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Chapter 12: Competing narratives in the nexus of migration-crime-gender

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Abstract

Crimmigration – the conflation of migration control with criminal justice control – serves to legitimise tough responses to mobility, especially by persons without fully provable rights to enter and remain in the UK. In this nexus, harm is politically framed as one of migrant harm to citizens, legitimising a hostile environment of detention, deportation and civil exclusion. This chapter addresses two elite narratives in the nexus for providing our gendered and racial ways of seeing the *wrong sort* of migrant. Framed in a culture of fear and stranger making, the first narrative on nationhood constructs the foreigner as crimmigrant – someone deviant or dangerous, to be watched and evicted. Framed as a drain on society, the second narrative on duplicity stories non-citizens as bogus and non-contributory. Based on lived experience, undocumented females re-story the crimmigrant harm as one of their unjust treatment by the State and re-tell the civil harm as one of their exploitation at the hands of policy makers, employers, and unscrupulous citizens. In an alternate telling of political stories, women counter their wrongfulness to one of their wrongful ideation under our given lens for seeing the wrong sort of migrant.

Keywords

Wrong sort of migrant, hostile environment, crimmigration, crimmigrant, nationhood, duplicity, agency, political, detention, master narratives, counter-narratives, harm, women

Introduction

As a glocal phenomenon, the control of migration is deeply complex and narratively steered by highly politicised policies and practices that seek to criminalise mobility. As part of “good” migration “management” (Bowling and Westera 2018a, p.15), the UK government has spent the last decade creating a “really hostile environment” of civil exclusions from housing, jobs, and services (Kirkup and Winnett 2012), backed by the detention and removal of migrants unable to prove a right to remain in the country (National Audit Office 2018, Rawlinson and Gentleman 2019). On a US political stage, this similar discourse of migration control is visible in Trump’s 2016 presidential promise to deport or incarcerate “probably two million, it could be even three million” criminal immigrants from neighbouring Mexico (Pengelly and Yugas 2016, n.p); in his “travel ban” on seven Muslim-majority countries (McCarthy and Siddique 2018, n.p); and in his 2020 re-election rally failure to curb chants of “send her back” (her being Congresswoman Ilhan Omar – a US citizen of Somali birth) for hating America (BBC News 2019). According to Andrews (2014, p.86):

“narratives are central to the machination of politics, for in constructing the stories about what is and isn’t working, and how this compares to a notion of ‘how this should be’, we are invariably deciding what aspects of social /political /economic /cultural life are and are not relevant to the current problem and its solution – in other words, [narratives are] the lifeblood of politics...”

In deciding what qualifies a narrative as political, consensus situates it within political discourse; that is, the communication of ideas which emerge from official political frameworks (such as government,

political parties, media) and entail narratives and counter narratives related to power relations, legal or policy decision making or challenge (Garcia and Kikulwe 2019). In this context, political master narratives and migrant counter-narratives can be understood as positional arguments on (de)criminalising migration that demonstrate the power of storytelling both by elite groups and migrant-survivors of these policies. Given that political narratives are discursively linked to cultural, social and economic shifts in attitude towards migration, this chapter focuses on the following two master narratives central to the criminalisation of mobility in the UK. Firstly: a cultural one of nationhood (encompassing national identity and security) and secondly: a socio-economic one of migrant duplicity (surrounding agency and bogus claims to State services and international protections). Each is examined for its social, gendered and racial properties for seeing the *wrong sort of migrant* – someone undocumented, untrustworthy, unskilled, economically precarious, and imagined as the weak link in the security chain protecting polity and citizen. Empirical counter-narratives of lived experience challenge the overarching harm to citizens storied in master narratives, by portraying non-citizens' vulnerability to a State crimmigration system of detention and deportation, and their civil vulnerability to labour exploitation by unscrupulous citizens, businesses, and wrongful withholding of aid. Beyond this, migrant storying of becoming and being productive members in host communities disarms their cardinal political framing as an undesirable and unwanted wrong sort of migrant.

Context: the criminalisation of immigration control

Since there is no legal definition either of migrant or immigrant (Anderson and Blinder 2021), the terms interchange and classification is intertwined with political, media and public investment in reducing levels of immigration and controlling who can and cannot enter the UK. Although the classification of immigrant absorbs foreigners from a range of religious, ethnic, socio-economic and professional backgrounds, UK politicians and media commonly differentiate non-citizens between rich and poor, white and non-white, trained or unskilled, and hailing from developed or developing countries. As Aas (2011, p.336) explains, differentiation is further drawn between the “crimmigrant” (third country migrants with a criminal conviction, terrorists from the Global South, or undocumented arrivals) and “bona fide travelers” (globally privileged foreigners by virtue of their cosmopolitanism, reliable travel history, and independent means of existence). Commenting on the UK tabloid media, Allen (2016) contrasts how journalists story the broader discourse of EU migration in terms of scale and pace, but frame irregular migration (the undocumented or irregular arrival) in a rhetoric of illegality encompassing deviance, crime, dangerousness, difference, and ineffective laws. It is such characterisations between the welcome and desired right sort of migrant-traveller and the unwanted and undocumented wrong sort of migrant-other that are institutionalised in the crimmigration estate. Originally coined by Stumpf (2006, p.376) as “crimmigration law”, merging criminal justice law and administrative immigration law in resolving immigration status, the concept has since morphed into “crimmigration control” to better reflect the narrative contextualisation of migration control with criminal justice control (Aas 2011, p.332). Legislated here in the UK by the 2014 and 2016 *Immigration Acts* (HM Government 2014; 2016) and concretised in a detention estate comprising seven immigration removal centres (IRCs), two short-term holding facilities (STHFs), one pre-departure facility for families (PDA), and thirty holding rooms near airports, docks and reporting centres, the Home Office can detain within these sites any foreign national for the purposes of immigration control (Silverman and Griffiths 2019). Under this hybrid crimmigration control system, almost every administrative immigration breach (as in having incorrect, expired, or no papers), now carries a

corresponding criminal offence of strict liability (Bowling and Westenra 2018a, p.4), post-which the non-citizen offender can be expelled from the UK. This criminal enforcement narrative of migration control harmfully nets asylum seekers and, potentially, anyone else whose journeys, status, and classifications blur. For example, economic migrants who become trafficked (Hales and Gelsthorpe 2012) and smuggled migrants who fall into debt-bondage or another form of modern slavery (Quirk 2011).

Method and challenge in empirical story-collection

In presenting the counter-narratives on nationhood and migrant duplicity, this chapter draws on empirical research conducted with 22 female migrant-survivors holding an indeterminate status either as asylum seekers, forced labour migrants or trafficking survivors. These population-flows typically intersect, with women's birth countries appearing in top sending countries for UK trafficking (NCA 2018) and in the top ten asylum nationalities in the UK (Home Office 2019). Given these categories of migrant typically face interrogative interviews at airports, in flight, at border controls, and in humanitarian centres, in-depth and conversational-led interviews are a way of providing time and safe space for storytelling. Adhering to refugee agency guidelines and ethics, all respondents were offered hospitality and compensated £20.00 on arrival, irrespective of whether they stayed for interview. Apart from one cash-refuser (who viewed the sum as "just too little"), there was genuine delight at this social relation approach given the hostility marking their claims for asylum and trafficking entitlements. In looking to facilitate dialogue on a difficult story, Socratic or open-style questioning (Hollway and Jefferson 2000) was used to help women unpack issues of power, control, pain, autonomy and agency. Acknowledging the positionality of forced migrants, questions followed a temporal timeline. An example question on a left-behind past included: What can you tell me about life back home? An example question on an uncertain present included: Can you describe a good / bad day and why it was good /bad? An example question on a hoped-for future included: If you could change one thing, what would it be? Such conversational latitude allows women to be social storytellers, capable of ascribing their own meanings to experiences which may or may not fit with master narratives on migration. The depth of narration increased as I answered their questions about my own story. Whilst I could not share insider examples of trafficking or asylum, I shared funny stories linked to English being my second language and darker times of reliance on casual working contracts. In this way, the positional gap between a white interviewer and a cohort of Black Minority Ethnic (BME) interviewees was softened, allowing for richer disclosures.

Despite such narrative safeguards, researching any vulnerable experience carries bias not least to the integrity of representations. When the field is immigration, participants often self-censor the narrative when asylum and trafficking claims are ongoing (Bosworth and Kellezi 2017). To counter this, Braun and Clarke's (2006) thematic analysis was chosen for its ability to recognise patterns, similarities and differences within qualitative storying. An in-depth reading of transcripts generated initial codes. Codes were matched with textual dialogue and then painstakingly refined to identify central themes. Given the narrative focus on nationhood and duplicity, central themes were regrouped into four categories reflecting belonging / exclusion and access to services / economic drain. Given this chapter's lens on ways of seeing the right and wrong sort of migrant, only interviews with strong contributions to these themes are used in this chapter. Whenever women's voices are cited, they are accompanied by their chosen alias, age, nationality, and movement type.

Masterful narratives on nationhood: identity and security

As a construct, migration is an exemplar of interplay between dominant narratives and cultural production. Looking to what Bamberg (2004) calls a master narrative, dominant narratives tell an authoritative story that both legitimise and normalise decision making in favour of elite groups. Looking to the influence of culture in the process of becoming criminal, Crewe (2013) critiques culture as a pocket of shared meanings and values typically constructed for us by those who hold power, for example, politicians, media, the criminal justice system. In terms of narrative harm, Hogue (2019, p.280) cautions that as cultural products, narratives have power to “build nationhood and identities, in multiple ways and with different effects in different contexts and among different audiences”. In the context of spiralling UK migrant numbers (Vargas-Silver and Markaki 2016) and an audience split over Brexit - a portmanteau of British and European Union exit - the national narrative on migration is deeply entwined with fears of losing national identity and security (Smith 2009). By analysing masterful narratives of the foreigner, we start to see how boundaries between citizen and ‘other’ are imagined in difference and threat, normalising our everyday ways of seeing the right and wrong sort of migrant that operate through a culture of shared values.

Under concerns for nationhood (particularly from people travelling to Europe), migrants are storied in a “politics of fear” and “stranger-making” (Ahmed 2004, 2012, p.2) that others the foreigner in racially gendered ways (Essed 1991). Although as a non-citizen, no one is wholly excluded from such political and legal othering (including the right sort of migrant accidentally made criminal by a Home Office visa error: Yeo 2018), mainstream storying by elites and media target difference in people from BME backgrounds who behave or appear in some way “foreign” (Parmar 2018: 110; Bowling and Westenra 2018b). In the case of women, threat to national identity is narratively embodied in mixed-race and dual heritage births which dilute the pure lineage imagined in nationalistic ideologies of sexual reproduction (Lan 2008). Additionally, as primary transmitters of cultural difference, women actively agentify the other by handing on language, culinary customs (Mankekar 2005), and, in some cultures, controversial dress practices of face veiling (the niqab), head to toe covering (the burqa) and full body beachwear (the burkini). Ironically, whilst the nation’s multi-cultural narrative celebrates these markers of difference, the security narrative re-stories them as evidencing socio-political and religious radicalisation (Dearden 2016). As Ahmed (2000, p.103) observes, “dealing with differences is a matter of refusing any differences that cannot be recognised as in the interests of the disembodied individual or the unified nation”.

The migrant male is equally beset by cultural and national insecurities casting him as a wrong sort of migrant other. The foreignness of males particularly from outside Western Europe has long been essentialised by the UK tabloid media in criminality and threat to sovereignty. For example, in “Asylum Seekers Ate our Donkeys”, Somalian migrants were ostracised for killing and cooking domesticated animals stolen from a pet sanctuary. In “Swan Bake”, East European migrants were criminalised for barbecuing swans, protected under the Wildlife and Countryside Act of 1981 and legal property of the Crown. Both discredited following investigation, they live on as urban legends sustaining masterful narratives, even when known to be wholly inaccurate (see Greenslade 2005, pp.24-26). Where Western border security is at stake, security narratives are especially pernicious to males from the Global South. Combining a masculine narrative on the terrorist (Kimmel 2003) with a religious threat

encased by Islamophobia (Elahi and Khan 2017), a grand master narrative is essentialised across males, migrants, Muslims, and terrorism no matter how inaccurate the representation - (to further follow this narrative, see for example BBC News 2016; Bulman 2016; Goujard 2018).

Under such national framings of migration in a politics of fear and stranger-making, gender stereotypes and cultural scripts embed the everyday taken for granted cultural beliefs for a sub-class of crimmigrant others in need of State control and crimmigration sanctions aimed at seeing, punishing and removing these wrong sorts of migrants. In the final section of this chapter, women's counter-narratives on detention and deportation bear witness and challenge to the harm generating functions of cultural narratives.

Masterful narratives on duplicity: accessing State services and international protections

If, through culture, nationhood is an elite narrative of power and state control over the wrong sort of migrant, then master narratives on duplicity can be read as consequential narratives of harm to citizens from not listening to elite decision makers. Focussing on health, work and welfare, master narratives of duplicity story harms to citizens in more personal costs to individuals, as opposed to wider losses to national identity. Jeremy Hunt's racialised claim of National Health Service "tourism" (Gayle 2017, n.p) is an exemplar of the irregular migrant as a cheat out to swindle citizens of rightful health care funded by the taxpayer. Political and media narratives of "birth tourism" (McDermott 2018, n.p) endorse this master narrative by amplifying an antenatal drain by females without ordinary residence status. Once again, although the right sort of migrant with socio-economic worth can become ineligible following a change to a valid working visa (Yeo 2018), duplicity narratives target the wrong sort of migrants imaged in non-contribution whether asylum seekers, forced labour migrants, or trafficking survivors. Told and re-told as tales of job, benefit and health fraud, these narratives not only legitimise public hostility towards non-contributing migrants but also entice civil actors to effect immigration checks on behalf of the State. Under the crimmigration umbrella, the *Immigration Acts of 2014 and 2016* embed the political rhetoric of a really hostile environment for illegal entrants in a raft of civil exclusions and penalties. For example, the Acts outsource immigration checks to private landlords, employers, bank clerks, registrars, and vehicle licensing agents, who are then legally obliged to refuse and report migrants lacking the requisite immigration paperwork (Yeo 2018). As McLaughlin and Velez (2019) observe, narratives of conflict are especially adept at convincing ordinary citizens of their role in securing advantageous policy outcomes. Storied in preventing harm to citizens from the bogus migrant, this hostile narrative negates migrant claims to ethical treatment, trapping vulnerable non-nationals in a spiral of destitution (Crawley et al. 2011).

For women accessing international aid and protection as survivors of a forced migration, the master narrative of duplicity is recast by political and media makers in migrant agency. Reflecting normative and gendered assumptions of an ideal crime victim lacking action in her victimisation (Christie 1986), survivors of trafficking are storied as someone who is innocent, passive, naïve, exploited and, above all, a 'Madonna' figure morally deserving of recue and help (Doezema 1998, p.47). If she shows additional signs of physical violence (as portrayed in films like "Lilya 4-ever" 2002; "Taken", 2008; "Trafficked", 2017), then her legal claim to international help and protection is visibly improved. For women accessing help as victims of forced marriage or bonded labour, genuineness is based on being a non-beneficiary in her own exploitation (so not a free-choosing sex worker who subsequently comes to harm in a host country (Mai 2013). As political and media campaigns attest, suffering identifies the

genuine victim of trafficking (VoT), and non-profiteering separates the worthy forced migrant from both the bogus and the bona fide traveler (Home Office Modern Slavery Campaign 2014). To see this ideal victim / right-wrong migrant dynamic played out in a different national and political context, see Althoff's critique of sexual violence during New Year celebrations in Cologne, Germany, in the final chapter.

Of course, assessments of irregular migrants have value in sorting who is entitled and to what international help, even if the system of rights and entitlements is hierarchical and in/exclusive in nature. However, such masterful binaries for seeing the genuine victim of trafficking and worthy forced migrant foster rescue and benefits for the right sort of applicant, whilst simultaneously criminalising findings for migrant agency and silencing the counter-narratives by the wrong sort of applicant. As Quirk (2011, p.237) contends, "when 'home' means poverty, insecurity, conformity, or conflict", not only does an act of agency in leaving become "entirely reasonable", but it also demands a more nuanced appreciation of migrational agency and victimisation beyond women's agency. Women's counter-narratives bear witness and challenge to the harm generating norms contained in official narratives of duplicitous intent.

Empirical counter-narratives on nationhood: retelling the harm

Understood as taking a position in relation to a hegemonic narrative, counter-narratives have power to challenge the harmful norms legitimising existing crimmigration arrangements. As Delgado (1989, pp.2414-5) states:

"Counterstories, which challenge the received wisdom...can open new windows into reality, showing us that there are possibilities for life other than the ones we live. They enrich imagination and teach that by combining elements from the story and current reality, we may construct a new world richer than either alone. Counterstories can quicken and engage conscience. Their graphic quality can stir imagination in ways in which more conventional discourse cannot."

Taking up the masterful element of harm but narrating it in a different telling of the story, empirical narratives actively reposition the migrant harm to nation and nationals storied in this master narrative. Focussing on their crimmigrant othering by the host nation, women counter-tell the story of harm as one of their unjust treatment, under practices of detention and deportation sanctioned by the Sovereign State. Listening to trafficking, modern slavery and asylum stories reminds us that crossing a border and arriving paperless is a reality of forced migration for many. To then be detained for deportation (as indicated in the renaming from detention to immigration removal centres under the *Nationality, Immigration and Asylum Act, 2002*), is an act widely storied as "not right"; "more persecution"; "not needed upset"; and "injustice on top of injustice". In this counter-telling of national harm, detainees reposition their political framing as harmful onto the State, insisting that the inclusion of gyms, hair salons, shops, and computer rooms inside an IRC, neither hides nor excuses their criminalisation as part of good migration management. As Trinity, 52, an asylum seeker from Nigeria remarks, such facilities make for a "glorified" prison environment, but "it's still a prison". Women without proof to remain largely narrate their confinement in an IRC as punishment, with all its inherent pains and losses - family separation, social exclusion, fractured identities, controls and captivity. With no upper statutory time limit to how long someone can be confined in a UK IRC (Bosworth and Vannier

2016), many narrate their immigration detention as morally “worse” than its criminal justice counterpart, prison. As Linda, 42, an asylum seeker from Zimbabwe explains:

“Imprisonment: that’s the worst thing when you’re fleeing persecution. In fact, it’s worse than prison. In prison you count the days down to release and in detention you count them up because you don’t know when you’re coming out” (cited in De Angelis 2020, p. 213)

Benyu, 35, an asylum seeker from Uganda tells it this way:

“You know this is what I run away from - being thrown in jail by Zanu-PF men ¹ and now I’m actually in a cell like a terrorist when I’m really seeking protection. Y’know that really hit me hard”! (cited in De Angelis 2020, p. 212)

By combining the harm element from the crimmigrant master-narrative with lived reality, experiential counter-narratives reposition the storying of migrant harm to nationhood, to one of their harmful treatment by the Sovereign State for being the wrong sort of migrant – someone without fully provable right to remain.

Empirical counter-narratives on duplicity: retelling the harm

If harm to non-citizens from detention and deportation is the counter-narrative to being labelled the crimmigrant other, then vulnerability to State and citizen exploitation is the counter-narrative to civil othering. What experiential counter-narratives typify is how crimmigration controls over work, driving licenses, bank accounts, accommodation and marriage licenses – storied as vital for protecting citizens from suspect migrants - enable both State and citizen to exploit all manner of non-citizens. This is how Aarti, 38, from the Punjab, freed from a servile marriage by her British husband for being ‘too old’, narrates her post-marital situation:

“I thought I would never be poor or on the streets and here I am. Without papers, I had no benefits, no work, nowhere to live and a son aged five to support. Sometimes I wiped tables to get cash, another time I gave out leaflets to strangers in the street. But every time it was long hours and hard work and I was paid very little and felt so exhausted. It was like my bosses owned me. I thought I *am* modern slavery” (cited in De Angelis 2014, p.56).

Aarti’s exploitation escapes censure because the duplicitous mater narrative is trained on what we are meant to see - harm to citizens from unscrupulous migrants out to defraud us, and not the other way around. As Bowling and Westenra write (2018a, p.6), “the political desire to criminalize migrants, not citizens” is clear in the “prosecutorial discretion” shown to citizens who assist irregular migrants, compared with the strict liability enshrined in having incorrect or no migrant papers. Taking up the harmful element contained in the master narrative of migrant duplicity, women counter-tell the harm as one of migrant exploitation at the hands of businesses, private employers and / or nationals. Nina, 32, a marriage migrant from India had this to say:

¹ The Zanu-PF party endorsed the recently deposed Robert Mugabe for president of Zimbabwe.

“Every morning, I was driven by a family member to a sweatshop where I sewed clothes. Every evening, I was driven home by a family member to take care of my husband - a man who can't [points to mouth and ears and shakes her head. Translator asks: Deaf and mute? Nods in agreement]. I did everything for him – wash, cook, clean, be company, have sex. But I was never given my factory wages or any carer allowance. I was treated as a slave until I ran away from home”.

Since servile marriage and forced labour are recognised indicators of modern slavery (EUP 2011), both Aarti and Nina should subsequently have received the package of State protection and support internationally prescribed by the *Council of Europe (2005)* and nationally ratified in the *Home Office (2007) Action Plan* - namely: a reflection period, access to six medico-socio-legal services and, potentially, a twelve-month UK residence permit. These same supports apply to migrants exploited through forced labour, since forced labour is covered by the same United Nations and European Conventions as trafficking, and ratified in the *UK Modern Slavery Act (HM Government 2015, Part 5 (50))*. Taking the element of agency in the master narrative on harm to citizen, Nina's disqualification from both trafficking protection and support from the Forced Marriage Unit - based on meeting her mother-in-law before marriage – captures the harm to survivors from an ideal crime victim storying of the genuine VoT and worthy migrant-survivor. Taking the harm to citizen in the master narrative on migrant duplicity, Aarti and Nina's counter-narratives reposition the hostile environment on work, benefits, marriage and driving licenses to one of their increased susceptibility to exploitative labour practices (to follow this narrative further, see for example: Waite et al 2015). In challenging the element of non-contribution across masterful framings, migrants with irregular status story their everyday life choices in examples of becoming and being socially productive inhabitants of their host communities. Regardless of their policy classification, women awaiting a formal immigration decision often volunteer while they wait, as a way of making a return to helping projects. Others story their acceptance of charity-run education and training opportunities in hopes of building a sustainable future trade. For example, Tamara, 33, trafficked from Ukraine, “worked” hairdressing competitions to gain relevant experience as her East-European qualification was non-UK portable. Ava, 22, an asylum seeker from Bolivia, cooked home-made “cuisine” to promote her catering profile at refugee community events. Luul, 29, initially smuggled out of Somalia, went on a basic computer course so she could fill out a job application once granted refugee status. Although none of these women were legally able to earn, by volunteering their time and skills, they helped their charities to raise funds whilst showcasing their talents to potential scouts and local citizens. In their counter-stories on duplicity, agency and non-contribution, women's counter-narratives reposition their harmfulness to citizens with their own harmful exploitation at the hands of elite policy makers, case managers, and unscrupulous citizens.

Concluding thoughts

The intense political investment in controlling migration - in all its forms - makes it essential to question which narratives become legitimised. Looking at the master narratives in a hostile environment of UK crimmigration control, the nexus of migration-crime-gender is plainly embedded in fears of securing the border, national identity, and citizenry against the wrong sort of migrant – a sub-group of crimmigrant others either without documents or socio-economic worth to the host nation. Although, in this chapter, discussion has focussed on trafficking survivors, labour-migrants and people seeking asylum within the UK, these narratives on criminality, security, nationhood and

citizenry chime with broader international concerns around controlling global mobility, as exemplified by Trump on the US political stage and critiqued by Althoff (chapter 14) on a German platform. Across the migration-crime-gender nexus, this chapter has shown how master narratives of cultural difference and gender-racial othering not only separate non-citizens from citizens, but also provide our ways of seeing the right and wrong sort of migrant. Once differentiated, an increasing entanglement of criminal and immigration controls heightens detention and removal for any migrant without proof of right to remain in the UK and rationalises the production of an exploitable migrant work force through civil othering and ideal victim constructions. As political narrators like Roe (1994) suggest, in today's rush for simple answers, political master narratives offer credible explanations to complex problems of migration control, border security, national identity and stability. Paying attention to migrant counter-narratives seriously troubles simplistic and harming explanations of migratory movements as given to us by dominant institutions and agents. Although counter-narratives take their shape under the same politically given framings as master narratives, they can be instrumental in repositioning the harms to nationhood and citizenry essentialised in master narratives. Taking on elements in the "myths promoted by the powerful" (Polletta 2006, p.3) and narrating them in a different telling of the story, women's empirical narratives re-position their wrongfulness to one of their wrongful ideation under our given lens for seeing the wrong sort of migrant.

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