943, a committee was established in London with the goal of “preparing for the repatriation of Dutch citizens abroad.” There were an estimated 11 million Displaced Persons (DPs), including former prisoners of war, fugitives, concentration camp survivors, and forced labourers, throughout Europe, of which 3 per cent had Dutch nationality.<sup>67</sup> The committee eventually suggested installing a formal “Repatriation Commissioner.”<sup>68</sup> As of 13 September 1944, the Repatriation Commissioner was responsible for getting Dutch citizens to the Netherlands, upon which their integration would become a task for the Director-General of the Dutch Employment Office (*Rijksarbeidsbureau*), supported by the municipalities. From 1 January 1946, a “Repatriation Department” (*Afdeling Repatriëring*) was established in the Ministry of Social Affairs to take over any remaining duties.<sup>69</sup> Initially, repatriation from the Netherlands Indies was explicitly excluded from its mandate.<sup>70</sup>

This repatriation, however, was to quickly reach the same magnitude as the repatriation of DPs. Roughly half of the 250,000 Dutch citizens in the Netherlands Indies had been

64 Emphasis added; NL-HaNA-2.20.27-24- Speech Lamping, December 1951.

65 Ringeling, *Beleidsvrijheid van ambtenaren: het spijtoptantenprobleem als illustratie van de activiteiten van ambtenaren bij de uitvoering van beleid*. (Alphen aan den Rijn: Samson Uitgeverij, 1978), 80.

66 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 149.

67 This statistic comes from 1944; Marlou Schrover and Tycho Walaardt, “Displaced Persons, Returnees and ‘Unsuitables’: The Dutch Selection of DPs (1945–1951),” *Continuity and Change* 33, no 3 (December 2018): 413–40, <https://doi.org/10.1017/S0268416018000255>.

68 J.Th Janssen, G Leenders, and G.V.W.L van Rooij, inventory of the archives of *Ministerie van Sociale Zaken: Regeringscommissaris Voor Repatriëring; Afdeling Repatriëring En Opsporing; Missie Tot Opsporing van Vermiste Personen Uit de Bezettingstijd, 1943-1952*. 2.15.43. 2022, 10.

69 Janssen, Leenders, and van Rooij, 12.

70 Janssen, Leenders, and van Rooij, 13.

interned in Japanese camps during the Second World War.<sup>71</sup> Between 1945 and 1949, British allied forces helped to evacuate around 100,000 of these former internees, who had a right to recuperation.<sup>72</sup> This initial wave consisted mainly of totoks,<sup>73</sup> not least because the evacuation policy of the Netherlands stipulated that only those war victims “for whom the Netherlands was the mother country” should be allowed to enter, whereas Indische Nederlanders were thought to need to recuperate in “an Asian country.”<sup>74</sup> With time, the proportion of Indische Nederlanders grew as retaliatory violence against those associated with Dutch colonial rule picked up.<sup>75</sup> In December 1957, on “Black Sinterklaas,” all Dutch were declared an enemy to the state and were summoned to leave.<sup>76</sup> Indonesia implemented a landing ban on KLM flights, forbade Dutch publications, confiscated Dutch assets and dissolved Dutch companies.<sup>77</sup>

Overall, between 1949 and 1962, approximately 90 per cent of everyone who had Dutch citizenship left Indonesia.<sup>78</sup> They were accompanied by non-Dutch citizens with links to Dutch colonial rule, notably highly educated Indonesians and Christians and seven thousand Chinese.<sup>79</sup> At this time, labour shortages were acute. In April 1955, the Directorate-General of Employment Services of the Ministry of Social Affairs (*Directoraat-Generaal Arbeidsvoorziening*, ARBVO) made a plea for temporary guest workers.<sup>80</sup> This followed efforts by individual employers, like directors of Dutch mines, to recruit foreigners from displaced person (DP) camps, which began in 1947.<sup>81</sup> The war had cost the lives of about three per cent of the Dutch population in the metropole, and between 1946 and 1969, 460,000 Dutch metropolitan citizens had emigrated.<sup>82</sup> In quantitative terms, Canada and Australia were the most important destinations.<sup>83</sup> Housing shortages, the slow pace of reconstruction efforts, and fears of unemployment or another world war were the main reasons for emigration.<sup>84</sup> Additionally, there was a severe shortage of coal, which according to newspapers only an increase in the number of coal miners could solve.<sup>85</sup> Dutch coal mines were located in South

71 Ulbe Bosma, ed., *Post-Colonial Immigrants and Identity Formations in the Netherlands* (Amsterdam: Amsterdam University Press, 2012), 9.

72 Willems, *De Uittocht Uit Indië, 1945-1995*, 19.

73 Oostindie, “Postcolonial Migrants in the Netherlands: Identity Politics versus the Fragmentation of Community,” 106.

74 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 147.

75 Jones, 65.

76 Laarman, *Oude Onbekenden: Het Politieke En Publieke Debat over Postkoloniale Migranten, 1945-2005*, 65.

77 Ellemers and Vaillant, *Indische Nederlanders En Gerepatrieerden*.

78 Bosma, *Terug Uit De Koloniën: 60 Jaar Postkoloniale Migranten En Hun Organisaties*; see also Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*, 83.

79 Bosma, *Post-Colonial Immigrants and Identity Formations in the Netherlands*, 9. Oostindie, “Postcolonial Migrants in the Netherlands: Identity Politics versus the Fragmentation of Community,” 102.

80 Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*.

81 Schrover and Walaardt, “Displaced Persons, Returnees and ‘Unsuitables,’” 413.

82 J.H. Elich and P.W. Blauw, *En Toch Terug* (Rotterdam: Erasmus University, 1981).

83 van Faassen, *Polder en Emigratie* (Groningen: Rijksuniversiteit Groningen, 2014), 25.

84 van Faassen, *Polder en Emigratie*, 5.

85 Schrover and Walaardt, “Displaced Persons, Returnees and ‘Unsuitables,’” 413.

Limburg, a thin strip of land in the south of the country bordering Germany and Belgium.<sup>86</sup> In 1964 and 1969, the Netherlands signed labour recruitment agreements with Turkey and Morocco, respectively; but it took until 1972 for the number of work permits for these migrants to exceed 100,000.<sup>87</sup> At 300,000, the number of migrants from the Netherlands Indies made up the lion's share of immigration flows prior to this date.<sup>88</sup>

The entry rights of those without Dutch citizenship were not guaranteed. This became increasingly problematic as conditions for those with ties to the former colonisers deteriorated. Declining work and career prospects, in particular, became primary motives to seek refuge in the Netherlands.<sup>89</sup> This concerned "regrettants" (*spijtoptanten*, regretting optants) – those who had eventually opted to give up their Dutch nationality at independence, about 32,000 people – as well as those who never had Dutch nationality but considered themselves, and were seen by the Indonesians, as such.<sup>90</sup> The latter were known as the social Dutch (*maatschappelijke Nederlanders*) or, if they had received formal recognition of their de facto Dutchness, the equalised (*gelijkgestelden*). Definitions of these groups were fuzzy, as even the Minister of Justice Beerman, a Christian Democrat, admitted. "We talk about regrettants and social Dutch, but if we were obliged to define these concepts, it would be difficult."<sup>91</sup> Regrettants was sometimes used to refer to all, and for simplicity I adopt this practice here as well.

Some regrettants managed to reverse their decision to opt for Indonesian nationality and become naturalised Dutch citizens. However, as Ringeling writes, "this naturalisation did not reach great proportions," as it was not customary to naturalise people who did not live in the Netherlands.<sup>92</sup> This practice ended in 1956, after which naturalisation often only took place years (sometimes decades) after their arrival in the Netherlands.<sup>93</sup> Sometimes, regrettants could acquire citizenship on their own, for example through (sham) divorces or adoptions. At that time, marrying a foreigner as a woman meant losing Dutch citizenship. The exact numbers who acquired citizenship in this way is unclear, although Laarman records around 9,000 married Dutch women wanted their Dutch nationality back.<sup>94</sup> What is clear is that in principle, without citizenship, regrettants would need to apply for a visa like any other foreigner.<sup>95</sup> Presumably in order to stem the flow of refugees from Indonesia, the foreign minister had pushed through a visa requirement for Indonesian citizens on short notice on 1 December 1952, citing "political reasons" and the desire to ensure the "safety of the Netherlands" by keeping out "unwanted

86 After the Second World War, the importance of these mines only grew, and thanks to mechanisation, production increased rapidly at first. However, outcompeted by US coal mines, the last coal was mined from Limburg in 1974. Jack Voncken, "Ontstaansgeschiedenis van de Steenkoolwinning in Nederland," *Human Resources for Health - HUM RESOUR HEALTH*, January 1, 2008, 37.

87 Obdeijn and Schrover, *Komen En Gaan. Immigratie En Emigratie in Nederland Vanaf 1550*, 286.

88 Willems, *De Uittocht Uit Indië, 1945-1995*, 34.

89 Rosen Jacobson, 'The Eurasian Question', 172.

90 Laarman, *Oude Onbekenden: Het Politieke En Publieke Debat over Postkoloniale Migranten, 1945-2005*, 65. 32,000 is the total number of individuals with Dutch citizenship who became Indonesian, reached because 13,000 (male) heads of household opted for Indonesian citizenship.

91 cited in Laarman, 58.

92 Ringeling, *Beleidsvrijheid van ambtenaren*, 84.

93 Laarman, *Oude Onbekenden*, 69.

94 Laarman, 68.

95 Laarman, 69.

Indonesians” prior to their arrival.<sup>96</sup> Substantively, obtaining a visa proved had proven difficult, as the high commissioner in Indonesia complained that one of the requirements - namely that Indonesian citizens possess a return ticket - was impossible to obtain because shipping companies in Indonesia did not give return tickets.<sup>97</sup>

Although the government attested that it had no *juridical* duty toward these Indonesian citizens, the argument that they had a *moral* duty had eventually gained traction.<sup>98</sup> In 1956, the government implemented a special admissions policy for regretants (regrettant policy, or *spijtoptantenbeleid*), to be administered by the Ministry of Justice.<sup>99</sup> However, very few managed to get a visa through it: no more than 600 in 1956 and 1,200 in 1957, out of 14,000 applicants.<sup>100</sup> Partly this is because the guidelines included an “extremely restrictive” quota<sup>101</sup> and admission was granted on a case-by-case basis, with eligibility criteria leaving much to the discretion of desk-level bureaucrats at the Ministry of Justice.<sup>102</sup> Indeed, there were “internal” admission guidelines for Indonesians that one official from the Ministry of Justice stressed were of “strictly internal character” and “should not be made public, especially in Indonesia,”<sup>103</sup> presumably out of fear that it would make stemming the inflow and discerning the authentic requests from the inauthentic requests more difficult. Under mounting critique from parliamentarians and pressure groups (see 6.4.4), guidelines were revised in 1959 and in 1960.<sup>104</sup> The increasing numbers of regretants admitted – 3,531 in 1961 compared to 1,200 in 1957 – testify somewhat to the mild relaxation of admissions criteria in the guidelines but mainly, as Ringeling argues, to a more liberal interpretation of said guidelines.<sup>105</sup> In late 1963, the decision was made to end the policy. Indonesians were informed that the deadline for requesting a visa under this special admissions scheme was possible until April 1, 1964, after which “normal” criteria under immigration policy would apply.<sup>106</sup> The last decisions pertaining to requests submitted under the special admissions scheme were issued in 1968.<sup>107</sup> Overall, the scheme accommodated about 6,800 requests which, because they were submitted per household, admitted approximately 25,000 regretants to the Netherlands.<sup>108</sup>

### 5.2.7. Stateless soldiers

There was another group of arrivals from the Netherlands Indies who did not have Dutch citizenship. The Moluccans (formerly known as *Ambonese*) were the former residents of

96 NL-HaNA-2.09.52-134-Letter from Minister of Foreign Affairs to Minister of Justice, October 23 1951.

97 NL-HaNA-2.09.52-136-Letter from Drs H Warner to Head of Visa diets, 5 February 1955.

98 Laarman, *Oude Onbekenden: Het Politieke En Publieke Debat over Postkoloniale Migranten, 1945-2005*, 70.

99 Ellemers and Vaillant, *Indische Nederlanders En Grepatrieerden*, 43.

100 Willems, *De Uittocht Uit Indië, 1945-1995*, 161.

101 Ringeling, *Beleidsvrijheid van ambtenaren*, 86.

102 Laarman, *Oude Onbekenden: Het Politieke En Publieke Debat over Postkoloniale Migranten, 1945-2005*, 72.

103 NL-HaNA-2.09.52-134-Letter from W.G Tenkink to the Minister of Justice.

104 NL-HaNA-2.20.27-24-“Onze Indische Nederlanders,” 1960 Willems, *De Uittocht Uit Indië, 1945-1995*, 162.

105 Ringeling, *Beleidsvrijheid van ambtenaren*, 116.

106 Ringeling, 86.

107 Ringeling, 86.

108 Ringeling, 30.

South Moluccan islands of Ambon, Seram, Haruku, Saparua and Nusu Laut.<sup>109</sup> These islands were among the first colonised by the Dutch, among the most influenced by early Protestant missions, and targeted for recruitment with the royal Dutch army in the Netherlands Indies (*Koninklijk Nederlands Indische Leger*, KNIL).<sup>110</sup> As late as 1949, Dutch MPs had considered Moluccans “much closer to the Dutch citizen than many other peoples of Indonesia.”<sup>111</sup> Their construction as culturally proximate served those who wanted to justify their involvement in Dutch military efforts. However, when political circumstances changed, so did their cultural proximity. In July 1950, after Indonesian independence, KNIL was disbanded. Only totok soldiers were transferred to the Royal Netherlands Army.<sup>112</sup> ‘Indigenous’ soldiers like Moluccans were asked to serve in the Indonesian army (their former enemy) or demobilise on enemy-controlled territory. They understandably refused.

Dutch officials had granted entry rights only with considerable reluctance, offering temporary relocation after a court ruled against their forced demobilisation.<sup>113</sup> In 1951, 4,000 Moluccan colonial soldiers and 8,000 of their spouses and family members made the trek. Top-level officials like Minister van Thiel, the first Minister of Social Work, suggested deporting them and framed this as repatriation,<sup>114</sup> betraying attempts by powerful actors to exclude them not only from the ‘repatriate’ identity but also from belonging in the Dutch nation. The Minister of Union Affairs and Overseas Territory saw their arrival in the Netherlands as the “worst imaginable solution,” and showcased the importance of racialisation in justifying these sentiments by lamenting that Moluccans’ inassimilability stemmed from their “physical condition,” “fitness for work,” and “habits of life and social views.”<sup>115</sup> A separate official concurred that these traits, alongside “the Dutch climate” rendered them “ill-disposed for permanent residence.”<sup>116</sup> Similarly in 1959, Minister Klompé justified their treatment with the need to account for the “strength” of their “collective mentality.”<sup>117</sup>

Citizenship rights were squarely off the table, even when the alternative was statelessness. The 1949 Citizenship Agreement held that Indonesian nationality would expire if an individual was outside of Indonesia for five years without filing for extension. On principle, most Moluccans did not do this. Consequently, over three quarters were stateless by the early 1970s.<sup>118</sup> Meanwhile, juridical ambiguity prevailed. In 1968, a local police agent queried the chief of police regarding a man listed in one register as Indonesian and in another together

109 Inventory of the archives of the *Commissariaat van Ambonezenzorg*, (1949) 1952-1970, 2.27.148, Nationaal Archief, Den Haag, 1985.

110 Hans van Amersfoort, “The Waxing and Waning of a Diaspora: Moluccans in the Netherlands, 1950-2002,” *Journal of Ethnic and Migration Studies* 30, no 1 (2004): 154.

111 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 97.

112 Willems, *De Uittocht Uit Indië, 1945-1995*.

113 van Amersfoort, “The Waxing and Waning of a Diaspora: Moluccans in the Netherlands, 1950-2002,” 154.

114 van Amersfoort, 154.

115 Laarman, *Oude Onbekenden: Het Politieke En Publieke Debat over Postkoloniale Migranten, 1945-2005*.

116 Jones, “Tussen Onderdanen, Rijksgenoten En Nederlanders: Nederlandse Politici over Burgers Uit Oost En West En Nederland, 1945-2005,” 112.

117 Jones, 150.

118 Jones, 129.

with his children as stateless.<sup>119</sup> The agent pleaded urgently for clearer guidelines, suggesting an entanglement between Moluccans and law enforcement: “I have to work on [cases like] this daily.”<sup>120</sup>

### 5.3. Algerians, *pieds-noirs*, *harkis*

#### 5.3.1. Overview

Unlike in the Netherlands, considerable migration between colony and metropole predated the Algerian war of independence. For several decades prior to the Second World War, metropolitan employers had recruited Algerians to work in the industrial sector. After legislators formally equalised their status with that of French citizens in a 1947 statute, this migration only increased, since employers could avoid the new, heavy-handed recruitment procedure required for foreign labour. However, similar to the colonial code of the Netherlands Indies, various nationality laws of Algeria consistently retained two distinct categories of French nationals: ‘Muslim’ subjects and ‘European’ citizens. Each was imbued with racial meaning and proved durable despite unsuccessful attempts to stabilise colonial rule by eliminating them. In fact, the categories were more durable than the phenomena they were invoked to describe. Prior to Algerian independence, when French policymakers referred to “Muslim French” citizens, they meant Algerian labour migrants; afterward, they meant *harkis* who had supported French military efforts in the war.

#### 5.3.2. French empire

The French colonial project cannot be understood in isolation from transformations on the metropole. For one, the colonisation of overseas territories paralleled the expansion and consolidation of French national territory on the European continent. Although historians sometimes accept the Capetian dynasty in the late first century AD as the starting point of France - because it established “important continuity in French history”<sup>121</sup> - the French nation would take many centuries to assume any kind of coherence. Five languages were spoken in medieval France.<sup>122</sup> In the seventeenth century, France established its first colonial settlements in North America (present-day Canada), and in the West Indies (e.g. present-day French Guiana, Saint Kitts), all whilst expanding its European territory, after the Treaty of Westphalia, to include Alsace, Flanders, and French Comté.<sup>123</sup> Meanwhile, when the 1789 French Revolution swapped the king, aristocracy and church for the nation as the centre of authority in metropolitan France,<sup>124</sup> colonial subjects seized an opportunity to challenge

119 NL-HaNA-2.09.52-264-Letter, Jacob de Ruiter, 26 August 1968.

120 NL-HaNA-2.09.52-264-Letter, Jacob de Ruiter, 26 August 1968.

121 Douglas Johnson, “The Making of the French Nation,” in *The National Question in Europe in Historical Context*, ed Mikulas Teich and Roy Porter, 1st ed (Cambridge University Press, 1993), 36, <https://doi.org/10.1017/CBO9780511622298.003>.

122 Johnson, 41.

123 Johnson, 47.

124 Johnson, 48.



French authority altogether. In 1791, more than 500,000 slaves revolted in Saint-Domingue (present-day Haiti), which was considered the “pearl” of French colonies for its sugar and coffee production.<sup>125</sup> Under the leadership of the Haitian general Toussaint Louverture, the insurgents borrowed from the newborn currents of liberty, fraternity, and equality to fight and eventually successfully defeat their colonial oppressor in 1804.<sup>126</sup>

Whilst metropolitan France expanded on the European continent throughout the nineteenth century, overseas colonisation continued. In 1804, the same year that Haiti formally won its independence, Napoleon Bonaparte declared himself emperor and expanded his reign over almost all of Europe (present-day Netherlands included). In 1830, French troops invaded Algiers. By 1848, present-day Algeria was declared French national territory and divided into three metropolitan-style administrative departments: Algiers, Oran, and Constantine.<sup>127</sup> The same year, Louis-Napoléon was elected President of the Second Republic, a post that he would unilaterally turn into an imperial title a few years later. Governance was subsequently transferred from Algiers to Paris, and the ties between metropole and colony multiplied, including in infrastructural terms: by the 1860s, the journey from Paris to Algiers took only four days.<sup>128</sup> An Algerian Governor General represented the Republic to ensure the continuity of French institutions overseas.<sup>129</sup> While Jules Ferry was instituting a role for the state in the “moral education” of French children, he was using a similar language to justify the “civilising mission” of colonising “inferior races.”<sup>130</sup> French colonisation continued with the conquest of Tunisia and Morocco in 1881 and 1912 respectively, which became protectorates rather than integral parts of French territory like Algeria. By the early 20<sup>th</sup> century, the French empire was 18 times the size of metropolitan France.<sup>131</sup>

### 5.3.3. (Algerian) French

For almost all of French colonial history, imperial residents did not enjoy equal French citizenship. Just like in the Netherlands, the persistence of slavery stands as a stark reminder. The first attempt to abolish slavery took place in 1794, as a decree formalised what Haitian revolutionaries had accomplished by force.<sup>132</sup> Napoleon, however, reestablished it in 1804. In 1848, a committee preparing the second attempt at the abolition of slavery proclaimed that France “no longer intends to make any distinction in the human family.”<sup>133</sup> However, that

125 Olivier Pluen, “1315-1946: Le Mythe d’un ‘Empire’ Français sans Esclavage,” *Histoire de La Justice*, Association française pour l’histoire de la justice, N°31 (January 2021): 19–43.

126 Stoler and Cooper, “Between Metropole and Colony: Rethinking a Research Agenda.”

127 Jennifer E Sessions, “Colonizing Revolutionary Politics: Algeria and the French Revolution of 1848,” *French Politics, Culture & Society*, SPECIAL ISSUE The Politics of Empire in Post-Revolutionary France, 33, no 1 (2015): 76.

128 Jack Harrington, “The Imperial Citizen: British India and French Algeria,” in *Citizenship after Orientalism*, ed Engin Isin, Palgrave Studies in Citizenship Transitions (London: Palgrave Macmillan, 2015), 57.

129 Scioldo-Zürcher, *Devenir Métropolitain: Politique d’intégration et Parcours de Rapatriés d’Algérie En Métropole (1954-2005)*, 33.

130 Lyons, *The Civilizing Mission in the Metropole: The French Welfare State during Decolonization*, 19.

131 Colley, “‘This Small Island’: Britain, Size and Empire,” 174.

132 Nelly Schmidt, “Abolition de l’esclavage: Entre Mythes et Réalités,” *Africultures* N°67 (February 2006): 18–24.

133 Emmanuelle Saada, “Citoyens et Sujets de l’Empire Français: Les Usages Du Droit En Situation Coloniale,” *Genèses* 53, no 4 (2003): 15.



same committee agreed that the status of “indigenous” populations in Algeria would remain unchanged on the grounds that they had not yet acquired the civilising customs proper to a citizen.<sup>134</sup> Without more detail, colonial administrators were left in the dark about what exactly this status entailed. An 1862 court ruling determined that Algerians were granted a peculiar legal status; that of French national (*ressortissant*) but not of citizen (*citoyen*).<sup>135</sup> According to one estimate, 1911 Algeria was home to around 500,000 citizens and five million non-citizens.<sup>136</sup>

Algerian residents retained distinct forms of political membership throughout time. An 1865 law developed during the Second Empire (1858-1870) elaborated on the court’s ruling by assigning “indigenous” Algerians a local, rather than common, civil status (*statut de droit local*, as opposed to *statut de droit commun*).<sup>137</sup> On the one hand, this meant formally recognising traditional legal systems and customs, but on the other, it meant exonerating colonial officials from the standards of prevalent European legal norms.<sup>138</sup> The result of this law and subsequent legislation passed during the Third Republic (1870-1940) was a system of a ‘universal’ and invisible French nationality within which two different legal categories fell: that of citizen with a status under the common civil code and that of subject with a status under local, customary law.<sup>139</sup> This distinction broke with a basic tenet of republicanism and formal professions of universalism, brotherhood and tolerance with which French colonial history is replete.<sup>140</sup> Subjects could not vote or represent themselves in administrative bodies.<sup>141</sup> They found themselves both required to submit to French sovereignty and unable to participate in its decision-making.<sup>142</sup> Ironically, administrators justified this second-class legal status with reference to the subjects’ adherence to customary civil codes. Although this was mandatorily assigned, it was portrayed as antithetical to the responsible exercise of civic duties.<sup>143</sup>

The uneven character of membership in French Algeria fed into the racialisation of French citizens and subjects.<sup>144</sup> In Algeria, most citizens were white colonists who emigrated from metropolitan France or other parts of Europe. Many emigrants came from Spain, Italy, Germany, Malta, and Switzerland.<sup>145</sup> Under an 1889 law, all of the above were automatically naturalised as French citizens if they were born in Algeria.<sup>146</sup> One explanation for this move

134 Saada, “Citoyens et Sujets de l’Empire Français: Les Usages Du Droit En Situation Coloniale.”

135 Saada.

136 Paul Meuriot, “Population et populations de l’Algérie,” *Journal de la société statistique de Paris*, 55, [http://www.numdam.org/item/JSFS\\_1914\\_55\\_239\\_0.pdf](http://www.numdam.org/item/JSFS_1914_55_239_0.pdf), 1914.

137 Lyons, *The Civilizing Mission in the Metropole: The French Welfare State during Decolonization*, 27.

138 Saada, “Citoyens et Sujets de l’Empire Français: Les Usages Du Droit En Situation Coloniale.” 13.

139 James E Genova, “Constructing Identity in Post-War France: Citizenship, Nationality, and the Lamine Guèye Law, 1946–1953,” *The International History Review* 26, no 1 (March 2004): 62, <https://doi.org/10.1080/07075332.2004.9641024>.

140 Laurent Dubois, “La République Métissée: Citizenship, Colonialism, and the Borders of French History,” *Cultural Studies* 14, no 1 (January 2000): 20, <https://doi.org/10.1080/095023800334968>.

141 S A Bezabeh, “Citizenship and the Logic of Sovereignty in Djibouti,” *African Affairs* 110, no 441 (October 1, 2011): 593, <https://doi.org/10.1093/afraf/adr045>.

142 Saada, “Citoyens et Sujets de l’Empire Français: Les Usages Du Droit En Situation Coloniale.” 17.

143 Saada, 18.

144 Saada, 19.

145 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 12.

146 Abderahmen Moumen, “De l’Algérie à La France Les Conditions de Départ et d’accueil Des Rapatriés, Pieds-Noirs et Harkis En 1962,” *Matériaux Pour l’histoire de Notre Temps* 3, no 99 (2010): 61.

was that it would furnish new white voters in support of the existing political regime.<sup>147</sup> The status of Jewish people was ambiguous until the 1870 Crémieux declaration naturalised them en masse.<sup>148</sup> The subject category meanwhile was occupied by Arabs, Berbers and other “indigenous” Algerians. After the First World War, the term “indigenous” was gradually replaced with the term “Muslim.”<sup>149</sup> The term *Muslim* (*musulman*) was used to denote all individuals from the Maghreb, regardless of their devotion to Islam. In a society hesitant to openly name race, religion performed a “camouflaging operation,”<sup>150</sup> although an awkward one in the French context given that successive leaders have historically resisted the influence of religion over state affairs, with secularism (*laïcité*) enshrined in French law since 1905.<sup>151</sup>

### 5.3.4. The French Union: an instrument of stability?

After the Second World War, the hard *legal* border distinguishing subject and citizen started to break down, if only slightly. The war made it much more difficult to exclude overseas French nationals from full political membership. No other European country had relied on colonial soldiers as extensively as France, where African soldiers represented about 20 per cent of the total forces deployed if Vichy and Free French troops are considered together.<sup>152</sup> Their conscription and the universalistic rhetoric with which it was justified<sup>153</sup> upset the delicate balance upon which colonial order rested between the promise of citizenship and its perpetual denial.<sup>154</sup> Moreover, there was a widespread perception that the conduct of the Vichy regime had ruined France’s prestige among the “native populations.”<sup>155</sup> Whether the colonies had ever viewed France with much prestige is subject to debate, but certainly the 1940s saw a plethora of uprisings against French rule, in French Indochina, Madagascar, and French West Africa.<sup>156</sup>

In this context of military vulnerability, the provisional government convened a conference in Brazzaville, the capital of French Equatorial Africa (*Afrique équatoriale française*, AEF). Its aim was to reconsider the relationship between metropole and colony, just as the RTC had done for Dutch empire some ten years later. One critical issue was how to represent colonial subjects in the French parliament.<sup>157</sup> The Gaullist governor-general of AEF, Félix Éboué,

147 Lyons, *The Civilizing Mission in the Metropole: The French Welfare State during Decolonization*, 23.

148 Lyons, 22.

149 Jordi and Hamoumou, *Les Harkis, Une Mémoire Enfouie*, 19.

150 Étienne Balibar, “Is There a Neo-Racism?,” in *Race, Nation, Class: Ambiguous Identities*, by Immanuel Wallerstein and Étienne Balibar (London, New York: Verso Books, 1991), 20.

151 Christopher Lizotte, “Laïcité as Assimilation, Laïcité as Negotiation: Political Geographies of Secularism in the French Public School,” *Political Geography* 77 (March 1, 2020): 102121, <https://doi.org/10.1016/j.polgeo.2019.102121>.

152 Carina Schmitt, “The Warfare – Welfare Nexus in French African Colonies in the Course of the First and Second World War,” *Historical Social Research / Historische Sozialforschung*, Special Issue: Conscription, Military Interests, and Western Welfare States in the Age of Industrialized Mass Warfare, 45, no 2 (2020): 228–29.

153 Genova, “Constructing Identity in Post-War France,” 66.

154 Dubois, “La République Métissée,” 27; Sukanya Banerjee, *Becoming Imperial Citizens: Indians in the Late-Victorian Empire* (Durham and London: Duke University Press, 2010), 7; Frederick Cooper, *Colonialism in Question: Theory, Knowledge, History* (University of California Press, 2005), 154.

155 Genova, “Constructing Identity in Post-War France,” 57.

156 Genova, 57.

157 James I Lewis, “The French Colonial Service and the Issues of Reform, 1944–8,” *Contemporary European History* 4, no 2 (1995): 158.

promoted the establishment of an intermediate category between citizen and subject that he would call *Notables Évolués*.<sup>158</sup> The proposal exposed the relevance of cultural practice for citizenship and social status, as the category was designed for those indigenous elites who had acquired some degree of “French” culture and education.<sup>159</sup> The recommendations from the conference garnered “virtually unanimous support” among participants.<sup>160</sup> Subsequently, a decree modelled after Éboué’s suggestion was applied throughout the empire.<sup>161</sup> A March 1944 ordinance asserted the equality, in theory, of customary “local” legal codes in questions of civil status. Additionally, the colonies were permitted to elect deputies to deliberate on the constitution. However, only French citizens (not subjects) could so; these included, for example, residents of the four communes in Senegal (then part of French West Africa),<sup>162</sup> but excluded Algerians assigned local civil status. Still, when the Constituent Assembly convened in November 1945, 33 deputies from Overseas France and 26 deputies from “Muslim and non-Muslim French” from Algeria were represented.<sup>163</sup>

Reflecting the solidaristic ideals of the left-wing parties who enjoyed a sweeping victory in these constituent elections,<sup>164</sup> the draft constitution established a new federal structure called the French Union (*l’Union française*). The French Union included an assembly to which both metropole and overseas territories could send representatives as separate legal entities within a single framework.<sup>165</sup> Article 80 of the new constitution stipulated equal citizenship rights to French nationals whether they lived overseas or in the metropole. Article 82 reaffirmed that personal civil status could no longer be grounds for denying political rights.<sup>166</sup> When the first draft constitution was rejected by metropolitan voters in a May 1946 referendum, Lamine Guèye, a deputy in the National Assembly from Senegal sponsored a law that would safeguard the rights embedded in those rejected constitutional provisions, not least to ensure that colonial subjects could participate in the re-election of the next constituent assembly.<sup>167</sup> The law provoked discussions that reflected and reinforced racial ontologies: opponents of the Lamine Guèye Law “went to great pains to explain that Africans and Europeans were fundamentally and immutably different.”<sup>168</sup> Still, it passed and entered into force on June 1 1946.<sup>169</sup> However, the law did not “expressly say that the new citizens are French citizens” but

158 Genova, “Constructing Identity in Post-War France,” 57.

159 Genova, 57.

160 Lewis, “The French Colonial Service and the Issues of Reform, 1944-8,” 160.

161 Emmanuelle Saada, “The Empire of Law: Dignity, Prestige, and Domination in the ‘Colonial Situation,’” *French Politics, Culture & Society* 20, no 2 (2002): 98–120.

162 Paul Isoart, “L’élaboration de la Constitution de l’Union française : les Assemblées constituantes et le problème colonial,” in *Les chemins de la décolonisation de l’empire colonial français, 1936-1956 : Colloque organisé par l’IHTP les 4 et 5 octobre 1984*, ed Charles-Robert Ageron, Hors collection (Paris: CNRS Éditions, 2013), 15, <https://doi.org/10.4000/books.editions-cnrs.445>.

163 Isoart, 15.

164 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 69.

165 Raymond F Betts, *France and Decolonisation, 1900-1960* (New York: St Martin’s Press, 1991), 70.

166 Vincent Depaigne, *Legitimacy Gap: Secularism, Religion, and Culture in Comparative Constitutional Law* (Oxford: Oxford University Press, 2017), 110.

167 Genova, “Constructing Identity in Post-War France,” 58.

168 Genova, 75.

169 Félix Gouin, “La Loi N°43-940 Du 7 Mai 1946 Tendante à Proclamer Citoyens Tous Les Ressortissants Des Territoires d’outre-Mer,” N°107 § (1946). <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000315563>.

instead offered them “the same title as a French citizen, which is to say that they exercise the same rights as a French citizen.”<sup>170</sup> The dispute over the citizenship status of former subjects took years to resolve. In 1953, the assembly of the French Union passed a resolution effectively inverting the relationship between citizenship and nationality. (French Union) citizenship became universal and available, even for Algerians with local civil status, while nationality was particularistic and the source for rights and status.<sup>171</sup>

In Algeria, the main outcome of this conciliatory moment in colonial history came on 20 September 1947, when a new statute entered into force formally granting all French nationals in Algeria citizenship status and declaring, in its second article, the equality of all French citizens.<sup>172</sup> Substantive rights did not follow. The statute had introduced an Algerian Assembly, composed of 120 members elected by universal suffrage and in force until 1956. However, the Assembly was elected by dual college, meaning the European minority (despite representing less than one-tenth of the population) elected half the assembly, and “Muslim French” the other half. Additionally, several provisions of the statute, including the vote for “Muslim French” residents whose citizenship was supposedly now equal, or the implementation of Arabic-language education were either not respected or not completely inaugurated.<sup>173</sup> Seven years later, when the Algerian war of independence started, the government was still proposing the “progressive application” of the statute.<sup>174</sup> Finally, despite ostensibly equal citizenship, the practice of referring to French citizens of Arabic or Berber origin as “Muslims,” even if they converted to Catholicism,<sup>175</sup> continued. A 1956 memo distinguished “Muslim French from Algeria” (FMA, *Français musulman d’Algérie*).<sup>176</sup> In early 1958, the French armed forces replaced this with “French of North African origin” (FSNA, *Français de souche nord-africaine*). As late as 1962, government officials were publishing reports describing French citizens as being “of European origin” and of “Muslim” origin.<sup>177</sup> In short, the line between European and “Muslim” Algerians remained a stubbornly persistent fixture of post-war life.

### 5.3.5. A domestic workforce in high demand

The 1947 statute for Algeria not only gave Algerians formal citizenship rights, but also formally conferred the right to free movement between Algeria and the metropole.<sup>178</sup> *De facto*, this right predated the statute. In general, French immigration policy was relatively liberal, with policymakers having eliminated barriers to free movement by abolishing a passport and

170 Genova, “Constructing Identity in Post-War France,” 71.

171 Genova, 77.

172 Le Monde, “L’organisation Politique et Administrative de l’Algérie de 1830 à 1959,” September 16, 1959, [https://www.lemonde.fr/archives/article/1959/09/16/l-organisation-politique-et-administrative-de-l-algerie-de-1830-a-1959\\_2144449\\_1819218.html](https://www.lemonde.fr/archives/article/1959/09/16/l-organisation-politique-et-administrative-de-l-algerie-de-1830-a-1959_2144449_1819218.html).

173 Le Monde.

174 Le Monde.

175 Jordi and Hamoumou, *Les Harkis, Une Mémoire Enfouie*, 20.

176 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 49.

177 Shepard, 231.

178 Muriel Cohen, “Les Circulations Entre France et Algérie: Un Nouveau Regard Sur Les Migrants (Post) Coloniaux (1945–1985),” *French Politics, Culture & Society* 34, no 2 (January 1, 2016), <https://doi.org/10.3167/fpcs.2016.340205>.

visa system in 1861,<sup>179</sup> until legislation of 1888 and 1893 made permanent residence for foreigners more difficult.<sup>180</sup> Still, employers had readily turned to the Algerian workforce to meet their needs.<sup>181</sup> In the early 20<sup>th</sup> century metropolitan France was home to some 4,000 to 5,000 Algerians. They largely hailed from Kabylia, a mountainous coastal region in the north of Algeria.<sup>182</sup> With the First World War, a law of July 14, 1914 liberalised movement for ‘indigenous’ Algerian residents between the metropole and Algerian departments.<sup>183</sup> This prompted a more than tenfold increase in the number of Algerians in the metropole as employers scrambled to replace conscripted metropolitan workers and meet national defence needs.<sup>184</sup> Census data suggests that there were 60,000 Algerians living in the metropole in 1923.<sup>185</sup> Henneresse estimates that one year later this figure was even higher (100,000).<sup>186</sup>

This was a modest figure compared to overall immigration levels in France. Employer-led recruitment had begun in earnest in 1910, especially in steel and agricultural industries, and had predominantly involved Italian, Polish, and Yugoslavian workers.<sup>187</sup> In 1924, different employer-led services merged to form an organisation devoted to assisting them in their foreign recruitment efforts: General Society of Agricultural and Industrial Immigration (SGI, *Société générale d’immigration agricole et industriel*). From its establishment up until 1931, the SGI brought in around 500,000 foreign workers<sup>188</sup> to an overall foreign population of some 2.7 million.<sup>189</sup> These figures were clearly socially significant as the French public had met early 20<sup>th</sup> century migrants with disdain and xenophobia.<sup>190</sup> Still, Algerian labour attracted interest in academic and policy circles. A 1938 report by Laroque and a colleague at the Council of State elaborated on the role of “North African” labour - encompassing Algerians, Tunisians, and Moroccans - to the metropolitan economy.<sup>191</sup> They state that almost all were employed in industrial and/or manufacturing jobs, the largest numbers being in construction and public works, followed by chemical factories and refineries, mining and metal processing industries. In Paris, car manufacturing was paramount.<sup>192</sup> The authors betray racialised undertones by

179 Andreas Wimmer and Nina Glick Schiller, “Methodological Nationalism and Beyond: Nation-State Building, Migration and the Social Sciences,” *Global Networks* 2, no 4 (2002): 301–34.

180 M F P Herchenroder, “The Aliens Regulations in France,” *Journal of Comparative Legislation and International Law* 21, no 4 (1939): 221.

181 The exception is during the First World War, during which time the state briefly assumed control over immigration. From 1924, the General Company of Agricultural and Industrial Immigration (SGI, from *Société Générale d’Immigration agricole et industriel*) organised their efforts. Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 50.

182 Henneresse, 100.

183 Muriel Cohen, “L’immigration Algérienne Post-Indépendance: L’enracinement à l’épreuve de l’exclusion,” *Le Mouvement Social* 258 (2017): 32.

184 Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 100.

185 Lyons, *The Civilizing Mission in the Metropole: The French Welfare State during Decolonization*.

186 Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 100.

187 Henneresse, 60.

188 Henneresse, 61.

189 Institut national de la statistique et des études économiques, “Immigrés et Descendants d’immigrés En France,” Insee Références, Fiches Thématiques, 2012, 99, <https://www.insee.fr/fr/statistiques/1374013?sommaire=1374025>.

190 Laurent Dornel, *La France Hostile: Socio-Histoire de La Xénophobie (1870-1914)* (Paris: Fayard, 2014).

191 Laroque and Français, “Les Nord-Africains En France.”

192 Laroque and Français, 30.

suggesting that Algerian productivity was lower than the European average due to “genetic nonchalance.”<sup>193</sup>

In the 1940s, Vichy France suspended the right to free movement between Algeria and the metropole. During this stage, Algerians only arrived in the metropole by organised convoys, explaining a further decline in numbers.<sup>194</sup> The restoration of the free right to movement in 1946<sup>195</sup> and subsequently in the statute, as mentioned, served the French economy well. Like the Netherlands, France emerged from the Second World War with acute labour shortages in key industries. All told, the country had suffered some 600,000 casualties in the war, of which more than half (350,000) were civilians.<sup>196</sup> Construction, (coal) mining, and metal processing sectors in particular struggled to meet their labour needs.<sup>197</sup> In response, the GPRF installed a committee headed by a demographer named Georges Mauco to advise on a new strategy for immigration.<sup>198</sup> Key among Mauco’s recommendations was for the state to assume greater control over immigration flows. An ordinance of November 1945 dissolved the SGI and created the National Office of Immigration (*Office national d’immigration*, ONI).<sup>199</sup> From then on, firms interested in hiring foreign labour needed to submit a job contract to the administration, where, if approved, it would be transmitted to the ONI, who would recruit on their behalf.

Employers’ recourse to Algerian workers, however, undermined this nascent system of state-led foreign labour recruitment. As citizens and part of the domestic workforce since 1947, Algerians fell outside the remit of the ONI. This meant that firms could recruit them independently, without first needing to submit the job vacancy to the ONI. In addition, many arrived in the metropole on their own accord, exercising the entry rights of citizens and seeking improved economic chances or an escape from colonial oppression. For firms, this meant that recruitment could happen on metropolitan soil rather than abroad.<sup>200</sup> In fact, many job-seeking Algerians would show up at their door, making the hiring process far more straightforward than the lengthy bureaucratic procedure of job contract submission required by the ONI.<sup>201</sup> Simultaneously, public authorities promoted the recruitment of Algerian labour, perceiving an opportunity both to “improve” the demographic situation of Algeria, where they viewed population growth as excessive, and to smooth over relations with overseas departments.<sup>202</sup> The latter had worsened following violent repressions of protests and widespread disillusionment

193 Laroque and Français, 33.

194 Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 100.

195 Henneresse, 100.

196 Michel Hubert, “Convergences et Divergences Démographiques Depuis 1870,” in *Le Couple Franco-Allemand En Europe*, by Henri Ménudier (Paris: Presses Sorbonne Nouvelle, 1993), 152, <http://books.openedition.org/psn/5720>.

197 Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 103.

198 See Greg Burgess, “The Demographers’ Moment: Georges Mauco, Immigration and Racial Selection in Liberation France, 1945-46,” *French History and Civilization* 4 (2011): 168 for a treatment of the anti-Semitic and collaborationist leanings of this same demographer.

199 Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 73.

200 Pitti, “La Main d’œuvre Algérienne Dans l’industrie Automobile (1945-1962), Ou Les Oubliés de l’histoire,” 51.

201 Henneresse, “Le Patronat et La Politique Française d’Immigration, 1945-1975,” 73.

202 Henneresse, 101–2.



with the status and treatment of the local 'Muslim' population.<sup>203</sup> To this end, a February 14, 1947 circular established minimum quotas of Algerian workers, ranging from 20-75 per cent of the total workforce depending on the industry. An executive order of July 26, 1949, prevented firms from hiring foreigners unless domestic (including Algerian) labour could not meet their needs.<sup>204</sup> Additionally, starting in 1947, public officials set out diffusing information among employers about the recruitment of Algerians.<sup>205</sup>

When all was said and done, in the first post-war years more Algerian workers arrived in metropolitan France than did ONI recruits. From 1946 to 1949, 255,000 Algerians arrived in France compared to 214,000 ONI recruits of mostly Italian nationality.<sup>206</sup> A further 868,000 Algerian workers arrived on metropolitan soil between 1950 and 1955, compared to 111,000 foreign workers hired by the ONI.<sup>207</sup> Although the policy to promote Algerian labour was, in numerical terms, successful, the enthusiasm of employers for the Algerian workforce cooled in the mid-1950s. In 1953, the newly formed National Council of French Employers (*Conseil national du patronat français*, CNPF, est. 1945) lamented that metropolitan industry was not in state to "absorb all of the Algerian labour surplus."<sup>208</sup> Some factories in the Moselle steel industry offered family housing to European foreign workers but "systematically refused" the same offer to Algerian workers.<sup>209</sup> Additionally, as family resettlement rather than labour migration accounted for an ever larger proportion of migration,<sup>210</sup> onlookers challenged the deservingness of the newcomers. One civil servant considered that women and children arrived "without any real aptitude for adaptation," and that over time, labour migrants had become "very primitive," lacking knowledge of France, French or factories.<sup>211</sup> He wondered out loud whether this was due to a "determined desire" of Algerian authorities to retain the "most competent individuals in Algeria" and to send the "least refined elements" (*les éléments les plus frustes*) to France.<sup>212</sup>

### 5.3.6. Algerian independence

Employers' fading enthusiasm for the Algerian workforce took place as the war for Algerian independence reached the metropole. Inspired by French defeat in Indochina, independence-seeking Algerians formed the National Liberation Front (*Front de libération nationale*, FLN) in 1954 and organised bomb blasts targeting French institutions in Algeria and later also

203 Pitti, "La Main d'oeuvre Algérienne Dans l'industrie Automobile (1945-1962), Ou Les Oubliés de l'histoire," 55.

204 Henneresse, "Le Patronat et La Politique Française d'Immigration, 1945-1975," 103.

205 Henneresse, 105.

206 Henneresse, 73.

207 See Henneresse, 73, but note that there were also departures during this same time period.

208 Henneresse, 110.

209 Henneresse, 106.

210 FR-PaAN-19770391/9, Report by Michel Massenet, "L'Évolution de la migration algérienne en France." Undated, but probably written halfway through 1963.

211 FR-PaAN-19770391/9, Report by Michel Massenet, "L'Évolution de la migration algérienne en France." Undated, but probably written halfway through 1963.

212 FR-PaAN-19770391/9, Report by Michel Massenet, "L'Évolution de la migration algérienne en France." Undated, but probably written halfway through 1963.



in the metropole.<sup>213</sup> The French government in Algiers responded with repression, and, as President Macron would only recently admit, the systematic use of torture.<sup>214</sup> Even as Tunisia and Morocco, its neighbours in the Maghreb,<sup>215</sup> gained independence in 1956, Algeria's fate hung in the balance. Employers increasingly expressed the view that Algerian employees were "unstable" (despite absentee rates no higher than metropolitan or foreign workers, and their growing tendency to remain in the metropole), politicised, difficult to integrate and of "poor temperament."<sup>216</sup> An atmosphere of suspicion reigned. Algerians who were suspected of association with the FLN were interned in camps.<sup>217</sup> By 1956, employers had successfully lobbied for the ease of restrictions on hiring foreign workers.<sup>218</sup> It would take until around 1968 for recruitment of Algerians to pick up again.

1958 marked a turning point in the war and in its repercussions for French political life. In March, a hawkish hardliner and former Vichy official called Maurice Papon assumed leadership over the Paris police department. He would later stand trial for crimes against humanity during his tenure.<sup>219</sup> In May, the French National Assembly approved the nomination to prime minister of the Christian Democrat Pierre Pflimlin, who supported negotiating with the FLN. The same day as his nomination, three French soldiers were executed in Algeria.<sup>220</sup> Angered, the French military stationed in Algiers planned a coup against the new government. As Algerian French paratroopers descended on the metropole, Pflimlin resigned, and the Fourth Republic collapsed.<sup>221</sup> In the chaos, the revered general Charles de Gaulle returned from retirement to lead the country. Among the innovations of the new constitution was the significant powers it granted the president, who would serve in seven-year terms. Within days of assuming power, De Gaulle was in Algiers famously reassuring a crowd of settlers that he had heard them ("*je vous ai compris*").<sup>222</sup> And yet, if he had heard the supporters of the coup, De Gaulle did not answer their prayers. By 1959 he had warmed to the idea of Algerian independence, dismissed by almost every French politician before him.<sup>223</sup> On March 18, 1962, negotiators signed the ceasefire accords in Évian-les-Bains, just a stone's throw away from the French border with Switzerland, marking the end of nearly a decade of war. A 'transitional period' ensued which ended in July 1962 when Algerians voted in a referendum to end 132 years of French colonial

213 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 42.

214 Angelique Chrisafis, "France Admits Systematic Torture during Algeria War for First Time," *The Guardian*, September 13, 2018, <https://www.theguardian.com/world/2018/sep/13/france-state-responsible-for-1957-death-of-dissident-maurice-audin-in-algeria-says-macron>.

215 Maghreb is a term derived from the Arabic word for 'sunset,' designating the 'western' part of the Arabic world.

216 Henneresse, "Le Patronat et La Politique Française d'Immigration, 1945-1975," 108.

217 Arthur Grosjean, "L'action des conseillers techniques aux Affaires musulmanes. L'exemple du camp de Thol," *Matériaux pour l'histoire de notre temps* 92, no 4 (2008): 15–23, <https://doi.org/10.3917/mate.092.0003>.

218 Henneresse, "Le Patronat et La Politique Française d'Immigration, 1945-1975," 159.

219 Béatrice Fleury and Jacques Walter, "The Papon Trial," *Vingtième Siècle Revue d'histoire* 88, no 4 (2005): 63–76.

220 Geoffroy Caillet, "4 Juin 1958 : Que Cachait Le «Je Vous Ai Compris» de De Gaulle ?," *Le Figaro*, June 4, 2018, <https://www.lefigaro.fr/histoire/2018/06/04/26001-20180604ARTFIG00058-4-juin-1958-que-cachait-le-je-vous-ai-compris-de-de-gaulle.php>.

221 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*.

222 Shepard.

223 Shepard, 7.

rule of Algeria.<sup>224</sup> The war had cost the lives of at least 250,000 to 300,000 Algerians, and some 41,000 soldiers on the French side.<sup>225</sup>

At independence, around 1 million former French citizens retained French citizenship, only about 10,000 of which were “Muslim.”<sup>226</sup> The other approximately 9 million Algerians with local civil status were assigned Algerian citizenship. The details were spelled out in a 21 July 1962 ordinance, which additionally outlined the possibility for this latter group to confirm their French nationality by paying a fee and declaring their national allegiance before a judge,<sup>227</sup> who could reject it.<sup>228</sup> A 1965 report referred to the process outlined in this ordinance as an “exceptionally speedy” procedure.<sup>229</sup> Those that did not hand in this declaration by January 1, 1963, became foreigners.<sup>230</sup> Many perceived this declaration as a humiliation.

When I was told that you had to go before a judge to become French, I was a furious... De Gaulle had said that we were all French, the same, from Dunkirk to Tamanrasset. Mitterrand also said ‘Algeria is France.’ When we were told to fight for French liberation, I was French. But when it was time to take refuge in France, we are no longer French. You have to go ask the judge for your nationality. It’s a disgrace.<sup>231</sup>

### 5.3.7. Pieds-noirs and harkis

By the time of Algerian independence, French officials were already familiar with the notion of “repatriate,” a juridical category which referred to an overseas French citizen deemed needy by the consular services of the person’s territory of origin. Among the first to acquire its status were French citizens from Morocco and Tunisia, after each gained independence in 1956.<sup>232</sup> However, repatriation only truly took off with the Algerian war<sup>233</sup> during which almost all white settlers with French citizenship fled the country.<sup>234</sup> In 1962, 679,000 of them - or over four times the amount of Algerians who lived in the metropole prior to that date - would arrive in the metropole.<sup>235</sup> In fact, the late spring/early summer months of 1962 accounted

224 Moumen, “De l’Algérie à La France Les Conditions de Départ et d’accueil Des Rapatriés, Pieds-Noirs et Harkis En 1962.”

225 Claire Eldridge, *From Empire to Exile: History and Memory within the Pied-Noir and Harki Communities, 1962-2012* (Manchester: Manchester University Press, 2016), 5.

226 Patrick Weil, “Le statut des musulmans en Algérie coloniale: Une nationalité française dénaturée,” *Histoire de la justice* 16, no 1 (2005): 108, <https://doi.org/10.3917/rhj.016.0093>.

227 Moumen, “De l’Algérie à La France Les Conditions de Départ et d’accueil Des Rapatriés, Pieds-Noirs et Harkis En 1962.”

228 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 241.

229 FR-PaAN-AG/5(1)/857-Report, “sur l’application de la loi du 26 décembre 1961,” 1965, p 101

230 FR-PaAN-19920149/1-Meetings at the State Secretary for Repatriates, July 1962-May 1964, Summary of meeting on 21 January 1963

231 Jordi and Hamoumou, *Les Harkis, Une Mémoire Enfouie*, 21.

232 Scioldo-Zürcher, *Devenir Métropolitain: Politique d’intégration et Parcours de Rapatriés d’Algérie En Métropole (1954-2005)*, 94.

233 French of Indochina would receive ‘repatriate’ status in 1959, long after they arrived French from Madagascar, Guinea and the states of “Afrique noire” would receive this status from April 1960.

234 Moumen, “De l’Algérie à La France Les Conditions de Départ et d’accueil Des Rapatriés, Pieds-Noirs et Harkis En 1962,” 61.

235 FR-PaAN-AG/5(1)/857-Report, “sur l’application de la loi du 26 décembre 1961,” 1965, p 2.

for over half of total registered returns between 1954 and 1964.<sup>236</sup> The total figure was about double what the French government had expected in that year.<sup>237</sup> By the time independence was formalised on July 5 1962, 85 per cent had left.<sup>238</sup> Once in metropolitan France, a new group identity emerged as white Algerians reappropriated the formerly derogatory term *pieds-noirs* ("black feet"), perhaps derivative of the black boots worn by soldiers or the shoes worn by Europeans that set them apart from "indigenous" society.<sup>239</sup> As Jordi clarifies, "it was not in Algeria but in France, and not until May 1962, that the 'pied-noir' was born."<sup>240</sup> By 1974, the Ministry of the Interior would put the total number of repatriates from Algeria at over one million.<sup>241</sup>

Alongside the *pieds-noirs* who arrived in 1962 were about 16,000 "Algerians with civil status" and 12,000 *harkis* and their families.<sup>242</sup> The term *harkis* describes Algerians who had (voluntarily or otherwise) supported the French during the Algerian War. Recruitment of local labour was a central component of French military strategy for the colonial army until 1912, when the implementation of mandatory military service increased the importance of the regular military corps of career soldiers.<sup>243</sup> During the Algerian War, however, this trend reversed. French military leadership turned increasingly to various categories of auxiliary civilian units to assist in its "pacification" efforts.<sup>244</sup> Two types of civilian units were of particular importance. The first were the *moghaznis*, who were deployed to protect the 640 military-staffed institutions known as Specialised Administrative Sections (*Sections administratives spécialisées*, SAS). Created by the Governor-General of colonial Algeria in 1955, SAS aimed to "establish or re-establish contact with the Muslim population."<sup>245</sup> From 1960 to 1962, there were around 20,000 *moghaznis*.<sup>246</sup> A second type of auxiliary unit, the *harka* (after the Arabic word for 'movement'), staffed by *harkis*, was established in 1955. With 40,000 *harkis* in 1959,<sup>247</sup> this unit was numerically most significant. *Harkis* and *moghaznis* were civilian, and not military, employees, with unusually precarious employment status. *Harkis* were initially hired on a daily basis, and subsequently on 1-month renewable contracts without any long-term guarantees

236 FR-PaAN-AG/5(1)/857-Report, "sur l'application de la loi du 26 décembre 1961," 1965.

237 FR-PaAN-AG/5(1)/857-Speech, Mr Mellac, for members of la Commission de la Population du Conseil de l'Europe, at the Ministry of Foreign Affairs, 5 October 1964.

238 Scioldo-Zürcher, *Devenir Métropolitain: Politique d'intégration et Parcours de Rapatriés d'Algérie En Métropole (1954-2005)*, 15.

239 Buettner, *Europe after Empire*, 238.

240 Buettner, 238.

241 Pierre Baillet, "L'intégration des rapatriés d'Algérie en France," *Population* 30, no 2 (1975): 303–14, <https://doi.org/10.2307/1530668>.

242 Jordi, cited in Scioldo-Zürcher, *Devenir Métropolitain: Politique d'intégration et Parcours de Rapatriés d'Algérie En Métropole (1954-2005)*, 15.

243 Charles-Robert Ageron, "Les suppléants Algériens dans l'armée française pendant la guerre d'Algérie," *Vingtième Siècle, revue d'histoire* 48, no 1 (1995): 5, <https://doi.org/10.3406/xs.1995.4419>.

244 Pacification had long been used as a euphemism by colonial administrators and military officials. In this case it consisted of the capture, torture and murder of suspected rebels, the displacement of millions of families, and increased surveillance.

245 General Partiot, cited in Jacques Frémeaux, "Les SAS (sections administratives spécialisées)," *Guerres mondiales et conflits contemporains* 208, no 4 (2002): 57, <https://doi.org/10.3917/gmcc.208.0055>.

246 Chabi Hafida, "La Situation Sociale Des Enfants Des Harkis" (Conseil Economique et Social, 2007), 9.

247 Hafida, 7.

of employment.<sup>248</sup> The total number of “Muslim” military staff may have numbered around 89,000.<sup>249</sup> The FLN considered these groups to be “pro-French” sympathisers, alongside local civil servants and elites representing the French government known as *caïds* and *bachagas*.<sup>250</sup>

This entire group is often referred to collectively as harkis. It has since become widely perceived as a racial designation, with one respondent from Jordi and Hamoumou’s study explaining, “We hear people talk about ‘harkis’ or worse, ‘children of harkis,’ as if being harki was like being Black or Asian.”<sup>251</sup> Alternative designations often miss the mark as well. To discuss “pro-French sympathisers” is misleading since it implies patriotism when most auxiliaries were recruited among poor people without work or resources.<sup>252</sup> Still all of these individuals faced a dangerous future in revolutionary Algeria. Although the Evian Accords had contained guarantees against persecution for acts committed during the war, they were not upheld.<sup>253</sup> Despite this, state officials attempted to block their arrival in France. They did so by forbidding all individual initiatives by “Muslim French” to settle in the metropole - a policy of which the High Commissioner in Algeria was reminded via a confidential telegram from the Minister of Algerian Affairs, Louis Joxe, in May 1962. A separate memo directed that “Muslims” who were “too old, physically handicapped, or too young,” and single women should not be transported since they were “destined effectively either to live off public charity or, with the young women, to turn to prostitution.”<sup>254</sup> Transfers of harkis would need to receive the approval of the State Secretary of Repatriates (a position held by Robert Boulin), and prefects were ordered not to welcome harkis outside of those formally transferred.<sup>255</sup> Joxe explained his reticence in the following terms: “We must fight an infiltration which, under the pretext of benevolence, would ... [make] us welcome undesirable elements.”<sup>256</sup> It seemed unnecessary for Joxe to elaborate to his interlocutors what exactly made this migration undesirable. For harkis, this restrictiveness was deadly. Thousands waited around French military camps with little to eat, facing the risk of execution by the FLN if they strayed too far from the camp.<sup>257</sup>

With the formal transfer of sovereignty in sight, the French government revisited their entry rights. On February 21, 1962, prime minister Michel Debré commissioned an interministerial committee “for the possible repatriation of staff under the supervision of military authority” - i.e. harkis.<sup>258</sup> The committee’s task was to prepare for the resettlement of these units in the metropole. Councillor of State Michel Massenet presided over the

---

248 Hafida, 8.

249 FR-PaAN-20120054, Meeting minutes of meeting held 10 April 1962, “concernant le rapatriement éventuel de personnels musulmans placés sous le contrôle des autorités militaires”

250 Yves Zehr, “Les Politiques Financières Conduites En Faveur Des Français Rapatriés” (Conseil Economique et Social, 2007).

251 Jordi and Hamoumou, *Les Harkis, Une Mémoire Enfouie*, 28.

252 Ageron, “Les supplétifs Algériens dans l’armée française pendant la guerre d’Algérie,” 12.

253 One explanation for this is that the accords were negotiated by a provisional government, which was replaced at independence; but see Hafida, “La Situation Sociale Des Enfants Des Harkis,” 19 for details.

254 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 231.

255 Jordi and Hamoumou, *Les Harkis, Une Mémoire Enfouie*, 38.

256 Jordi and Hamoumou, 39.

257 Jordi and Hamoumou, 39.

258 Hafida, “La Situation Sociale Des Enfants Des Harkis,” 22.

committee.<sup>259</sup> The committee's report, issued some ninety days before the official transfer of sovereignty, concluded in no uncertain terms the gravity of the situation: "several thousand men face a life-or-death situation. We have very little time to find a solution."<sup>260</sup> The report deemed existing resources for their reception and care to be inadequate. The Ministry of Armies was said to lack sufficient numbers of competent staff members to arrange for the care of these "Muslim repatriates."<sup>261</sup> Betraying an anxiety about their arrival, the report concluded that "it would take a miracle for the State Secretary for Repatriates to take over the organisation and financing of the resettlement of Muslim refugees in France if we only have two months before the fateful date of self-determination."<sup>262</sup>

Despite this, two months later, Boulin confirmed by circular that his department would, indeed, assume responsibility over the transport, housing, and professional reclassification of harkis. The French army initiated the first formal repatriation of harkis, and between 23 June and 28 September 1962, almost 50,000 arrived in Marseille.<sup>263</sup> From there, they were transferred on to guarded military camps. Run by the army, the camps were funded almost entirely by the Ministry of Repatriates (est. 1962) to the tune of some 23.5 billion fr between 1962 and 1964.<sup>264</sup> They were located in Rivesaltes, Saint-Maurice l'Ardoise, Bourg-Lastic and Larzac.<sup>265</sup> The latter two were emergency shelters or military bases, while the former two were intended as more permanent accommodation when the former were overrun.<sup>266</sup> Specialist centres were created for harkis judged in need of specialist care, for example because they were (physically or mentally) sick or disabled,<sup>267</sup> elderly, or otherwise unable to work.<sup>268</sup> Saint-Maurice l'Ardoise closed briefly only to reopen at the end of 1964 for such cases.<sup>269</sup>

Other harkis managed to arrange their own transport to the metropole, in defiance of Joxe's May 1962 telegram forbidding the same and of some Algerian officials' refusal to issue the police authorisations necessary for an individual to make the voyage.<sup>270</sup> Upon arrival in the metropole, some prefects refused to endorse Algerians' employment and lodging certificates, which, according to one civil servant, should anyways only have been required for "ordinary" migrants, not Algerians, given the freedom of movement established in the Evian Accords.<sup>271</sup>

259 FR-PaAN-20120054 Procès-verbal de la réunion tenue le mardi 10 avril 1962 et concernant le rapatriement éventuel de personnels musulmans placés sous le contrôle des autorités militaires.

260 FR-PaAN-20120054 Procès-verbal de la réunion tenue le mardi 10 avril 1962 et concernant le rapatriement éventuel de personnels musulmans placés sous le contrôle des autorités militaires, p 9.

261 FR-PaAN-20120054 Procès-verbal de la réunion tenue le mardi 10 avril 1962 et concernant le rapatriement éventuel de personnels musulmans placés sous le contrôle des autorités militaires, p 10

262 FR-PaAN-20120054-Procès-verbal de la réunion tenue le mardi 10 avril 1962 et concernant le rapatriement éventuel de personnels musulmans placés sous le contrôle des autorités militaires, p 10

263 Jordi and Hamoumou, *Les Harkis, Une Mémoire Enfouie*, 43.

264 FR-PaAN-AG/5(1)/857-Report, "sur l'application de la loi du 26 décembre 1961," 1965.

265 FR-PaAN-AG/5(1)/857- Report, "sur l'application de la loi de 26 décembre 1961," p 104.

266 Jeannette E Miller, "A Camp for Foreigners and 'Aliens': The Harkis' Exile at the Rivesaltes Camp (1962-1964)," *French Politics, Culture & Society*, Special Issue: Algerian legacies in metropolitan France, 31, no 3 (Winter 2013): 26.

267 FR-PaAN-AG/5(1)/857-Note, "Concernant le service des Français musulmans," 6 May 1968.

268 Tom Charbit, "Un Petit Monde Colonial En Métropole: Le Camp de Harkis de Saint-Maurice-L'Ardoise (1962-1976)," *Politix* 4, no 76 (2006): 35.

269 Charbit, 33.

270 FR-PaAN-20120054, Report by Michel Massenet, 4 April 1962.

271 FR-PaAN-20120054, Report by Michel Massenet, 4 April 1962.

In addition, they were subject to health checks to detect contagious diseases. Those who did not pass would be sent back.<sup>272</sup> Drawing attention to the extortionate travel fees associated with transport the metropole, “we are forced to admit,” lamented one top civil servant in 1962, “that freedom of movement... is non-existent.”<sup>273</sup> Ultimately, by 1965 the number of “Muslim repatriates” totalled anywhere from 50,000 to 60,000.<sup>274</sup> By a 1965 estimate, about four-fifths of this figure passed through camps, and one-fifth arrived on their own.<sup>275</sup> This had consequences on their citizenship rights. Apparently, judges were not very favourable to the requests for nationality by harkis who did not pass through the camps.<sup>276</sup>

## 5.4. Caribbean citizens and the Windrush generation

### 5.4.1. Overview

Like France after 1946, the UK historically granted one common, ‘indivisible’ status to all those born within its empire. Rather than nationality, however, the relevant status was British subjecthood. It conferred few rights and was rather a symbol of conquest. British legislators reinvented the imperial doctrine of indivisibility<sup>277</sup> with a 1948 act that created several different forms of citizenship, including the Citizenship of the UK and Colonies (CUKC). Equipped with formal equality of citizenship, over 150,000 Caribbeans migrated to the British Isles from 1955 to 1960. Over 75 per cent were Jamaican.<sup>278</sup> Later, arrivals from India and Pakistan reached similar numbers. Despite gaping labour shortages that had prompted the recruitment of over 180,000 white prisoners-of-war and other displaced persons from European refugee camps, the British public received UK citizens of the colonies with disdain. Gradually, British immigration policy walked back entry rights of this group using thinly veiled racial exclusions in the 1962, 1968 and 1971 Immigration Acts.

### 5.4.2. British empire

Beveridge’s proposals were famously ‘universal’ in scope. But what did universalism mean in an empire like Britain? Even before decolonisation profoundly changed the character of the British political community, its boundaries had never neatly and cohesively contained a national population. This was true on two levels. First, Great Britain has always been “multinational.”

272 FR-PaAN-19770391/9-L’avenir des structures administratives chargés de la migration algérienne-Massent, “La migration algérienne et l’administration français.”

273 FR-PaAN-20120054, Report by Michel Massenet, 4 April 1962.

274 FR-PaAN-20120054/1, Note, 24 June 1965 puts this number at 50,000. FR-PaAN-AG/5(1)/857-Report, “sur l’application de la loi du 26 décembre 1961,” 1965, p. 104. A year later, FR-PaAN-20120054/67, exposé du Colonel Schoen, 1 April 1966 counts 60,000 such arrivals. Meanwhile, Hafida, “La Situation Sociale Des Enfants Des Harkis,” 25, cites 66,000.

275 FR-PaAN-AG/5(1)/857-Report, “sur l’application de la loi du 26 décembre 1961,” 1965, p. 104. Another report, however, puts the number of “Muslim” repatriates slightly higher, at 25,000, which would constitute just over one third of the total.

276 FR-PaAN-20120054/10-Letter on the occasion of the visit of M Lahkdhari, 25 March 1963.

277 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 44.

278 Grant, *Homecoming: Voices of the Windrush Generation*, 42.



From 1536 to 1707, the Kingdom of England included Wales. From the 1707 Act of Union onwards, the kingdom united with the Kingdom of Scotland to form the Kingdom of Great Britain.<sup>279</sup> Second and more pertinently for the purposes of this project, Britain has a long history of colonisation and imperial expansion.

As Bhambra convincingly argues, the character of the British community has always been *imperial* rather than national.<sup>280</sup> North America and the Caribbean were a central focus during early British colonisation efforts. By the 17<sup>th</sup> century, most indigenous inhabitants of the Caribbean islands had been massacred by pandemics brought by Spanish and Portuguese colonisers.<sup>281</sup> In 1627, English colonists settled Barbados, and in 1655, a British expedition captured Jamaica. Most other islands passed through periods of settlement by different European powers before coming under British control.<sup>282</sup> In these territories, slavery was instituted to cultivate tobacco, rice and sugarcane. After the American War of Independence in the late eighteenth century, Britain invaded new territories and founded new colonies, including in East Africa, Southeast Asia and Australia. By the eve of the Second World War the British empire encompassed approximately one quarter of the earth's population.<sup>283</sup> Different colonial territories were governed according to different principles. In some places, white settlers ruled without much or any input from London after having displaced, dispossessed and/or killed local communities. Examples in the twentieth century included Australia, New Zealand, South Africa, Southern Rhodesia (present-day Zimbabwe), and Canada. In others, the London-based British government - known colloquially as Whitehall - had more authority.<sup>284</sup> For Brubaker, "ties of allegiance knit together the British empire, not the British nation."<sup>285</sup>

In the 19<sup>th</sup> century, Shilliam argues, several events laid to rest any pretences the British had about the unity of their empire.<sup>286</sup> Debates about abolition revealed the pervasive sentiment that Black subjects were not prepared for self-governance; upon abolition in 1834, the enslaved were not rendered free but transformed into apprentices.<sup>287</sup> In 1865, the British colonial governor of Jamaica violently crushed an uprising in Morant Bay, Jamaica, producing a major "crisis of conscience" in Britain.<sup>288</sup> Hundreds were indiscriminately slaughtered and those thought responsible for the riot were arrested and executed without trial. Parliamentary debates in the aftermath of the uprising implied that freedmen were too anarchic to be entrusted with self-governance.<sup>289</sup> In concert, white settler colonies gradually obtained more political rights. By the turn of the twentieth century, many colonies had won some degree of independence,

279 Goodman, *Immigration and Membership Politics in Western Europe*, 141. See also Ron Ramdin, *Reimagining Britain: 500 Years of Black and Asian History* (London: Pluto Press, 1999), 38.

280 Bhambra, "Relations of Extraction, Relations of Redistribution."

281 Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London: Harper Collins Publishers, 1998), 10.

282 Phillips and Phillips, 10.

283 Ramdin, *Reimagining Britain: 500 Years of Black and Asian History*, 112.

284 Ashley Jackson, *The British Empire: A Very Short Introduction* (Oxford University Press, 2013), 10, <https://doi.org/10.1093/actrade/9780199605415.001.0001>.

285 Brubaker in Goodman, *Immigration and Membership Politics in Western Europe*, 142.

286 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 43.

287 Shilliam, 36.

288 Shilliam, 38.

289 Shilliam, 41.



typically becoming Dominions first. For example, Canada achieved independent status in the 1870s and Australia became an independent Federation in 1900.<sup>290</sup>

### 5.4.3. Citizenship in empire

Most attempts to legally pin down the meaning of membership in British empire elaborate on a concept of *subjecthood* rather than national citizenship. The emphasis was on conferring a common, unified status of British subjecthood to all those born within its empire.<sup>291</sup> Specifically, as of 1608, when English courts ruled that a Scottish child was an English subject, all residents of empire were to “enjoy precisely the same relationship with the monarch” – that of an allegiant subject.<sup>292</sup> The implication was of a direct bond between King and subject, no matter where in the empire they lived. Rather than indicating generosity, it was a “symbol of British power and ownership,” as award of citizenship was part of a broader process of conquest.<sup>293</sup> Subjecthood did not guarantee freedom of movement within the empire.<sup>294</sup>

By the late 19<sup>th</sup> and early 20<sup>th</sup> century, individual Dominions within the Empire had begun to develop their own naturalisation laws in order to have more control over immigration. Some conflicted with one another. This prompted the 1914 British Nationality and Status of Aliens Act, which was primarily aimed at ensuring that a “British subject anywhere [in any Dominion or colony] is a British subject everywhere.”<sup>295</sup> The 1914 law enacted uniform naturalisation procedures, and established British nationality as a status acquired by being born or naturalised within His Majesty’s dominions (for men) and additionally by marriage (for married women, whose subjecthood was determined by that of her husband).<sup>296</sup> Because of its historic reliance on *jus soli* principles (according to which citizenship is conferred by birth on national soil), rather than *jus sanguinis* (where citizenship follows from birth to citizen parents), Goodman sees UK “citizenship” policy up until 1981 as quite liberal, although its inclusive bent stood in sharp contrast to the flimsy, inchoate, and “ill-defined” nature of the membership it represented.<sup>297</sup>

The doctrine of universal subjecthood came under attack the same year that the National Insurance Act was passed. In 1946, the Canadian prime minister announced a law defining Canadian citizenship as a primary legal status, separate from and legally superior to British subjecthood. Henceforth, British subjecthood would flow from the former, rather than vice

290 Bill Ashcroft, Gareth Griffiths, and Helen Tiffin, *Post-Colonial Studies: The Key Concepts*, 2nd ed (London and New York: Routledge, 2007), 42.

291 E.J.B Rose, *Colour and Citizenship: A Report on British Race Relations*, Oxford University Press (London, New York, Toronto, 1969).

292 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 39.

293 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 74.

294 Daniel C Turack, “Freedom of Movement Within the British Commonwealth,” *The Comparative and International Law Journal of Southern Africa* 1, no 3 (1968): 478.

295 M Page Baldwin, “Subject to Empire: Married Women and the British Nationality and Status of Aliens Act,” *Journal of British Studies* 40, no 4 (October 2001): 527.

296 Baldwin, “Subject to Empire: Married Women and the British Nationality and Status of Aliens Act.”

297 Goodman, *Immigration and Membership Politics in Western Europe*, 139; she also cites the relatively short duration of required residence in the territory (5 years, or 3 years for spouses) and the allowance of dual citizenship.

versa. The British government worried that this undermined the common status of British subjecthood and, if it set a precedent, could lead to the dissolution of the Commonwealth.<sup>298</sup> The prime minister Clement Attlee and his cabinet convened experts from the Commonwealth countries to devise recommendations on how to respond. The committee's recommendations formed the basis of the British Nationality Act, which eventually passed in 1948, the same year as the National Assistance Act.

The British Nationality Act established six categories of citizenship. Most British subjects fell under one of the first two: Citizenship of the United Kingdom and Colonies (CUKC) and Citizenship of Independent Commonwealth Countries (CICC). At the time the bill was drafted, CICC included only Canada, but eventually applied to New Zealand, the Union of South Africa, Newfoundland, India, Pakistan, Southern Rhodesia and Ceylon. The Act allowed CICC countries to extend citizenship under any conditions they wanted, but once it was granted, their citizens would become British subjects automatically.<sup>299</sup> The 1948 Act also established free entry into the United Kingdom for all parts of British empire.<sup>300</sup> Besides the desire to protect the political integrity of empire, officials were worried what the dissolution of Commonwealth ties might mean for the British economy. Although trade with Europe grew faster than trade with the Commonwealth, the latter imported almost three times as many British exports as Europe's six core economies.<sup>301</sup> Following this 1948 Act, the citizenship and entry rights of someone born and raised in Kingston, Jamaica or Kingston-upon-Thames, England, were, on paper, unequivocally identical. In this sense, the British modelled their work after the 1946 constitution of the Fourth Republic and the creation of French Union citizenship. For Shepard, both French and British reforms emerged must be understood in light of the post-war context in which democracy had emerged victorious over fascism, and elites wanted to keep control of their empires.<sup>302</sup>

Many commentators have underscored the veritable *Britishness* of colonial migrants in the post-war period to buttress arguments against their (subsequently) unjust treatment. This is particularly common in discussions of the Windrush generation. Named after the HMT Empire Windrush, one of the earliest ships to carry fee-paying migrants from Jamaica to the British Isles, the Windrush generation refers to the thousands of Caribbean-born individuals who arrived in the UK from 1948 to 1962. When their territories of origin gained independence, their rights of stay were subject to renegotiation. Many did not acquire residence permits. In late 2017, reporting by the Guardian revealed that they were being threatened with detention and deportation even though many of the affected were of retirement age and had lived in the UK for over half a century. As public outrage mounted, the Home Office apologised for what would become known as the 'Windrush scandal.' Labour MP David Lammy has emphasised that "the Windrush generation are the British people – their citizenship is, and

298 Kathleen Paul, *Whitewashing Britain: Race and Citizenship in the Post-war Era* (Ithaca and London: Cornell University Press, 1997), 16.

299 The other citizenship categories included Irish British subjects, British subjects without citizenship, British Protected Persons, and aliens.

300 Turack, "Freedom of Movement Within the British Commonwealth," 478.

301 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 93.

302 Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France*, 40.

always has been, theirs by right.”<sup>303</sup> El-Enany takes issue with this interpretation. She argues that “citizenship of the United Kingdom and Colonies” was meaningfully distinct from British citizenship and operated as little more than a “euphemism for British subjecthood.”<sup>304</sup> Nonetheless, as distinct as the status may have been from future iterations, it did grant its holders a British passport and entry rights. The formal citizenship regime remained intact until the British Nationality Act of 1981, which established a *British* citizenship, revoked *jus soli* principles, and overall marked a crucial departure from Britain’s “imperial past.”<sup>305</sup>

#### 5.4.4. Black in the Union Jack

Gilroy, in his eponymous novel, subverts the assumption that *There Ain’t No Black in the Union Jack* by arguing that a “black presence” is conceptually and historically integral to the UK.<sup>306</sup> This is in tension with the standpoint of scholars like Hansen, who view racial heterogeneity as novel.<sup>307</sup> As Fryer shows, the first recorded presence of Africans in Britain dates back to the third century AD, when a “division of Moors”<sup>308</sup> was deployed to defend Hadrian’s wall, the northeastern frontier of the Roman Empire in what is now southern England.<sup>309</sup> From the 1570s onward, the presence of Black Africans in the UK was unmistakable, although by that time, their migration was mostly forced: many were enslaved as domestic servants.<sup>310</sup> Still, their presence was large enough to attract the skepticism and disapproval of Queen Elizabeth, who tried, in vain, to limit their arrival.<sup>311</sup> In the nineteenth century West African, Asian (or *lascar*), and Caribbean sailors who were hired in engine rooms on British steam ships settled in British port towns like Cardiff, Bristol and Liverpool.<sup>312</sup> Additionally, a growing number of British families returned to the UK from India with Indian servants.<sup>313</sup>

These facts notwithstanding, in numbers alone, for much of British history “emigration” took precedence over immigration. Emigration is sometimes a euphemism for colonisation, as white settlers displaced, dispossessed, or killed local populations, established plantation economies, and introduced enslaved or otherwise unfree labour regimes.<sup>314</sup> Usually this was done to exploit natural resources and serve a domestic market for sugar, coffee, tea, tobacco

303 cited in El-Enany, *Bordering Britain*, 32.

304 El-Enany, 88–89.

305 Zig Layton-Henry et al., “Britain: The Would-Be-Zero-Immigration Country,” in *Controlling Immigration* (Stanford University Press, 2004), 306.

306 Paul Gilroy, *“There Ain’t No Black in the Union Jack”: The Cultural Politics of Race and Nation* (London: Hutchinson, 1987), 14.

307 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 3. Hansen technically is concerned with the “UK’s transformation from a largely homogeneous society into a multicultural society,” but by “multicultural” he means “multiracial,” as he specifies that he chooses the former term because it is “less offensive” than the latter.

308 “Moor” was an ambiguous designation by Romans and subsequently Christians to refer to Muslims, Arabs, Berbers or dark-skinned people living in Europe or North Africa. The term was an exonym, meaning the people to whom it referred did not refer to themselves as such.

309 Peter Fryer, *Staying Power: The History of Black People in Britain* (1984; repr., London: Pluto Press, 2010), 1.

310 Fryer, 14.

311 Fryer, 14.

312 UK-LoNA-AST 7/1878-Editorial by R.H Woodcock, “Of course, I’ve no objection myself, but...”, May 1959, p 7

313 Ramdin, *Reimagining Britain: 500 Years of Black and Asian History*, 60.

314 Ashcroft, Griffiths, and Tiffin, *Post-Colonial Studies: The Key Concepts*, 61.

and other commodities in Britain. The printing press and the transmission of knowledge by travellers and authors facilitated emigration by informing a wider public about the “idea of empire.”<sup>315</sup> Accordingly, at certain points in history, emigration was viewed in a positive light by the British public, as a way of improving one’s lot.<sup>316</sup> At other times and for other people, emigration was involuntary. Williams, who would later become the first prime minister of Trinidad, chronicles how transportation (in essence, deportation) to the colonies was a common punishment under the harsh laws of feudal England for crimes as varied as burning stacks of corn, stealing cloth, or maiming cattle.<sup>317</sup> Upon arrival, the deported emigrant was bound to servitude. In every decade from 1870s onwards, there was a pressure group trying to collectivise existing efforts to move the poor to the settler colonies.<sup>318</sup> In this or another way, in last half of the nineteenth century, an estimated 7.5 million Britons went to Australia, New Zealand, Canada and South Africa.<sup>319</sup> From every decade from 1850 to 1980 (except in the 1930s), the UK experienced net emigration year on year.<sup>320</sup> A further migration flow, only partly voluntary, came after the abolition of slavery, when Britain sanctioned inter-imperial migration as a way of encouraging the replacement of the formerly enslaved labour force. Between 1838 and 1917, 500,000 indentured labourers moved from India to the Caribbean as part of this process.<sup>321</sup>

In light of the above, Foks argues that we ought to consider migration from the colonies as “migration in the opposite ‘direction’... [of] a long-running circuit of outward migration.”<sup>322</sup> Nonetheless, by the late 1800s, the number of students from overseas began to pick up, especially in London. During the First World War, these numbers increased even more as the empire was called upon to supply labour for British military efforts.<sup>323</sup> In 1914, Britain’s largest trained military force was the Indian army, which had over 150,000 men.<sup>324</sup> They fought in Europe, as well as the Middle East and in Africa. Most colonial soldiers fought in segregated regiments led by white officers until December 1915 when segregation of troops was stopped. Consequently, colonial soldiers had the opportunity to speak to other citizens of empire to discuss their rights and demands.<sup>325</sup> Like its European neighbours, the UK turned again to its colonies during the Second World War. At first, the Colonial Office was reluctant to fill vacancies with Caribbeans due to fears of “racial conflicts.”<sup>326</sup> Eventually, explicit racial discrimination relaxed as England started losing aircrew.<sup>327</sup> The UK military recruited some

315 Ramdin, *Reimagining Britain: 500 Years of Black and Asian History*, 4.

316 Foks, “Emigration State,” 174.

317 Eric Williams, *Capitalism and Slavery* (Chapel Hill: University of North Carolina Press, 1994), 11.

318 Foks, “Emigration State,” 176.

319 Ramdin, *Reimagining Britain: 500 Years of Black and Asian History*, 41.

320 Foks, “Emigration State,” 170.

321 Lommarsh Roopnarine, “Indian Indentured Servitude in the Atlantic World” (Oxford University Press, March 30, 2017), <https://doi.org/10.1093/obo/9780199730414-0210>.

322 Foks, “Emigration State,” 171.

323 Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, 113.

324 *Combat and the Colonies: The Role of Race in World War I*, 2022, <https://www.facinghistory.org/resource-library/combat-colonies-role-race-world-war-i>.

325 *Combat and the Colonies: The Role of Race in World War I*.

326 Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, 118.

327 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 30.

8,000 mainly Jamaican men as pilots or ground crew (like gunners) in the Royal Air Force (RAF), plus some as machine workers in ammunition factories in the Northwest and some in the forestry service in Scotland.<sup>328</sup> These recruits were volunteers who were motivated only partly by the desire to come to the aid of the ‘mother country.’ One recruit explained their reasons for enrolling as follows.

England was being pulverised in the first stage of the war. If you stayed here, and heard about Coventry being bombed, you felt like you had a duty, for one. Plus, one day at a dentist’s chair, I picked up a copy of *Mein Kampf*... I came across a passage where Hitler described black people and Jews as semi-developed, anthropoid, that sort of thing. Very derogatory terms. And, as a young man, I said, To hell with you.<sup>329</sup>

#### 5.4.5. Will the last one out turn off the lights?

In the late 1940s, British subjects of colour in the UK likely numbered just shy of 30,000.<sup>330</sup> Following the 1948 British Nationality Act, this figure increased. Although the Act was not particularly innovative, mostly reaffirming the status quo as it had existed for decades, it was still important, since after it was passed, migration to the UK was sanctioned by legal statute and not just by informal convention.<sup>331</sup> With this in mind, some have classified British migration policy in the immediate decades after the Second World War as a “very liberal regime,” given that it allowed unrestricted immigration from the colonies and the Commonwealth.<sup>332</sup> Others have pointed out the informal administrative measures to discourage and restrict entry, casting aspersions on the liberal character of British immigration regime.<sup>333</sup> For example, the British government informally cooperated with the “Asian Dominions” to limit travel to the UK, predominantly by encouraging/pressuring newly independent Indian and Pakistani governments to withhold passports or make their issuance more conditional. Consequently the Indian government introduced the requirements of a literacy test, a health certificate and a financial guarantee (of 1,500 rupees or roughly £112) for the acquisition of regular passports.<sup>334</sup> According to the Chancellor Iain Macleod, “West Indian governments” equally showed an “understanding of the problems involved in migration to this country and a readiness to cooperate.”<sup>335</sup>

Despite the government’s efforts at dissuasion, migration from the colonies continued unabated. In the immediate post-war period up until the early 1960s, most colonial migrants came from the West Indies. The second largest numbers came from the Indian subcontinent,

328 Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, 118.

329 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 20.

330 El-Enany, *Bordering Britain*, 81.

331 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 35.

332 Layton-Henry et al., “Britain: The Would-Be-Zero-Immigration Country,” 301.

333 Ian R.G. Spencer, *British Immigration Policy since 1939: The Making of Multi-Racial Britain* (London: Routledge, 1997).

334 UK-LoNA-AST 7/1878-Hansard, “Immigration from the Commonwealth,” 17 November 1959.

335 UK-LoNA-AST 7/1878-Hansard, “West Indies, Migrants to the United Kingdom,” 1 December 1960.

pushed in no small part due to the establishment of two independent states of India and Pakistan in 1947 which led to horrific communal violence and the dislocation of 15 million people.<sup>336</sup> As Phillips and Phillips explain, because so many had joined in British war efforts, they also “knew what it felt like to live in London and Leicester and Lancashire. They had seen new and surprising possibilities,” and consequently, it became “impossible to control their aspirations in a Caribbean colony.”<sup>337</sup> In 1948, 492 Caribbeans arrived on the *HMT Empire Windrush*.<sup>338</sup> Originally, the ship was sent to Jamaica to collect West Indian RAF staff who were on leave - these made up about 200-300 of the total number of passengers. The ship had extra capacity and offered those places to fee-paying passengers who wanted to come to England.<sup>339</sup> The arrival of the ship attracted public attention.<sup>340</sup> Prime Minister Attlee openly worried that their arrival would impair the “harmony, strength and cohesion” of British public life.<sup>341</sup>

It would be several years until immigration reached the numbers implied by concerns of this nature. The “great bulk” of Caribbean immigration to Britain began and ended in less than ten years between 1955 and 1962.<sup>342</sup> In 1952, the US had limited the number of migrants who could enter the US from the Caribbean, making Britain an even more attractive destination for potential migrants.<sup>343</sup> Subsequently, from 1955-1960, the Home Office estimated 161,450 arrivals from the West Indies compared to 33,070 arrivals from India and 17,120 from Pakistan.<sup>344</sup> Estimates from an Under-Secretary of State of the total population in 1959 are similar: 125,000 Caribbeans compared to 40,000 Indians and 20,000 Pakistanis.<sup>345</sup> Indeed, so many people migrated that Caribbeans themselves joked, “will the last person out please turn off all the lights?”<sup>346</sup> Initially, migrants were mostly single men who planned to save and return home: the average age of a passenger on the *HMT Empire Windrush* was 24.<sup>347</sup> In 1960, the relative numbers of Caribbeans in the UK started to decline as Asian immigration rose sharply to reach Caribbean levels.<sup>348</sup> From 1960-1962, reports indicate there were around 98,090 Caribbean arrivals compared to 42,000 and 50,170 arrivals from India and Pakistan respectively.<sup>349</sup>

Lucassen argues that annual immigration patterns were closely linked to the rhythm of employment and unemployment on British Isles.<sup>350</sup> Labour shortages in post-war Britain were as real as in its continental European counterparts. Shortages were exacerbated by extensive

336 Ramdin, *Reimagining Britain: 500 Years of Black and Asian History*, 165.

337 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 45.

338 El-Enany, *Bordering Britain*, 81.

339 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 48.

340 Phillips and Phillips, 69.

341 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 86.

342 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 120.

343 Phillips and Phillips, 120.

344 El-Enany, *Bordering Britain*, 102.

345 UK-LoNA-AST 7/1878-Hansard, 17 November 1958.

346 Grant, *Homecoming: Voices of the Windrush Generation*, 43.

347 Grant, 43.

348 Ramdin, *Reimagining Britain: 500 Years of Black and Asian History*, 167.

349 El-Enany, *Bordering Britain*, 102.

350 Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*.



emigration, despite the British government's best efforts to encourage Brits to stay put: in 1947, Churchill implored "lively and active citizens in the prime of life" who had applied to emigrate to white Commonwealth countries not to desert Britain.<sup>351</sup> Nonetheless, from 1951 to 1998, around 7.3 million UK citizens left for non-European destinations like Australia, Canada, the US, and New Zealand.<sup>352</sup> Despite these circumstances, state-sponsored recruitment in British colonies was minimal, with the exception of a small number of work schemes. For example, the British Transport Commission sent a recruiting team to Barbados and ultimately employed about 4,000 Caribbeans.<sup>353</sup> In contrast, the UK government did recruit white workers from Eastern Europe. In 1946, under Operation Westward Ho! the Ministry of Labour recruited 180,000 foreigners from the Balkans, Italy, and Yugoslavia from DP and refugee camps to work in jobs in agriculture and mining (for the men) or textile, healthcare and education (for the women).<sup>354</sup> Known as European Volunteer Workers (EVWs), many were former prisoners of war, and some were accused of war crimes.<sup>355</sup> To recruit them additionally required modifying immigration laws, with the Polish Resettlement Act passed in 1946 to clear the way for their arrival.<sup>356</sup> As Olusoga remarks, "at its most extreme, it was government policy to give preference to men who had fought against Britain over men who were veterans of British forces."<sup>357</sup>

#### 5.4.6. Racial exclusions

Starting in the 1960s, policymakers slowly but surely revoked the entry rights of non-white colonial citizens through nefarious legal means that severed the link between citizenship and entry rights. The 1962 Commonwealth Immigrants Act, introduced by the Conservative government under Harold Macmillan, decisively ended any legal liberalism there was to be found in the regime. The Act made CUKC citizens subject to entry restrictions, i.e. reliant on an entry voucher issued by the Ministry of Labour, unless they were born in the UK, held a passport issued under the authority of the UK government (rather than a colonial government), or were included in such a passport as a family member.<sup>358</sup> If the applicants in question had a job offer or skills required in the British workforce, there were no limits on how many entry vouchers could be issued. If not, they were subject to a quota system, the levels of which would be determined by government.<sup>359</sup> In 1965, a quota was introduced limiting the number of labour migrants from the 'New Commonwealth' countries to 8,500, 1,000 of which were reserved for migrants from Malta.

351 Grant, *Homecoming: Voices of the Windrush Generation*, 41.

352 Timothy J Hatton, "Emigration from the UK, 1870-1913 and 1950-1998," *European Review of Economic History* 8 (2004): 153.

353 Lucassen, *The Immigrant Threat: The Integration of Old and New Migrants in Western Europe since 1850*, 174.

354 Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*, 27.

355 *The Unwanted: The Secret Windrush Files* (BBC, 2019), <https://www.bbc.co.uk/programmes/m00068sk>.

356 Phillips and Phillips, *Windrush: The Irresistable Rise of Multi-Racial Britain*, 79.

357 *The Unwanted: The Secret Windrush Files*.

358 Layton-Henry et al., "Britain: The Would-Be-Zero-Immigration Country," 301.

359 James McKay, "The Passage of the 1962 Commonwealth Immigrants Act, a Case-Study of Backbench Power," *Observatoire de La Société Britannique*, no 6 (June 1, 2008), <https://doi.org/10.4000/osb.433>.



In the late 1960s, policymakers drafted new legislation in response to a new wave of immigration. A large community of around 200,000 Asians living in Kenya opted to retain British citizenship at Kenyan independence in 1963. Following 'Africanisation' policies by President Jomo Kenyatta, their future in the newly independent country was uncertain. Because their passports had been issued by the colonial governor, who subsequently became high commissioner on independence, their British passports were issued under the authority of the British government. As a result, their entry rights were secure even after the 1962 Commonwealth Immigration Act. To this end, in 1967, 13,600 Kenyan Asians arrived in the UK.<sup>360</sup> The migration immediately attracted the attention of the media, who exaggerated their figures.<sup>361</sup> As the opposition threatened strict measures to prevent their arrival, the MP Duncan Sandy submitted a bill in which he called for a stop to this immigration. Its proponents agreed that the bill needed to be passed in the shortest possible time to prevent an additional influx of migrants. The bill was accepted only a week after it was submitted.<sup>362</sup> This 1968 Commonwealth Immigrants Act further restricted the rights of colonial citizens. Specifically, it relied on the new concept of patriality. *Patrials* were those British subjects who were born, adopted or naturalised in Britain, or whose parents or grandparents were born, adopted or naturalised in Britain. Following this Act, only patrials would have free entry into the UK, and non-patrials could only come if they got one of the 1,500 visas made available by the British government every year.<sup>363</sup> A 1971 Immigration Act further enshrined this practice. Consequently, CUKC citizens could be treated like aliens.

Among scholars there is little debate that the 1962 Act, and its 1968 and 1971 successors were explicitly designed to keep out migrants of colour.<sup>364</sup> For Shilliam, the 1962 Act "entrenched Britain's racialised division of labour" by restricting the amount of Black and Asian labour that could 'threaten' the benefits gained by white labour.<sup>365</sup> Part of the reason for this lack of controversy is the overt racism animating British public life at the time. Almost immediately upon arrival, Caribbeans experienced racial discrimination in housing, employment, and policing. Many reported, for instance, that a landlord who had advertised a room and confirmed its availability would suddenly change their mind, often to admit that they "don't want black people."<sup>366</sup> When they did get a room in an overcrowded flat, sometimes without easy access to running water or a stove, they reported being charged over twice as much as a white person might be charged for an entire flat.<sup>367</sup> Employment discrimination directed Black and Asian arrivals to the lowest rungs of the market for manual labour.<sup>368</sup> They also

360 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 160.

361 Schuster, *Poortwachters over Immigranten: Het Debat over Immigratie in Het Naoorlogse Groot-Britannië En Nederland*, 67.

362 Schuster, 69.

363 Schuster, 69.

364 El-Enany, *Bordering Britain*; Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*.

365 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 94.

366 Phillips and Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain*, 90.

367 Phillips and Phillips, 135.

368 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 82.

reported being disproportionately targeted for 'sus' or 'suspected person' charges under the Vagrancy Act of 1824, which gave the police leeway to arrest people on very little grounds.<sup>369</sup>

This was the context in which racial and racist tensions erupted onto the political scene. In 1958, a group of white youths that identified as part of a counter-culture known as the Teddy Boys began to provoke, threaten and attack Black men.<sup>370</sup> The "race riots," as they would be known, began in Nottingham and subsequently took hold in London, which saw multi-day rioting. Public opinion latched on to the idea that the riots were a result of immigration increases, rather than of racism and the Teddy Boys' political aims. Among Black communities, in the aftermath of this violence the Black Power movement that had begun to reach new heights in the US began to gain traction as it was "woven into existing traditions of struggle transmitted from Caribbean and South Asian heritages."<sup>371</sup> Around the same time, the UK witnessed a virulently racist election campaign. In 1964, a seat that had been occupied for almost two decades by Labour flipped to a Conservative who campaigned on the slogan, "if you want a n\*\*\*\*\* for a neighbour vote Labour."<sup>372</sup> His opponent had spoken out against the new Immigration Act.<sup>373</sup> This election paved the way for the infamous 'Rivers of Blood' speech in 1968 by the Conservative Enoch Powell, in which Powell blended invasion and war metaphors with accusations that racialised people were stealing hospital beds, school places, and homes.<sup>374</sup> Although the opposition leader Edward Heath sacked Powell from the Shadow Cabinet, Powell had irreversibly made racial exclusions more palatable to the British public. By 1969 Heath had begun urging government to halt all immigration.<sup>375</sup>

---

369 Phillips and Phillips, *Windrush: The Irresistable Rise of Multi-Racial Britain*, 357.

370 Phillips and Phillips, 177.

371 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 5.

372 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 15.

373 Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*, 95.

374 Shilliam, 100.

375 Phillips and Phillips, *Windrush: The Irresistable Rise of Multi-Racial Britain*, 245.