



'Rights are crucial, but without equal rights migrants will still be exploited'

INTERVIEW WITH JULIA O'CONNELL DAVIDSON

'According to Matteo Renzi, the Italian prime minister in 2015, "human traffickers are the slave traders of the 21st century, and they should be brought to justice". The circulation of images of sub-Saharan Africans packed in rickety wooden boats helped to reinforce the idea that organized criminals had revived a barbaric slave trade, and that to prevent more people from falling victim to them, the solution was tougher measures against them, up to and including the use of military force.'

When Julia O'Connell Davidson gave her lecture for VUB-students and a larger BOZAR-public, she emphasized that looking at migration through the lens of slave trade and slavery is turning history upside down. The metaphor is not slave trade, but rather people trying to get away from a life lacking freedom and opportunity, and doing everything necessary to move into societies with more rights and freedom. Migrants are not forcibly transported into slavery, they are forcibly stopped from fleeing slave-like conditions. Hence the title of the lecture: *Contemporary Migration Through the Lens of Atlantic World Slavery: Fugitivity not "Modern Slavery"*.

After the lecture, MO*journalist Gie Goris interviewed O'Connell about her views on migration and the slave trade metaphor.

Gie Goris: One question that I had when listening to the lecture is about the slave-like conditions that migrants in Europe work in. You give the tragic example of Mustafa Dawood, who came from South Sudan and ended up working illegally in the United Kingdom and died running away from migration officials. You say he did not want to be rescued, but the question remains: how do we view his working conditions? Because he was probably being badly paid, worked long hours, and probably didn't get proper protective gear. If not as a slave-like condition, then how do you look at those working conditions? And is there a better way of approaching them?

Julia O'Connell: The problem for those migrants in those sorts of situations is that they aren't covered by the mechanisms that are designed to protect EU national workers from abuse and exploitation. EU nationals are protected from poor and violent treatment in the workplace. And also, at least in theory, they enjoy a certain level of social protection from the market, such as welfare and housing and health benefits. This means that if they find themselves working for an abusive employer then they've got the freedom to quit without worrying that quitting will mean utter destitution and homelessness. Obviously we could talk about how those kinds of protections are being undermined even for EU nationals in various countries. But for irregular migrants without the right to work, there is no real choice if an employer is providing them with a caravan to sleep in. Even if it's a horrible, dilapidated caravan and they are paying them something even way less than the minimum wage. You know you're not going to leave even if things are bad. If it's going to mean that you're sleeping on the streets, starving, potentially going to be picked up by the authorities because you're more visible to them and then deported.

If we look at history then their experience is actually much more like that of many free wage workers in 19th century Europe. They were also faced with the choice of either continuing working or starving. And they had to keep on working even if they were sick, even if their employer beat them or sexually abused them or cheated them. It was not the anti-slavery movement that changed that. It was the workers' collective political struggles. It was the labour movement that eventually managed to secure basic protections for workers and to ensure that they had a degree of freedom to change employer and certain rights within the workplace. The trouble was, and remains, that these protections were linked to citizenship. The model of worker citizenship leaves many groups excluded from the cover of these sorts of protections. Again, this is where I think the slavery metaphor is not a particularly helpful one.

Gie Goris: You highlight the fact that refugees, asylum seekers or irregular migrants who managed to get to the UK or to Europe, still don't reach the freedom or security they were hoping for. You compare that to slaves who managed to get to the free North in the United States in the 19th or early 20th century. Because even though they reached a territory where slavery didn't exist, they were still considered slaves under a legal framework that denied them equal citizenship rights, equal rights as a civilian, as a person, as a human. The bottom line then and now seems to be that we should focus on the rights for every human being?

Julia O'Connell: That's exactly it, yes. Rights, but not just rights. Because rights on their own aren't enough. You can have rights but the thing is equality. Because under some slave regimes enslaved people did actually have certain rights. It wasn't that they were entirely without rights. They were without equal rights. And that's the same in Europe. Today it's not that irregular migrants in law and international law have zero rights. They just don't have equal rights. And without equality you're vulnerable to abuse and exploitation.

Gie Goris: You referred to unions in the early 20th century that made the real difference and brought worker rights, also for free workers. This is an interesting point to make. Because when you talk about the anxieties in European countries today in relation with migration and especially irregular migration, unions are still a bit wavering. Very often they're not sure whether they can fully take up the issue of irregular migration. Because they see it as threatening the rights that they've been able to secure for regular workers in their own country. How do you think we can transcend that seemingly or obvious contradiction in worker movements and union mobilisation?

Julia O'Connell: I suppose unions have not always been progressive forces. If you think about the history of their relation to questions of gender equality or race and racism. Just because they're fighting for workers' rights doesn't mean that they're fighting for all workers' rights. That's been a matter of contestation within the labor movement. I suppose that's what we have to continue: to try to discuss, and to educate and press for a vision that is more inclusive, and for people to see solidarity. To see that actually acting in solidarity is not going to undermine the rights. You know the threat to the rights that were secured through the labor movement is not coming from migrants. It comes more from neoliberal economic policies and austerity and

all of these things, from the way that the banking crisis was dealt with. Those are the things that compromise and are leading to a kind of clawing back of gains that had been secured for ordinary working people. Migration is not what's threatening it. I suppose it's about trying to make those arguments. And trying to encourage greater solidarity and commitment to genuinely universal protections for everybody who's on a territory and for every worker.



Gie Goris: I would like to briefly return to the whole image of slave trade and fugitive slaves. You say that almost all of the instruments and the strategies that European states are employing today to stop immigration, to deny the right to movement to people especially coming from the Global South, already existed in 19th century United States. Can you give us a few specific examples?

Julia O'Connell: In Europe, when we are taught the history of Atlantic world slavery, the focus is often on moments when enslaved people were treated as commodities or things: images of people shackled on ships or in chains being taken to auction. Obviously those moments existed, and there was little enslaved people could do to resist or escape. But once an enslaved person had been taken to a plantation or a farm or a city, slave owners had to allow a certain amount of freedom of movement. Because a slave who was kept permanently chained up in a dungeon would not be a productive asset. Slaveholders needed their human property to run errands, to travel with them when they went to visit people in other states. Sometimes they wanted their enslaved people to hunt for their own subsistence or to grow produce. They wanted them to take produce to a market. It was in slaveholders' interest for enslaved people to be able to move around a bit. But not too much. And obviously if slaves were allowed to go and sell some goods at a market, that meant they could run away. That's where slaveholders were dependent on the state to enforce their control and power by restricting people's mobility. That's where all of these mechanisms were devised. Passes, for instance, that were the early passports. Slaves needed a pass if they were sent to go and take produce to markets. The slaveholder then wrote a pass that said he authorized the slave's movement. The patrollers would, when they stopped the person, ask him for his papers. All of these mechanisms, the carrier sanctions for instance were because when people managed to escape to a city and then to a port city they could get on a ship that might take them north. The slaveholders were worried that there were ship captains who maybe would take a bribe or who didn't really care or might even be abolitionist in leanings. Laws were introduced to make it that any ship captain by whom a fugitive was found aboard, would be subject to heavy penalties. Sometimes the boat or the ship was confiscated. It's those kinds of measures. That's where the similarities lie.

Gie Goris: When you talk about fugitive slaves in the 19th century, we know that there was an 'underground railroad': people helping escaping slaves to go up north and to get to relative security or safety. You mention that there is an increasing criminalization of humanitarian action today, but would you argue that in Europe we now need a kind of underground railroad to support people in their mobility, in their drive to get to greater freedom and better rights?

Julia O'Connell: I don't know that the underground railroad was equivalent to an NGO. In fact lots of historians now say it wasn't really a particularly well organized or a single entity. It was more like a series of loose networks. I think it's interesting that today as in the past people who want to move but who face these very heavy restrictions on mobility, do develop their own networks to try to circumvent mobility controls. Often they do that in very ingenious and creative ways. But it rarely happens the way it's portrayed in media and through the political hype talk about trafficking and smuggling. It's not these huge sinister mafias, it's more a question of a cousin who puts you in touch with a friend of a friend who happens to know somebody who can help you. I think that the underground railroad in America in the 19th century was more similar to that reality: not really a thing as such, but a loose network of people who would help other people. I think actually it got its reputation as being a sort of a well-oiled machine run by a very clever group of well-organized abolitionists. That was more the pro-slavery thinkers' fantasy about what the underground railroad was, than perhaps the reality. This again is a bit of a parallel with the way that today trafficking and smuggling is imagined. I hugely admire the NGOs that are doing the humanitarian rescue work and giving assistance to people who are at risk from the violence of border controls. I find it really shocking obviously, the criminalization of humanitarian assistance. But it's important to know that the organizations like Seawatch are not running the equivalent of an underground railroad. They're not actually arranging for people to move. They're just trying to assist and save the lives of those who do make that choice. I would be reluctant to say NGOs should take that on. Not only because it would be criminalized as illegal facilitation of migration but also because we have to change the law to achieve something that's not just putting more people at risk.

Gie Goris: **There is a well-oiled machinery of people making big money by moving people who are denied mobility by the European law. It's not just a kind of a family network or village people who meet each other in Athens and then help each other move forward. There is big money involved in this mobility. As you put it: people cannot just take a cheap flight to Europe. They're forced not just to make perilous voyages but also very expensive voyages in which they pay people, who make big money with that trip. Right?**

Julia O'Connell: It's debatable how much big money is involved and the level of organization. I think it probably varies according to which routes and who we're talking about. To me, the people who are making the most money out of this sort of immobilizing of other people are actually probably EU states. Look at how much the UK charges people to make visa applications, and at the same time make it so difficult to pass their tests! This is a huge amount of money that is being taken by the government, in order to then just reject people's applications for visas. If we are thinking about who profits, it's not only the illegal or criminal underworld. There is a huge industry as well, in terms of the legally sanctioned agencies that offer to process visas. This is one of the reasons why so many migrants or migrant workers who move through legal channels are so heavily indebted. They are also open to abuse and exploitation when they arrive at the point of destination.

Gie Goris: **A lot of these people were not born vulnerable, you say. They were made vulnerable by explicit policies from the European states. And that goes beyond their immobilization. You refer to ugly agrarian policies from the EU or from Europe. But also in a big way arms trade which destabilizes countries for the profit of very few people in Europe, in the Global North. Your point is that we are responsible, or at least European states are responsible for a lot of the destitution and vulnerability.**

Julia O'Connell: Exactly. I think we are, or our governments are heavily implicated in lots of ways. And of course we're implicated historically. It's the classic saying: "We are here because you were there." That's very relevant to a lot of the forms of migration that we see today. Think about the British role in creating the instability that continues in Sudan. There are many ways in which Europe is implicated. It's not that I'm trying to absolve dictatorships or the Eritrean regime or North Korea or something and say they're just irrelevant. But the trouble is that governments of the Global South don't have the political power on the global stage to shape global policies on issues like migration. Or on issues like climate change. Again, that seems to me where our responsibility is. It is so much greater because actually we've got far more power on this more global stage to change things.

Gie Goris: Talking about global policies, in 2018-2019 there was a lot of debate on the Global Compact for Safe, Orderly and Regular Migration (GCM). Even though the Compact is not a coercive compact, it was deemed too intrusive by the Flemish nationalist parties. Too much a problem for our national sovereignty. But for many people the Global Compact was a kind of step forward to come to a global policy about migration. That would help take the illegality out of it and make it safer for people who wanted to migrate. We are almost two years after the signing of that compact. Did it make any impact at all on the lives of people migrating, or has there been any development towards a safe and orderly migration?

Julia O'Connell: I don't know. The Global Compact was welcomed by some NGOs who thought it was going to afford some greater protection to currently vulnerable migrants. And of course it was that idea that made so many far-right nationalists and anti-immigration politicians in a number of EU countries, not just Belgium, get so upset about it. But actually other migrants rights groups and scholars are quite critical of the Compact because it doesn't go anywhere near far enough. I think I'd go along with the statement of the Forum des Alternatives Maroc which says that the pact is inspired by and reflects the interest of Europe and America and it doesn't actually guarantee rights or protections. It absolutely fails to challenge the repressive immigration policies that are leading to the multiple and grave violations of migrants' human rights. It doesn't insist on the inalienable right to freedom of movement. And, as you say, it didn't compel anybody to do anything. It put no actual restraints on power. We can see from what's been going on over the last couple of years that, and certainly if you look at what's happening in the UK at the moment in response to people who actually have rights in international law to be in Britain and are trying to cross the Channel, you can see that it hasn't achieved safe and orderly migration.



Gie Goris: One of the points you make is that we actually take recourse to the imagery of slave trade and slavery because it reflects 'us' as different from 'them'. When these restrictions would be put on Europeans, white Europeans, we would call them a crime, or we would take recourse to rights. Now we say it's an equivalent of a 19th century slave trade. Does that also mean that it makes a difference whether migrants are black or Asian or from Eastern Europe? There has been a lot of racism against white migrants also, as far as I know, in the UK and in the rest of Europe.

Julia O'Connell: I don't know if that distinction 'us and them' can be a distinction between white and black. I mean obviously it's complicated. Because, racialization or who is seen as being a racialized other shifts and changes. Xenophobia is a real thing. In Britain somebody who's white but even speaking with a non-British accent can be at risk from this sort of ethno-nationalist thinking. In terms of how it's racialized and where it's racist you just have to look at things like passports and the strength of passports from different regions of the world. From most African countries, the passport will allow you visa-free access into just a tiny number of places in the world as compared to passports from the EU or elsewhere where it's thought of as a majority white population. This is also a form of racism. It is racism in the way that it plays out in terms of freedom of mobility. Because, whilst it's true that Polish people in Britain can experience and do experience xenophobic anti-migrant hate and discrimination, they're not as restricted in terms of their global mobility as somebody from Nigeria for instance.

Gie Goris: You compare current anxieties about migration in Europe with the anxieties of white privileged free people in the United States or in other European colonies in the 19th century. When faced with the prospect of equal rights for non-white people, their reactions are not just anxieties. It's prejudice and it's toxic. But aren't there real and genuine anxieties of changing societies, especially with people with very low skills or low education skills that they might face extra competition? Are there possible anxieties in Europe vis-a-vis migration and migrants that could go beyond the fear of an elite to lose its privilege?

Julia O'Connell: A lot of people say "oh you know there might be legitimate concerns about our European way of life being under threat." That's where I see the parallel, and I find it troubling. Because, what exactly do people mean by that? And can there be 'legitimate' concerns about that? Should we be working with and listening to the anxieties of people who are currently supporting moves in Poland to withdraw rights from LGBTQ+ people? Or should we be working with the anxieties of men who believe that women have got too many rights and freedoms under EU law? Every movement to extend rights to groups that were formally excluded meets with a certain amount of resistance from those people who already enjoy the rights and privileges. And not all want to cling on to them, to the exclusion of others. But it often seems there are people who feel that this idea of equality is a threat to them. And I think that there is a tension then about whether we can be committed to universal human rights and equality, but also accommodate arguments to the effect that certain groups should not be treated as equal as others. That seems to me problematic, that politicians have even allowed that to develop as a discourse. But having said that, there's a lot more that needs to be done in terms of dispelling myths about migration and showing how it's been politicized and used to deflect attention from policies that actually threaten ordinary, working-class Europeans' well-being. Like austerity politics and so on. Also a lot of work is to be done to try and show people, or to deconstruct this idea that human mobility is a problem rather than something that's just an integral aspect of being human. We all want to move. We all need to move. It's part of what being a human being is. And it's a positive benefit. I do reject the idea that there is a threat from this, but I accept that you need to get people to see more clearly the positive benefits of everybody being mobile and being equal.

Gie Goris: This brings us back to the conclusion of your lecture where you say that it is probably hard for us to imagine a world without borders, a world where everybody has the same rights once they're in the same territory. But we should remember that the abolition of slavery once was considered too radical an idea to contemplate too. And that today we're so far removed from that situation that we think that using the slavery image is a way to protect people. Your point has been: we don't need that slavery image. We need the idea of equal rights for every human being and that's the challenge you put forward.

The conversation between Gie Goris and Julia O'Connell Davidson took place on 26 September 2020. The interview previously appeared in Dutch on mo.be.

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