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

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8. Deservingness debates: (post)colonial migrants in the British welfare state

“Does my right hon. Friend realise that our old-age pensioners feel a real sense of grievance when they are told that their pensions cannot be raised, while at the same time they see people coming here from other Commonwealth countries and getting National Assistance as soon as they arrive?”

Conservative member of Parliament to Home Secretary Rab Butler, 7 July 1960¹

“How can I be an illegal immigrant if I’ve worked for 30 odd years? I’ve paid my tax, I’ve paid my National Insurance. Then I was British, wasn’t I? You were taking my tax. You were taking my National Insurance.”

Sarah O’Connor, interview, 2019²

8.1. Introduction

In this chapter, I gauge the boundaries of the British welfare state by assessing the access of migrants from the Caribbean to the landmark legislative acts of the Beveridgean regime: National Assistance (tax-funded, means-tested social assistance) and National Insurance (8.2 and 8.3 respectively). In contrast to the Dutch and French cases, the UK welfare state did not fragment into different welfare regimes devoted to different groups. There was little attention to psychological needs, social integration, or human learning and development across the board, but there was, thanks to Beveridge’s commitment to universalism, formal equality of welfare entitlements to all UK residents. National Assistance explicitly made no distinction on the basis of nationality or residence duration. Additionally, all residents of Great Britain (the metropole) above school leaving age were required to pay contributions into National Insurance, although they could only withdraw benefits once they had made a specific number of weekly contributions, meaning that, in practice, recent migrants from the Caribbean who fell on hard times were more likely to rely on National Assistance than National Insurance.

However, substantive rights differed meaningfully from formal entitlements when it came to National Assistance, where I document local-level discrimination. Additionally, heated ideological contestation over the deservingness of Caribbean recipients (but not necessarily their cultural proximity) persisted over time. When racist public anxieties about the welfare use of Caribbeans ultimately won out over the protests of the National Assistance Board, immigration law became the main site of exclusion from the distributive community and the Commonwealth Immigrants Act was passed. After persistent back-and-forth, the Home Office and police ultimately used the welfare state apparatus to enforce immigration control, testifying to the interplay between agents of internal and external boundaries.

1 UK-LoNA-AST 7-Hansard, “West Indian Immigrants,” 7 July 1960.

2 *The Unwanted: The Secret Windrush Files*.

8.2. The National Assistance Board

8.2.1. Formal entitlements

Since the British Nationality Act of 1948, Caribbeans had Citizenship of the UK and Colonies (CUKC) and would therefore pass any nationality conditions. In any case, there were not many such criteria, given that the Beveridgean vision was one of universal welfare. Among National Insurance, National Assistance, family allowances, and the NHS, none required a nationality test.³ Section 4 of the National Assistance Act of 1948 stated, “It shall be the duty of the [National Assistance] Board ... to assist persons in Great Britain who are without resources to meet their requirements, or whose resources (including benefits receivable under the National Insurance Acts, 1946) must be supplemented in order to meet their requirements.”⁴ In a Draft Annual Report of 1961, the Board confirmed that the National Assistance Act “imposes a duty on the Board to meet need: it draws no distinctions of nationality or colour.”⁵ Thus, Caribbeans were formally entitled - in full - to the benefits associated with the National Assistance Act of 1948. Similarly, Section 1 of the National Insurance Act stipulated that “all persons employed in insurable employment shall be insured in manner provided by this Act.”⁶ The only scheme conditioned on nationality was the non-contributory old-age pension scheme introduced by Lloyd George in 1908, the remnants of which were administered by the National Assistance Board.⁷ Even then, it was the relatively more liberal subjecthood rather than the relatively more restrictive citizenship which dictated inclusion, as pensions were only payable to “British subjects.”⁸

In any case, in principle, the only risk to new arrivals from the Caribbean would have been any residence criteria. For example, receipt of non-contributory old-age pensions introduced by Lloyd George was conditioned on a residence test; one that, in fact, distinguished between “natural-born” and naturalised subjects. British subjects by birth needed to have resided in Great Britain for 12 years since age 50. Naturalised British subjects, in contrast, were required to have lived in Great Britain for 20 years in the aggregate.⁹ This would prevent anyone from naturalising or moving to the UK with the exclusive intent of accessing pensions. Family Allowances were similar. One of the parents must have lived in the UK for 26 weeks in the previous 12 months, and if the parent was born elsewhere, they must have lived in Great Britain for at least a year over the last two years (if a British subject), or for two years out of the last four years (if a foreigner).¹⁰ National Assistance, however was payable regardless of how long someone had lived in Great Britain.¹¹

3 UK-LoNA-PIN 95/4-Section II, Annex I “Persons eligible to claim - existing schemes.”

4 National Assistance Act 1948.

5 UK-LoNA-AST 7/1878-“Draft Annual Report,” 1961.

6 “National Insurance (Industrial Injuries) Act, 1946,” Pub L No 62 (n.d.), https://www.legislation.gov.uk/ukpga/1946/62/pdfs/ukpga_19460062_en.pdf.

7 Phyllis Osborn, “Selected Observations on the National Assistance Program of Great Britain,” *Social Service Review* 32, no 3 (1958): 265.

8 UK-LoNA-PIN 95/4-Section II, Annex I “Persons eligible to claim - existing schemes.”

9 UK-LoNA-PIN 95/4-Section II, Annex I “Persons eligible to claim - existing schemes.”

10 UK-LoNA-PIN 57/10-Report from Commonwealth Conference on National Insurance, May 1947.

11 UK-LoNA-PIN 95/4-“Outline of an Income Guarantee, Section II”

8.2.2. “Neither discrimination, nor special treatment”?

Despite this indisputable right to assistance, Caribbeans did not always receive benefits proportionate to their formal entitlements. Evidence from London and Birmingham points to the existence of street-level racial discrimination against Caribbeans in the late 1950s.

As mentioned, officers of the National Assistance Board, which enjoyed a quasi-independent status within the Ministry of Pensions and National Insurance, had a substantial amount of discretion in the administration of National Assistance (see 4.4.5). One inquiry by Phyllis Osborn in 1958 offers details. The first layer of their autonomy had to do with the Board’s autonomy relative to the Minister of National Insurance and to Parliament. The Board would propose “scale rates” that the Minister of National Insurance would take into consideration for parliamentary approval; the latter would “usually” present the exact proposal of the Board to parliament.¹² As one observer noted, “top staff [of the Board] apparently do their best to convince the Minister to follow practices which they, from their experience and knowledge, believe to be sound.”¹³ Subsequently, the Board could instruct its staff on the administration of the programme without consulting or informing Parliament or even the Appeal Tribunals that reviews the cases of aggrieved applicants.¹⁴ The Board’s officers were also tasked with means-testing, i.e. investigating the circumstances of applicants, not just for National Assistance but for a variety of other schemes, such as servicemen’s allowance and free meals.¹⁵ 10,000 staff members carried out the Board’s mission, about 500 of which were at headquarters, with the remainder spread out in local offices. The chairman was the head of the organisation, and the only full-time member of the organisation.¹⁶ From 1954 to 1964, the chair was Geoffrey Hutchinson, who had previously represented Ilford for the Conservative Party in the House of Commons. The Board had ten regional offices in England, which liaised between the headquarters office and the area offices. Each regional office was led by a regional controller, who was supported by at least one deputy and several assistant controllers.¹⁷ Area offices, of which there were around 400, functioned “to a considerable degree” autonomously.¹⁸ They were run by area officers, who were responsible for staff training and quality of performance, while the officers who serve under the area officers were responsible for handling applications and deciding payments.¹⁹

In the spring of 1958, G.F. Sinclair, the regional controller of Birmingham, tasked his assistant controllers with investigating how much National Assistance “immigrants” were receiving, presumably in the area offices under his jurisdiction.²⁰ In Birmingham, the group in question was made up of “West Indians and Pakistanis.”²¹ As a reminder, the latter were citizens of the Commonwealth after India and Pakistan won independence in 1947, while

12 Osborn, “Selected Observations on the National Assistance Program of Great Britain,” 264.

13 Osborn, 265.

14 Osborn, 265.

15 Osborn, 266.

16 Osborn, 266.

17 Osborn, 267.

18 Osborn, 267.

19 Osborn, 268.

20 UK-LoNA-AST 7/1878-Letter from Birmingham Regional Office to Higginson, 31 August 1958.

21 UK-LoNA-AST 7/1878-Letter from Birmingham Regional Office to Higginson, 31 August 1958.

the former were Citizens of the UK and Colonies. In later correspondence, the Birmingham office would effortlessly swap the word “immigrant” for the word “coloured applicant,” revealing a conceptual slippage between national and racial boundaries. On May 21, 1958, Sinclair issued a circular to his staff with the results of the investigation, expressing that he found them “disturbing.”²² He explained that, in the case of “immigrants,” means tests were performed hastily and inattentively. Specifically, he noted that many officers inquired in an only “perfunctory” manner into an individual’s circumstance before making their decision. Sharing his suspicion of racist discrimination, Sinclair continued that, “it should be unnecessary to remind officers that the Act and Regulations do not distinguish between applicants of different nationality, language, creed or colour.”²³ Unforgiving public attitudes toward racism seemed to make this issue particularly salient, as Sinclair continued: “there must be no appearance of discrimination, particularly against coloured immigrants.”²⁴

Discrimination in the private sector exacerbated opportunities for discrimination by area officers. This was most noteworthy in the housing sector. Landlords were known to exploit the “housing needs of coloured people” by splitting up an entire house into multiple, minimally furnished rental units and charging excessively.²⁵ The conditions were crowded, as entire families would be forced to share (eat, sleep and live) in a single room. Often, they would have to share one downstairs kitchen with two gas stoves in it.²⁶ In addition to charging excessively, or perhaps because of it, landlords would often avoid issuing a rent-book. In general, since rent allowances were supposed to cover an applicant’s net rent, both practices “present[ed] a difficult problem for the Board’s local officers.”²⁷ On the one hand, without a rent-book, there was no proof of the rent charged.²⁸ Even if a rent-book was supplied, area officers argued that it might be untrustworthy on the grounds of potential “collusion” between landlord and tenant.²⁹ Secondly, the excessive charges would lead local officers to refrain from covering the declared rent in full.³⁰ One London-based officer justified withholding rent by referring to his perception that the communities in question operated on communal, solidaristic lines. This ensured, in his view, that the applicant “did not suffer any hardship” if their full rent was not covered, since others in the community would pick up slack by “contribut[ing] from their relatively high wages to the ‘common pot.’”³¹

Later that summer, the Birmingham office reached out to headquarters, acknowledging that the Regional Offices of London (there were two - London North and London South) had dealt with similar issues. The London offices had responded by issuing strict instructions to

22 UK-LoNA-AST 7/1878-“Circular Minute 13/58,” signed by G.F Sinclair, 21 May 1958.

23 UK-LoNA-AST 7/1878-“Circular Minute 13/58,” signed by G.F Sinclair, 21 May 1958.

24 UK-LoNA-AST 7/1878-“Circular Minute 13/58,” signed by G.F Sinclair, 21 May 1958.

25 UK-LoNA-AST 7/1878-Draft circular by W.L Lidbury, July 1959, sent to Miss J Hope-Wallace on 14 July 1959.

26 UK-LoNA-AST 7/1878-Report to the Pilgrim Trust by the Nottingham Consultative Committee for the Welfare of Coloured People, summer 1959.

27 UK-LoNA-AST 7/1878-Debate on Amendment Regulations, National Assistance Board, 24 June 1959.

28 UK-LoNA-AST 7/1878-Meeting minutes, 11 June 1959.

29 UK-LoNA-AST 7/1878-Meeting minutes, “Group Conference to discuss the problems of coloured applicants,” 30 May 1960.

30 UK-LoNA-AST 7/1878-Memo by GW Cole, 4 June 1959.

31 UK-LoNA-AST 7/1878-Memo by GW Cole, 4 June 1959.

area officers as to how to conduct the initial visit and how to determine the rent allowance. In the event of applicants being charged exorbitant rents by exploitative landlords, the guidelines instructed area officers to meet their rental allowance up to 15s for an applicant sharing a room and £1 for an applicant with a single room. Additionally, the guidelines instructed local officers to inform applicants of their right of appeal in the event of high rents to the Rent Tribunal.³² Birmingham Regional Office opted against issuing a circular as London regions had done, citing the likelihood that it would be viewed as permitting discrimination where it did not already exist. “There are undoubtedly still some officers,” a representative explains to national headquarters, “whom it hurts to give coloured applicants anything that can be withheld with some vestige of covering authority from above.”³³ Nonetheless, in their communications, London Regional Offices did not condone discrimination. In their circular, they stressed that “a genuine coloured applicant should not be left in straitened circumstances because of a decision not to give assistance,” citing the fact that “he may be friendless in this country and have no home roots.”³⁴

By the mid-1950s, the Board’s headquarters were well aware of local-level discrimination against “applicants of colour.” Attention to the problem appears not to have solved it, however. In May 1960, the Board’s London (North) Regional Office convened a conference on the matter, citing the “difficulties [that] were still being encountered in dealing with coloured immigrants.”³⁵ Officials from the Board’s headquarters were invited. During this conference, Mr W.L. Lidbury, Regional Controller of London (North), reiterated the position of his office that if rent was excessive, it should not be met in full. Lidbury considered this position an expression of the general principle that, when it came to “coloured immigrants,” there should be “neither discrimination against them, nor special treatment.”³⁶

8.2.3. Two committees, one conclusion

In assuring conference attendees of the undesirability of “special treatment” for Caribbean migrants, Lidbury was simultaneously responding to a spiralling national concern with the potential for welfare abuse by CUKC citizens from the colonies. This concern fuelled the flames of discussions around immigration restriction. It also meant that recourse to national assistance bore disproportionate political weight for Caribbean migrants and other applicants of colour. It features prominently in the archival record in official correspondence and documentation associated with two separate committees, both tasked with investigating the restriction of entry to CUKC citizens: one appointed by Attlee’s Labour Cabinet in 1950 and the other by Churchill’s Conservative Cabinet in 1953.

32 UK-LoNA-AST 7/1878-Draft circular by W.L Lidbury, July 1959, sent to Miss J Hope-Wallace on 14 July 1959, p 14.

33 UK-LoNA-AST 7/1878-Letter, Birmingham Regional Office to Higginson 31 August 1958.

34 UK-LoNA-AST 7/1878, Draft circular by W.L Lidbury, July 1959, sent to Miss J Hope-Wallace on 14 July 1959.

35 UK-LoNA-AST 7/1878-Meeting minutes, “Group Conference to discuss the problems of coloured applicants,” 30 May 1960.

36 UK-LoNA-AST 7/1878-Meeting minutes, “Group Conference to discuss the problems of coloured applicants,” 30 May 1960.

On 19 June 1950, Attlee's Cabinet invited him to review the "further means which might be adopted to check the immigration into this country of coloured people from British Colonial territories."³⁷ The appointed committee included the Home Secretary (James Chuter Ede at the time), Minister of Labour, Minister of Health, Secretary of State for the Colonies and the Secretary of State for Commonwealth Relations. Despite this not featuring in their mandate, the committee first concerned itself with the extent of the *problem* caused by "immigration into this country of coloured people from British territories."³⁸ The people in question included CUKC citizens: Caribbean migrants ("of West Indian extraction"), West Africans, and "Moslem people, mainly from Aden and Somaliland."³⁹ Key to the committee's investigation was the extent to which these individuals posed a fiscal burden on the public purse. A sample check during one week of August 1950 showed that 572 "coloured Colonials" had applied for national assistance, which was sufficiently few for the committee to conclude that "unemployment and destitution among these coloured people of all types is not so widespread as to have any noticeable effect on [the British] economy."⁴⁰ The committee did not allow itself to be reassured by this finding. In the end, it recommended against restricting entry, but mostly because "for citizenship purposes, the United Kingdom together with the Colonies form[ed] one unit, and it would be contrary to the scheme to sub-divide that unit."⁴¹ The formal citizenship rights of colonial migrants acted to buffer exclusionary impulses. Moreover, making clear that anxieties around welfare abuse were racialised, the committee also ruled out a "colour test," implying that though it would be desirable, it would be politically infeasible, i.e. "so invidious as to make it impossible of adoption."⁴² Without evidence, however, the committee cautioned that "social services in the United Kingdom, particularly the *rights under which any destitute person can avail himself under the National Assistance Act*, must inevitably act as a considerable attraction."⁴³ The implication was that access to British welfare operated as a magnet for migrants of colour.

Shortly thereafter, a different committee would ask the same question and come to the same conclusion despite similarly meagre evidence. In autumn of 1951, Winston Churchill led the Conservatives back into power. Churchill shared the interest of his predecessor in how migrants of colour were settling in the UK. Later that year, he asked the Postmaster General⁴⁴

37 UK-LoNA-Co 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951.

38 UK-LoNA-CO 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951.

39 UK-LoNA-CO 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951, 1.

40 UK-LoNA-CO 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951, 1.

41 UK-LoNA-CO 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951, 7.

42 UK-LoNA-CO 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951, 8.

43 Emphasis added; UK-LoNA-CO 1028/22-Draft report, "Immigration of British subjects into the United Kingdom," Committee of Ministers, 24 January 1951, 9.

44 At the time, this was a Cabinet-level ministerial position involved in maintaining the postal system and national communications

about the employment of “coloured workers” in the postal service. The Postmaster General responded that there were 500 to 600 gainfully employed, and on 16 December 1951 explained that the Post Office “could not discriminate against coloured British subjects once they are here” and therefore, if there was a concern with “coloured British subjects,” it was “not purely a Post Office question at all” and should be taken up elsewhere.⁴⁵ In response, two days later, Churchill’s cabinet invited the Home Secretary – now David Maxwell Fyfe – to convene a committee bearing much similarity to the one that Attlee’s cabinet had convened. To this end, the “Working Party on Coloured People Seeking Employment in the UK” (henceforth the “Working Party”) was formed. As its predecessor had, the Working Party recognised that its terms of reference explicitly did not require them to consider the “*desirability* of preventing any increase in the number of coloured people seeking employment...” – and, again as its predecessor had, nevertheless undertook to explore the “true extent of the problem raised by coloured immigration” before proceeding.⁴⁶ To this end, the Chairman of the Working Party requested that chief constables of police districts with “large coloured communities,” regional welfare officers of the Colonial Office, the Ministry of Labour, and the National Assistance Board submit notes on the extent to which, broadly, “coloured people ... make calls upon public assistance.”⁴⁷

These various submissions mostly offer vague impressions of the “problem” to which the committee was called to respond. The inputs of regional welfare officers of the Colonial Office are summarised in a note dated 12 March 1953. It mainly includes estimations of the size of the population of “coloured workers,” although, without going into further detail, an “experienced social worker” in Liverpool suggests that “the Africans and the West Indians present the only real problems.”⁴⁸ The reports compiled by police commissioners and constables are summarised in a note by the Home Office. A scattering of minimally substantiated observations suffice as evidence for their claims. For example, the Home Office concludes that, “although the size and make-up of the coloured communities varies considerably from one to another of these districts, members of the same race behave in much the same way in all areas.”⁴⁹ Several districts suggest that although the population lives in “poor and dirty conditions,” it is from “choice rather than necessity” (though Leeds and Birmingham disagree).⁵⁰ A number of districts in London express “the impression that on the whole coloured people are work-shy and content to live on national assistance,” echoing the view of police in Cardiff and Middlesbrough, although Liverpool, standing alone, claimed that “there is no evidence to support the view that any or all sections of the coloured community are generally idle or poor workers.”⁵¹

In their submissions to the Working Party, the Ministry of Labour and the National Assistance Board struck a different tone. The Ministry of Labour suggested that if what was

45 *The Unwanted: The Secret Windrush Files*.

46 UK-LONA-CO 1028/22-Confidential note, Chairman of Working Party, 26 January 1953.

47 UK-LoNA-CO 1028/22-Note by the Chairman, 11 July 1953.

48 UK-LoNA-CO 1028/22-Note, Colonial Office, 12 March 1953.

49 UK-LoNA-CO 1028/22-“Information obtained from the police about coloured communities in the United Kingdom,” Home Office, 11 July 1953.

50 *Ibid.*

51 *Ibid.*

at stake in the conversation was a departure from the principle of non-discrimination when matching jobseekers with prospective employers, they saw “the strongest possible objection” to the proposal.⁵² The Board, for its part, started off by qualifying that they were not “in a good position to express a general opinion on coloured people as a whole, because [they had] business with them only when something goes wrong.”⁵³ Still, they surveyed all the “able-bodied coloured people” who received assistance during a given week in June.⁵⁴ The total number was 1,870, of which 686 were West African and 431 were Caribbean. The amounts paid indicated that the costs for this assistance would amount to around £150,000 and £200,000 a year, compared to a total bill for state-funded cash assistance of £100 million a year.⁵⁵ The Board took these statistics to mean that “most of [the applicants of colour] must be leading the same lives of steady solid industry as the ordinary British working man.”⁵⁶ The only problem they identified was, indeed, negative attitudes from the public at large: “their presence in the Board’s offices leads to complaints about wasting the taxpayer’s money which would not be made if their colour did not attract attention.”⁵⁷ In short, the main issue was the racism of taxpayers, not the welfare use of the individuals in question. The Board’s note was submitted on October 5.

On November 12, the Working Party assembled to discuss the “apparently high proportion of coloured people who were unemployed or drawing National Assistance,” skipping over most of the qualifications the Board had made. The Board representative in attendance, Jacqueline Hope-Wallace, who was head of the Division of Assistance,⁵⁸ took the opportunity to again attenuate the perception of the problem, stressing that many migrants of colour were recent arrivals who did not yet qualify for National Insurance benefits, which could explain any reliance on National Assistance.⁵⁹ Hope-Wallace requested therefore that if mention was made of National Assistance during the draft report, this point also be included. The representative from the Ministry of Labour, Mr. Toogood, then cast aspersions on any calculations on a percentage basis (i.e. rates of public assistance in a given population), since these assumed that the size of the total population of colonial migrants of colour was known, which it was not.

Despite the further qualifications made by representatives of both the National Assistance Board and the Ministry of Labour, the Working Party agreed that “the rate of unemployment amongst coloured people must *on any calculation* be remarkably high.”⁶⁰ When the Working Party finished its deliberations at the end of 1953, its final report made no mention of Hope-Wallace’s request. Instead it echoed the report of the committee convened by Attlee’s cabinet, that welfare must be acting as a significant ‘pull’ for immigrants. As per the report, “so long as people have only to land in the United Kingdom to be eligible for national assistance, which may even exceed the amount what they were drawing in wages before they left their own country... it is not to be expected that administrative measures alone will do much to prevent

52 UK-LoNA-CO 1028/22-Note, Ministry of Labour, 27 March 1953.

53 *Ibid.*

54 This was the week beginning 15 June 1953.

55 UK-LoNA-CO 1028/22-Note by National Assistance Board, 5 October 1953.

56 *Ibid.*

57 *Ibid.*

58 Osborn, “Selected Observations on the National Assistance Program of Great Britain,” 258.

59 UK-LoNA-CO 1028-Meeting minutes of 4th meeting, 12 November 1953.

60 UK-LoNA-CO 1028/22-Meeting minutes, 12 November 1953.

an influx to this country...⁶¹ The Working Party closed by recommending, among other forms of immigration restriction, that the Secretary of State be given the power to deport British subjects who were “deliberately living in idleness on public funds.”⁶² The considerations from the National Assistance Board, according to which most colonial migrants were probably living lives of “steady solid industry,” were relegated to the appendix.

In short, the inquiries led by two committees, one convened by Labour and one by the Conservatives, display remarkable similarities. Both reveal a blistering preoccupation with the extent of CUKC citizens’ reliance on the national assistance to which they were entitled, and both portray their access to welfare as an immigration ‘pull’ and a justification for considering restricting this immigration. In short, both conclude that the access to welfare of colonial migrants was a problem that needed fixing, despite evidence to the contrary.

8.2.4. Welfare chauvinism

Although these conversations happened behind closed doors, anxiety around the welfare use of colonial migrants quickly spread into the public light, where members of parliament and of the public sparred mostly with members of the National Assistance Board. In the late 1950s, Conservative MPs Cyril Osborne and Norman Pannell both campaigned against non-white immigration from the colonies and did so with reference to welfare use. In 1959, Pannell began a parliamentary tirade about citizens of the Colonies and Commonwealth by reminding his audience that such citizens could “seek, and obtain, National Assistance for an indefinite period” and that they could not be deported. He went on to suggest that they were liable to “transgress [British] laws or abuse [British] hospitality,” and then to maintain that, although “most have been coloured” he did not mean to suggest that this constitutes “any drawback.”⁶³ According to Hansen, the “Osborne/Pannell position” was viewed with disdain by their colleagues in Parliament and in Whitehall, who in correspondence dismissed them as “lunatic” racists.⁶⁴ However, we have already seen how civil servants of the aforementioned committees shared at least some of the perspective of these “lunatics.” Moreover, by 1960, other MPs jumped in to lambast colonial migrants’ rights to national assistance, although usually doing so under the veneer of expressing their constituents’ opinions.

Parliamentary questions are illustrative. In July 1960, a Conservative MP Cordeaux asked then-Home Secretary Rab Butler whether he realised the “real sense of grievance” felt by British retirees who witnessed Caribbean and other migrants from the colonies exercising their formal rights to National Assistance.⁶⁵ Cordeaux was implying that the right of CUKC and Commonwealth citizens of colour to social assistance should be conditional on the possibility to grant white pensioners a benefit increase. Cordeaux suggested consulting with the Minister of Pensions and National Insurance to require “such immigrants” to pay back their benefits

61 UK-LoNA-CO 1028/22-Draft report, “Working Party on Coloured People Seeking Employment in the United Kingdom,” 28 October 1953.

62 *Ibid.*: 9.

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

64 Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation*, 83.

65 UK-LoNA-AST 7/1878-Hansard, “West Indian Immigrants,” 7 July 1960.

at a “suitable weekly rate.” Butler deferred the matter to the Colonial Secretary. A year later, in April 1961, Conservative MP Sir W. Bromley-Davenport brought a similar question to the attention of David Renton, Joint Under-Secretary of State⁶⁶ for the Home Department. Bromley-Davenport asked Renton whether he was “aware that there is increasing resentment over this type of immigrant, who come over to this country and live off the Welfare State [*sic*]...”⁶⁷ Bromley-Davenport then blurred the distinction between welfare access, labour market competition and criminal activity by continuing that these immigrants “occupy the homes our people so badly need and celebrate the occasion by occupying our gaols as well?”, implying their criminality with reference to an old word for *jail*. Renton replied by pushing back against some of the assumptions upon which Bromley-Davenport’s question relied, arguing that crime rates between “Commonwealth immigrants” and others were comparable.

Ministers were not the only ones who found themselves fielding questions of this nature. The Board, as an implementing agency of the 1948 Act, received several requests to speak on the topic, and each time displayed a striking political bent by defending the social rights of CUKC and Commonwealth citizens of colour. In August 1960, Labour MP Alan Thompson wrote to Hutchinson, the chair of the Board, explaining that he had received a letter from an agitated constituent. This constituent had read a news article in which a train passenger had described striking up conversation with a Jamaican, who had in turn explained that he was leaving the UK after two years, “during which time he had not worked at all but lived on National Assistance and was able to have a ‘wonderful time.’”⁶⁸ Neglecting the formal citizenship of Caribbean migrants and professing to transmit public anxieties, Thompson reported “considerable concern about the ease with which foreigners appear to be able to settle down on national assistance when they come here” and asked for Hutchinson’s reassurance.⁶⁹

Hutchinson’s response, succinct and decisive, is worth citing at length.

I really cannot comment very effectively upon the two letters in the newspapers which your constituent has read, or upon the conversation in the train, in the absence of any means of identifying the cases and ascertaining the real facts.

I really do not think that any man, Jamaican or otherwise, could have remained on national assistance for two years without working, unless he was sick or for some reason no work was available for him. The writer of the letter may have been mistaken; or the man himself may have been merely boasting, as they sometimes do.

It has not been our experience that the Jamaicans are more ready to come on to national assistance than British work-people. In the Spring of this year out of about 130,000 unemployed persons receiving assistance, only 3,700 were coloured immigrants. There are no official statistics of coloured persons in this country, but

66 There are three tiers of government minister in the UK; in order of rank, Secretary of State, Minister of State, and Under Secretary of State.

67 UK-LoNA-AST 7/1878, Hansard, 13 April 1961.

68 UK-LoNA-AST 7/1878, Letter from Thompson to Hutchinson, Chair of National Assistance Board, 3 August 1960.

69 UK-LoNA-AST 7/1878, Letter from Thompson to Hutchinson, Chair of National Assistance Board, 3 August 1960.

the British Caribbean Welfare Society estimate that there are roughly 150,000 West Indian workers alone over here. These figures show that the proportion of coloured persons who come on to assistance is very small. I must say that in general our experience of Jamaicans has been that they are very ready to work, and anxious to earn the good wages available in this country.

I hope that you will assure your constituent that the Board are very much alive to the problem of persons, coloured or otherwise, who are unwilling to work... We have powers of prosecution and there are other steps which we do not hesitate to take in appropriate cases...

The Jamaicans are, of course, British subjects, and as such are in an essentially different position from foreigners.⁷⁰

In short, Hutchinson expressed doubt in the veracity of the story as told by the newspaper reporter, given that assistance was conditional on jobseeking. He marshalled evidence to suggest that the proportion of Caribbean migrants receiving National Assistance was proportionate to their size in the population, and offered his positive impressions of the community, expressing, in no uncertain terms, solidarity with Caribbean migrants. He also reaffirmed their status as British subjects, and reassured Thompson that the Board would pursue cases of fraud wherever it would find them. Circulating his response to Thompson among his colleagues, Hutchinson scribbled in the margins an instruction that this letter be used as model for future responses on the same subject. Somewhat surprisingly, at least one official from the Home Office seem to have borrowed his words, responding to the accusation made by Conservative MP Martin McLaren that colonial migrants arrive and immediately seek out assistance by saying that “this has no factual foundation,” and echoing Hutchinson’s conviction that “there is nothing whatever to indicate that large numbers [of Commonwealth immigrants] seek assistance.”⁷¹ This official then proffered that despite the presence of “a minority of idlers in the community at large” there was “no reason to suppose that the proportion of such people among coloured immigrants is any greater than in the white population.”⁷² David Renton, who later would stress comparable crime rates across different communities, wrote to Conservative MP Beresford Craddock in January 1961, echoing these sentiments: “there is no evidence that in general immigrants come here in order to take advantage of our welfare services; they come in order to find employment, and the vast majority are in fact usefully employed, and contribute to our welfare services through taxation and national insurance. They certainly do not get preferential treatment.”⁷³

These attempts to assuage welfare chauvinist anxieties were ultimately in vain. In 1960, Conservative MPs Norman Pannell asked Iain Macleod about dissuading emigration from the Caribbean, and his colleague in Parliament, Sir J Duncan, cautioned Macleod that “There are far more hon. Members worried about this matter than would appear from Questions on

70 UK-LoNA-AST 7/1878, Letter from Chair of National Assistance Board to Thompson, 26 August 1960.

71 UK-LoNA-AST 7/1878, Letter from BR Williams to Private Secretary of Martin McLaren, 22 December 1960.

72 *Ibid.*

73 UK-LoNA-AST 7/1878, Letter from David Renton to MP Beresford Craddock, 10 January 1961.

the Order Paper.”⁷⁴ Tellingly, Macleod responded: “I know that ... Her Majesty’s Government are worried about it, too.”⁷⁵ In 1961, Home Secretary Rab Butler, who had one year earlier responded to a dismayed Cordeaux about the pension rights of elder Britons being eroded by the assistance rights of CUKC citizens, spoke to the House of Commons about his own fear of “virtually limitless immigration.”⁷⁶ By April of the following year, the Commonwealth Immigrants Act passed, severing the link between British subjecthood and right of entry to the United Kingdom.

8.3. National Insurance

8.3.1. Formal entitlements

Practically speaking, entitlement to National Insurance was closely linked to residence. As alluded to in the previous section, all residents over school leaving age were to be insured under the National Insurance Act of 1946. “Nationality makes no difference,” emphasised a leaflet distributed to employers by Crown Agents for Overseas Governments and Administrations when the Act entered into force: “contributions must be paid whether the worker is a British subject or not.”⁷⁷ There was no specific residence test, but benefits were only payable after a specific number of contributions had been made.⁷⁸ For example, someone did not qualify for unemployment insurance benefits until they had made 50 weekly contributions (amounting to around a year’s residence).⁷⁹ Additionally, these contributions needed to accord with “the appropriate class.” Hence, eligibility for unemployment benefits depended on contributions as an employed person, while sickness benefit and maternity allowance required contributions as an employed or self-employed person.⁸⁰ In practice, this meant that many migrants could not access National Insurance benefits immediately upon arrival, as they had not built up enough contributions, as Hope-Wallace from the National Assistance Board had testified to the Working Party in 1953.⁸¹

8.3.2. Imperial social insurance

Whether residence in the colonies counted as residence was subject to discussion. Ultimately, residence in Great Britain was taken to mean residence in England, Wales, Scotland or the Isle of Man.⁸² One reason for this was the impression of colonial officers that the needs “in an African village” are different than in the British Isles.⁸³ Specifically they argued that “the tribe

74 This is the agenda for each sitting day of the House of Commons, and includes questions, motions, updates from committees, etc.

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

76 El-Enany, *Bordering Britain*, 98.

77 UK-LoNA-CAOG 15/168-Leaflet N.I 20, “Employer’s guide to National Insurance,” April 1948: 5.

78 W.A Robson, “The National Insurance Act, 1946,” *The Modern Law Review* 10, no 2 (April 1947): 172.

79 UK-LoNA-CO 1028/22-Meeting minutes of 4th meeting, 12 November 1953.

80 Robson, “The National Insurance Act, 1946,” 172.

81 UK-LoNA-CO 1028-Meeting minutes of 4th meeting, 12 November 1953

82 Robson, “The National Insurance Act, 1946.”

83 UK-LoNA-CO 859/124/2-Memo, C.M No 5, “Social Security in the Colonial Territories.” June 1944.

or family still helps substantially to provide against old age, indigence, and, to a more limited extent, sickness.⁸⁴ Additionally, each territory contained, apparently, “several communities at different stages of development,” which was coined “the problem of plural communities” after the Dutch had apparently used that term.⁸⁵ Therefore, officers judged, the priority of British colonial governments should be to “support... the existing social structure” rather than introduce any new legislation.⁸⁶ Colonial governments could access assistance for this purpose under the 1940 Colonial Development and Welfare Act.⁸⁷ The Act was the British government’s response to labour protests in the late colonial period.⁸⁸ It involved lending or granting around £40 million to the colonies from 1946 to 1951.⁸⁹ According to Cooper, officials had long worried that the Act would become a “colonial ‘dole,’” suggesting the political cross-pressures from which it emerged: to keep the colonies part of the British empire, but to limit the costs of doing so.⁹⁰

Either way, this decision to limit National Insurance to the British Isles meant that while on duty, colonial officers did not fall under the description of insured persons.⁹¹ They did have access to colonial superannuation benefits, provident funds, widows and orphans’ reunions schemes.⁹² However, as one note makes clear, this was considered inadequate social provision. Therefore, the Colonial Office pushed for the inclusion of colonial officers, invoking fairness as the justification for these efforts: “it would seem to me that in fairness to persons who became compulsorily insured as from July 5 1948 [the date at which the National Insurance Act entered into force], and subsequently go to a Colony on contract - such as to the Ground Nut Scheme in Tanganyika... should have the option... of keeping up contributions.”⁹³ The reference to the Ground Nut Scheme is a reference to an expensive scheme pursued under the premiership of Attlee in which land in present-day Tanzania was diverted toward the cultivation of peanuts in order to alleviate margarine shortages in Britain.

In response, provisions were drawn up according to which exceptions to the residence rule could be made for people who were temporarily either visiting or leaving the UK.⁹⁴ The result was that, although they were not covered under the scheme by default, colonial civil servants were able to voluntarily insure themselves by paying the contributions that they would have paid while they were abroad.⁹⁵ The regulations for this were spelled out in a leaflet labelled 38,

84 UK-LoNA-CO 859/124/2-Memo, C.M No 5, “Social Security in the Colonial Territories.” June 1944: 3.

85 UK-LoNA-CO 859/124/2-Memo, C.M No 5, “Social Security in the Colonial Territories.” June 1944: 6.

86 UK-LoNA-CO 859/124/2-Memo, C.M No 5, “Social Security in the Colonial Territories.” June 1944: 3.

87 UK-LoNA-CO 859/124/2-Memo, C.M No 5, “Social Security in the Colonial Territories.” June 1944.

88 Cooper, *Decolonization and African Society: The Labor Question in French and British Africa*, 168.

89 Bhambra reminds us that this paled in comparison to the amounts that colonies were required to redirect toward the metropole by tributes or dollar deposits. Bhambra, “Relations of Extraction, Relations of Redistribution.”

90 Frederick Cooper, “Decolonization and Citizenship: Africa between Empires and a World of Nations,” in *Beyond Empire and Nation: Decolonizing Societies in Africa and Asia, 1930s-1970s*, ed Els Bogaerts and Remco Raben, *Verhandelingen van Het Koninklijk Instituut Voor Taal-, Land- En Volkenkunde* (Leiden: Brill, 2013), 55.

91 UK-LoNA-CO 859/124/2-Note, 15 January 1946.

92 UK-LoNA-CO 859/124/2-Note, 15 January 1946.

93 UK-LoNA- CO 859127/5- Note, K Storrie, 2 March 1949.

94 UK-LoNA-CAOG 15/168-Leaflet N.I 38, “Persons entering or leaving Great Britain,” October 1948.

95 UK-LoNA-CAOG 15/168-Notice, National Insurance Scheme, from Appointments and Passages Department of Crown Agents from the Colonies.

and circulated by National Insurance (N.I.38). They were not eligible for Class 1 (designated for employees) contributions and benefits, but rather could only pay Class 3 (non-employed) contributions, and in some cases Class 2 (self-employed).⁹⁶ Additionally, in order to make use of these exceptions, the person in question would need to apply by mail within 26 weeks of the beginning of their time abroad, or of their return to the UK. As of 11 December 1950, these requirements changed slightly, such that the time restriction became dependent on the length of time spent abroad since July 5, 1948.⁹⁷ The person in question still had to notify the Ministry of their desire to voluntarily insure themselves, but they could do so at any time. The limits on who could benefit from these provisions appear to have remain relatively strict. Conditions included that the person have been compulsorily insured in an Army Council or another government department, contributed voluntarily to another insurance, or were classified as being in a war occupation.⁹⁸ In short, the rule that residence determined entitlement was relaxed, but only enough to accommodate colonial officers.

Insurance available to those British subjects who were not colonial officers was the subject of a separate discussion. Before the end of the Second World War, the Colonial Office had begun transmitting information about Beveridge's reforms to colonial governments. It circulated a memorandum discussing, in general terms, the link between social security needs and economic development for any government that was considering taking similar steps.⁹⁹ Indeed, the possibility of transforming the social legislation of the immediate post-war period to meet "colonial conditions" garnered a fair amount of attention, though it is unclear how much escaped confidential memos.¹⁰⁰ Following these efforts, several colonial governments began to take steps toward setting up their own social security systems, with special emphasis on pensions. The Colonial Office summarised their efforts and their reflections on what type of reforms would be possible.¹⁰¹ Barbados, Jamaica, Ceylon and other territories appointed a committee to consider social security "on the lines of the Beveridge Plan."¹⁰² In Mauritius, legal provision was made for the establishment of old-age pensions for workers in the sugar industry (though it was not implemented), while Barbados established non-contributory old age pensions for those who reached 68 years old. On the other hand, in the Bahamas, for example, the Governor "expressed the opinion that there is very little hope of the introduction of a contributory scheme of social insurance."¹⁰³

Those colonies that did set up their own scheme would be able to reward any of their residents who migrated to the British Isles with privileged access to the National Insurance Act. This is because, similar to the attempts to coordinate between metropolitan and Algerian

96 UK-LoNA-CAOG 15/168-Letter from CJ Bromhead at Colonial Office to Ministry of National Insurance, Overseas Group, 11 April 1951.

97 UK-LoNA-CAOG 15/168-Letter from CJ Bromhead at Colonial Office to Ministry of National Insurance, Overseas Group, 11 April 1951.

98 UK-LoNA-CAOG 859/124/2-Leaflet N.I 38A, "Persons Abroad on 5th July, 1948," Ministry of National Insurance, June 1948.

99 UK-LoNA-CAOG 15/168-Confidential memo, "Social Security in the Colonies," 13 February 1946.

100 UK-LoNA-Confidential memo, "Social Security in the Colonies," Colonial Office, 13 February 1946.

101 UK-LoNA-Confidential memo, "Social Security in the Colonies," Colonial Office, 13 February 1946.

102 UK-LoNA-Confidential memo, "Social Security in the Colonies," Colonial Office, 13 February 1946, p 2.

103 UK-LoNA-Confidential memo, "Social Security in the Colonies," Colonial Office, 13 February 1946.

French social security schemes, the Act eventually made provisions for the government of “any British Dominion or Colony to link by reciprocal arrangements” their two insurance schemes.¹⁰⁴ Motivating this decision was, as Conservative MP Christopher Hollis put it, the notion that a key tenet of “Empire policy” was the ability of social insurance to stretch across different administrative units in the territory, or “a system of Imperial social insurance, by which contributions can be made in any one country of the empire and the benefits paid in any other country where the British citizen may find himself.”¹⁰⁵ To this end, a Commonwealth Conference on social insurance took place in May 1947 in London. Representatives of Canada, New Zealand, South Africa, Eire (Ireland), Southern Rhodesia, Burma, and Northern Ireland were invited.¹⁰⁶ The purpose was to “examine the principles on which reciprocal arrangements in the field of social insurance might be based.” Jim Griffiths, then-Minister of National Insurance (and in 1950 to become Secretary of State for the Colonies) opened the conference by reassuring delegates that “from the start we realised the importance of reciprocal arrangements.”¹⁰⁷ These were the first steps taken toward what Conservative MP Christopher Hollis would call a key tenet of “Empire policy.”¹⁰⁸ This tenet marked a rupture with colonial policy, which up until then had relied on acts like the Colonial Development and Welfare Act to deliver welfare gains in the colonies, as well as a departure from the basic residence-based criterion for eligibility under National Insurance.

8.3.3. Social security and surveillance

In 8.2.3 and 8.2.4, I showed how political committees, members of Parliament and media outlets used migrants’ recourse to National Assistance to fuel anxieties about immigration. This discussion ultimately led to the passing of the Commonwealth Immigrants Act in 1962 (and its 1968 and 1971 successors). In this section I show how, when executing the Commonwealth Immigrants Act proved complicated, the Home Office turned to the department in charge of administering National Insurance (whose name changed multiple times in the post-war period) for assistance. These departments however exhibited substantial resistance to allowing their records to be used “for the purposes of law enforcement and immigration control.”¹⁰⁹

The 1962 Commonwealth Immigrants Act did not succeed in its policy aims of reducing the immigration from the colonies and the Commonwealth. Instead the total number of “Coloured Commonwealth Immigrants,” which had reached 57,700 in 1960, averaged over 51,000 between 1963 and 1968.¹¹⁰ For this reason, Carson suggests that the Act was a “futile” piece of legislation, a “weak and inapposite” instrument for controlling the entry of immigrants.¹¹¹ Implementation was made particularly difficult because Commonwealth

104 UK-LoNA-CAOG 15/168-Leaflet N.I 38, “Persons entering or leaving Great Britain,” October 1948).

105 UK-LoNA-CO 859/124/2-Daily Express article, “Hear the call of Empire,” 25 May 1948.

106 UK-LoNA-CO 859/124/2-Glasgow Herald article, “Reciprocal social insurance plan,” 16 May 1947.

107 UK-LoNA-CO 859/124/2-Glasgow Herald article, “Reciprocal social insurance plan,” 16 May 1947.

108 UK-LoNA CO

109 UK-LoNA-HO 344-Letter from GJ Otton to Mr Rawsthorne, “Immigrants and insurance cards,” 1 December 1969.

110 John Carson, “A Matter of Policy: The Lessons of Recent British Race Relations Legislation,” *Albion: A Quarterly Journal Concerned with British Studies* 8, no 2 (1976): 160.

111 Carson, 161.

citizens were not required to report to an immigration officer in the same way that foreigners were.¹¹² In this context of impotence and continued political pressure, in 1964 the Home Office turned to the Ministry of Pensions and National Insurance for their assistance in tracing those “Commonwealth citizens who are in breach of the conditions on which they were admitted to this country.”¹¹³ The Ministry of Pensions and National Insurance balked at this request at every opportunity they had.

In August 1964, R.J. Whittick, Assistant Secretary of the Immigration and Nationality Department, reached out to an official by the name of G.T. Williams at the Ministry of Pensions and National Insurance, requesting that they jointly conduct an experiment.¹¹⁴ The terms of the experiment were that Whittick would provide Williams with a dozen missing individuals, and Williams would investigate whether his records provided helpful information about their whereabouts. Williams had expressed reluctance, but Whittick persistently urged, “I should be grateful if you would carry out the experiment.”¹¹⁵ Five days later, Williams writes back with bad news. After having attempted to trace the individuals using the names provided, he explained to Whittick, “as I feared, we have had little success.”¹¹⁶ This failure only boosts Williams’ scepticism about the entire collaborative effort. “In the circumstances, we feel that this result merely endorses the doubts we have expressed previously and that leaving aside the question of principle the results likely to be obtained from such checks will be unproductive and disproportionately wasteful of staff time.”¹¹⁷

Officials from the Ministry of Pensions and National Insurance explained their rationale for dismissing the concerns of the Home Office in no uncertain terms. They outlined several practical concerns. First, if word got out that their department was checking for entry vouchers, migrants might seek work with “unscrupulous employers prepared to evade their national insurance obligations,” which would result in a net loss of contributions to the system.¹¹⁸ They also listed ethical considerations, as below:

Many people would feel it morally indefensible for the Government to use for this purpose information supplied for a quite different purpose to a social service Department and since the start of social insurance... it has been policy... that information which anyone has been obliged to furnish under the working of the

112 UK-LoNA-HO 344-Brief, “Commonwealth Immigration, Evasion.”

113 UK-LoNA-HO 344-Letter, from RJ Whittick (Home Office) to GT Williams Esq (Ministry of Pensions and National Insurance), 21 August 1964

114 UK-LoNA-HO 344-Letter, from RJ Whittick (Home Office) to GT Williams Esq (Ministry of Pensions and National Insurance), 21 August 1964

115 UK-LoNA-HO 344-Letter, from RJ Whittick (Home Office) to GT Williams Esq (Ministry of Pensions and National Insurance), 21 August 1964

116 UK-LoNA-HO 344-Letter, from GT Williams Esq (Ministry of Pensions and National Insurance) to RJ Whittick (Home Office), 22 December 1964.;

117 UK-LoNA-HO 344-Letter, from GT Williams Esq (Ministry of Pensions and National Insurance) to RJ Whittick (Home Office), 26 August 1964.

118 UK-LoNA-HO 344-Letter, from Miss GM Jones (Ministry of Pensions and National Insurance) to RJ Whittick (Home Office), 22 December 1964.

compulsory scheme of insurance should not be made available for use, possibly to his detriment, in other connections.¹¹⁹

Finally, they stressed the potential impact of cooperation on the ability of the Ministry of Pensions and National Insurance (MPNI) to carry out its own legal duties, given that a contribution card must be issued regardless of whether someone has an entry voucher or not. The successor of the Ministry of Labour, known as the Department of Employment, echoed this sentiment. Expressing “some objections of principle,” they stated that they were “concerned to assist employers to fill vacancies and to help people find jobs.” In any case, “if a man is here unlawfully, it is better to have him working than to have him living off supplementary benefit.”¹²⁰ Additionally, officials stressed that communications between themselves and their ‘clients’ were confidential, and that it would “impair” their relationship with their clients if they found out that their information was being used for other purposes.¹²¹

Later, Conservative MP Geoffrey Lloyd asked the Parliamentary Secretary to the Minister of Pensions, Norman Pentland, about whether it would be possible to require the presentation of this entry voucher. Pentland responded that “it would not be right for me as a matter of National Insurance administration to require a person properly admitted to this country to produce these documents as a condition for issuing him with a contribution card.”¹²² Later that year, Pentland was asked what precautions are taken to ensure that an applicant for National Insurance has a right to work in this country, to which Pentland responded, again in no uncertain terms, “none. The right or obligation of a person in this country to have a National Insurance card does not in general depend on whether he is working.”¹²³

The Home Office did not take no for an answer. In 1968, it resumed the discussion, pushing back against the practical arguments given by MNPI. The Home Office was under constant pressure to improve their monitoring capacity.¹²⁴ In particular, they faced criticism from the Monday Club - a political pressure group formed in 1961 by right-wing members of the Conservative Party.¹²⁵ The Home Office again approached the Ministry of Social Security, as the MNPI was known from 1966 after it merged with part of the National Assistance Board, arguing that, in any case, a person from overseas applying for a contribution card will have to authenticate his date of birth with his passport as a form of ID. In that case, Home Office officials deliberated, “it would be the work of a moment to refer to the back pages to check on what basis the applicant has been admitted to the country.”¹²⁶ Even if a “systematic check of all

119 UK-LoNA-HO 344-Letter, from Miss GM Jones (Ministry of Pensions and National Insurance) to RJ Whittick (Home Office), 22 December 1964.

120 UK-LoNA-HO 344, Expiring Law Continuance Bill, Evasion - the position of the Department of Employment and Productivity and the Department of Health and Social Services.

121 UK-LoNA-HO 344, Letter, from GJ Otton to Mr Rawsthorne, “Immigrants and Insurance cards,” 1 December 1969.

122 UK-LoNA-HO 344-Hansard, House of Commons, 22 March 1965.

123 UK-LoNA-HO 344-Hansard, 15 November 1965.

124 UK-LoNA-HO 344-Letter from the Home Office to Mr IG Gilbert, “Commonwealth Immigrants and Social Security Records,” 31 March 1970.

125 UK-LoNA-HO 344-Letter from RVD Shuffrey to Mr Rawsthorne, 23 November 1970.

126 UK-LoNA-HO 344-Notes, “regarding Mr Gilbert from the Ministry of Social Security,” 21 February 1968.

applications” was not possible, the officials continued, “if we could get the Ministry to inform us in a limited number of cases,” it would be worth their efforts.¹²⁷

By the time the new Commonwealth Immigrants Act entered into force, the Department of Health and Social Security (DHSS), as the new social security agency was known, had softened its stance. It agreed to assist the police if it came to their attention that their clients were evading immigration control, on the condition that this information be given verbally rather than in written form, and that their cooperation be kept confidential.¹²⁸ The DHSS did not wish for these arrangements to be publicised because “disclosure would be likely to reduce their effectiveness.”¹²⁹ As one official summarised, the arguments of social security agencies were “wearing pretty thin by now.”¹³⁰ Despite the relaxation of its stance vis-à-vis the police, it continued to mount resistance to the Home Office.

I am sure you will appreciate that this Department’s primary responsibility is to ensure that every person in employment has a national insurance contribution card, so that the provisions of the National Insurance Acts may be complied with and the contributions properly due may be paid. There can be no question of a work permit having to be produced - even if we know one should be held - before a card is issued. A card has to be issued almost immediately so that national insurance contributions may be paid and we do not of course normally know whether the person applying for the card is an illegal immigrant or not, and there is not the time nor have we staff sufficiently experienced in such work to be able to check a person’s origins adequately even if we had the staff-time to do it. Furthermore, as you know, this Department is *primarily a welfare department* and it would be inconsistent with this function for it to take over immigration control duties, which are the province of the Home Office.¹³¹

A further concern, if the choice was to shirk the systematic application of the Home Office’s request in favour of occasional checks, was the ways in which it would be decided which applications to subject to closer scrutiny. By 1970 it was obvious that the approach taken would be to revert to racial stereotypes: “by far the most stumbling block and the most difficult to resolve” was to invent a way to identify immigrants who lack an entitlement to work “which does not boil down to a check based on the colour of the applicant’s skin.”¹³² The fact that the execution of the Commonwealth Immigrants Act would require racialised decisions at the street-level is not surprising given that the intent behind the policy was racialised.

127 UK-LoNA-HO 344-Notes, “regarding Mr Gilbert from the Ministry of Social Security,” 21 February 1968.

128 UK-LoNA-HO 344-Draft instructions, DHSS, 29 October 1969.

129 UK-LoNA-HO 344-Brief no 3, “Immigrants and insurance cards.”

130 UK-LoNA-HO 344-Notes, “regarding Mr Gilbert from the Ministry of Social Security,” 21 February 1968.

131 UK-LoNA-HO 344-Letter from David Ennals to Frank Tomboy Esq MP, 21 April 1970.

132 UK-LoNA-HO 344, Brief no 3, “Immigrants and insurance cards.”

8.4. Analysis

Unlike its French and Dutch counterparts, the UK welfare state did not splinter to accommodate (post)colonial migrants. Its universalist foundations left no room for varying gradients of inclusion. Baldwin argues that, in Britain and Scandinavia, universalism was the “quintessential characteristic of victorious wartime reform.”¹³³ He shows how it helped to get post-war reform off the ground, because under Beveridge’s plan, middle and lower classes made the exact same contributions for entitlement to the exact same levels of benefit. This unwillingness to ask the middle classes to subsidise the poor made it “pro-bourgeois”¹³⁴ and therefore was a central part of its appeal. The non-negotiable character of the *universal* aspect of British welfare is on display when Keynes, one of the most influential economists of the century, proposed abandoning universality in a 1942 policy paper, and Beveridge resolutely “resisted any budging on the principle.”¹³⁵

Therefore, from its inception, National Assistance was available for anyone who made it to UK soil, including Caribbean migrants. Its inclusive character is somewhat surprising for a non-contributory welfare scheme, since it cannot be explained with reciprocal or actuarial logic, and it stands in contrast to its immediate non-contributory predecessors (the 1908 Old Age Pensions Act, 1945 Family Allowances Act) as well as to its Dutch counterpart, the 1965 General Assistance Act. Instead it is probably best understood as the product of a specific historical moment in which maintaining imperial integrity was an important aim, just like in France. The same year as the National Assistance Act, the British Nationality Act was passed in frantic response to fears of Commonwealth dissolution, two years after Canada had moved to create a separate citizenship and a year after Indian and Pakistani independence had highlighted the vulnerability of British empire. The architects of National Assistance added similar meaning and structure to membership in the British imperial nation. After all, Beveridge himself had specific sympathies with white settlers, having been born in colonial India to white parents, and openly admitted that he saw welfare not only as a means of boosting morale and loyalty during trying times, but of securing the “British race.”

That said, by spotlighting correspondence between Regional Offices of the National Assistance Board and its headquarters, I have presented evidence that formal entitlement did not necessary translate into substantive rights for Caribbeans. The discretionary tools built into National Assistance (as compared to National Insurance) made this possible. Lieberman has shown that in 1930s America, Southern Democrats only accepted the formal entitlements of Black Americans if the federal government foreswore operational control over street-level decisions about whom to grant assistance and how much. The ensuing racial discrimination in the programme’s administration was “beyond question.”¹³⁶ Beveridge, who toured extensively across the US after the publication of his report,¹³⁷ may have avoided a selective public assistance programme by building in substantial discretionary powers of the National Assistance Board.

133 Baldwin, *The Politics of Social Solidarity: Class Bases of the European Welfare State 1875-1975*, 52.

134 Baldwin, 112.

135 Harris, *William Beveridge: A Biography*, 402.

136 Lieberman, *Shifting the Color Line*, 119.

137 Harris, *William Beveridge: A Biography*.

The inclination of local-level officials in London and Birmingham to deny equal benefit levels to Caribbeans suggests that, at least in some regions, this discretion among UK street-level bureaucrats was similarly accompanied by racial discrimination.

Ideological contestation over the deservingness of Caribbean migrants abounded during this time period. Although these discussions did not influence the formal social rights they earned in 1946 and 1948, they did fuel the withdrawal of their entry rights in 1962. The silhouettes of two different ideological positions appear quite markedly. The debate over deservingness was highly racialised, as both parties attributed specific traits to a population that they designated as unified in some meaningful way, and revolved around work ethic. The first position portrayed “coloured immigrants” as undeserving antagonists, whose idleness threatened the fiscal base of the post-war British welfare state. In the early 1950s, two interministerial committees, commissioned first by a Labour and then by a Conservative government, concluded that the welfare rights of this group constituted a problem, despite both receiving only contrary evidence or vague, unfounded impressions from the experts they consulted. By the late 1950s, both Conservative and Labour MPs had caught on and were expressing similar anxieties, claiming to act on behalf of their constituents. Most could make particularly incendiary speeches because of a rhetorical trick of collapsing the distinction between poverty and criminality – a British tradition that dates to 1834 poor law reforms. Opponents of welfare rights for Caribbean and other migrants of colour also built on medieval laws of settlement and removal when they called for the deportation of British subjects who threatened to be a liability for public funds.

The second ideological position, best exemplified in Hutchinson’s lengthy statement, portrayed “Jamaicans” as deserving recipients who are “very ready to work”¹³⁸ and contribute to the British economy, as set against a minority of undeserving “welfare scroungers” of all races that the Board was ready to persecute.¹³⁹ In fact, throughout this entire time period, the National Assistance Board emerged as a staunch defender of the social rights of migrants of colour, expanding its role beyond its administrative mandate. Each position views the same material facts differently. For example, from the former position, the fact of “poor and dirty” living conditions is interpreted as flowing from “choice rather than necessity” and used to propagate an image of the Caribbean migrant as culturally unsuited to British life.¹⁴⁰ Similarly, unemployment was read by one camp as the result of a “workshy” workforce, feeding into a doctrine of racialised personality traits, and by the other as stemming from labour market discrimination.¹⁴¹

When it came to National Insurance, the implementing agency again stood up for its citizen-clients, albeit in a different way. In this case, the Ministry of Pensions and National

138 UK-LoNA-AST 7/1878, Letter from Thompson to Hutchinson, Chair of National Assistance Board, 3 August 1960.

139 For more on the ‘welfare scrounger’, see S Hall [1978] 2021: 64).

140 UK-LoNA-CO 1028/22-“Information obtained from the police about coloured communities in the United Kingdom,” Home Office, 11 July 1953.

141 The Ministry of Labour attributes, for example, unemployment at least in part to the “reluctance of some employers ... to take them on” in UK-LoNA-CO1028/22-Draft report, “Working Party on Coloured People Seeking Employment in the United Kingdom,” 28 October 1953, p 9

Insurance (and its successors by different names) warded off requests by the Home Office and by the police to hand over data to identify Commonwealth and colonial migrants who had overstayed their visa. These requests were intended to meet the requirements of the new 1962 Commonwealth Immigrants Act, which was initially highly ineffective in achieving its aims of immigration restriction. Throughout the 1960s, the Ministries responsible for administering National Insurance adamantly protested the use of their databases for the purposes of controlling immigration. Officials supported their argument with both moral and pragmatic appeals, that occasionally merged into one argument foregrounding a specific institutional mandate. The Department of Employment clarified that its main role was to “assist employers to fill vacancies.”¹⁴² It continued to mount resistance, but the arguments of the Home Office ultimately won out. By 1970, they had acquiesced and agreed to confidential cooperation with the police.

Material facts are usually necessary, but not sufficient, for an ideology to win out over another. This helps explain why members of the 1953 Working Party could meaningfully agree (and record in their meeting minutes without it attracting enough attention to be revised), that the rate of unemployment “must *on any calculation* be remarkably high”¹⁴³ after having just concluded that such a calculation was impossible. The problem of the idle “coloured immigrant” had already been established – the unemployment rate was “too high” before it could even be calculated. Notably, migrants had access both to non-contributory benefits under National Assistance and to contributory insurance under National Insurance. However, only their recourse to the former attracted public scrutiny, lending credence to the idea that deservingness is a more salient feature of debates regarding access to non-contributory benefits compared to contributory benefits.

142 UK-LoNA-HO 344, Expiring Law Continuance Bill, Evasion - the position of the Department of Employment and Productivity and the Department of Health and Social Services.

143 UK-LoNA-CO 1028/22-Meeting minutes, 12 November 1953.