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Channel crossings: offshoring asylum and the afterlife of empire in the Dover Strait

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ABSTRACT

In 2020, over 8,400 people made their way from France to the UK coast using small vessels. They did so principally in order to claim asylum in the United Kingdom (UK). Much like in other border-zones, the UK state has portrayed irregular Channel crossings as an invading threat and has deployed a militarized response. While there is burgeoning scholarship focusing on informal migrant camps in the Calais area, there has been little analysis of state responses to irregular Channel crossings. This article begins to address this gap, situating contemporary British responses to irregular Channel crossers within the context of colonial histories and maritime legacies. We focus particularly on the enduring appeal of “the offshore” as a place where undesirable racialized populations can be placed. Our aim is to offer a historicized perspective on this phenomenon which seeks to respond to calls to embed colonial histories in analyses of the present.

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Introduction

Throughout 2020, over 8,400 people made their way from northern France to the UK coast using small vessels such as rubber boats and dinghies (Timberlake 2021). Many made it to the British shoreline, landing on beaches in Kent and East Sussex, while others were picked up by Border Force patrols in the English Channel. Some who attempted this dangerous journey drowned or were declared missing. Almost all of these crossings were made in order to claim asylum in Britain, with no safe alternative route available. In a Home Office Enquiry held in September that year, the UK Visas and

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Immigration agency (UKVI) confirmed that 98 per cent of those who arrived by boat had since applied for asylum (Home Affairs Committee 2020b). These journeys drew significant media attention, even in the midst of the Covid-19 pandemic, which saw overall asylum applications in the UK fall by 41 per cent from the previous year, reaching their lowest point in a decade (Walsh 2020). While the Strait of Dover has long been a significant site of asylum seeker im/mobility, in recent years anti-migration politics in Britain and France, and the adoption of the “Common European Asylum System”, have led to thousands of would-be refugees becoming stranded on the French side of this maritime border (Gray 2017; Davies, Isakjee, and Dhesi 2017; Cassidy, Yuval-Davis, and Wemyss 2018). Ever stronger border infrastructure, diminishing hopes of gaining asylum in the EU, and the state-enforced squalor that displaced people are exposed to in the port towns of Calais and Dunkirk (see Dhesi, Isakjee, and Davies 2018; Hicks and Mallet 2019), have led to an increasing number of desperate attempts to reach the UK by any means possible.

In 2020, a combination of Brexit border stoppages, industrial action in the port of Calais, and the turmoil created by the Covid-19 pandemic, caused serious disruption to the usual passage of road haulage vehicles across the border.¹ This significantly reduced opportunities for people who were seeking asylum to enter the UK by stowing away in lorries and freight trains – and it increased the likelihood of even riskier methods of reaching Britain by boat, with the number of perilous sea crossings up four-fold since 2019.² Like in other border zones around the world, the violent conditions created by the politics of the border had deadly consequences (see Jones 2016; Mountz 2020). In 2020, seven people – including two infants – died while attempting these maritime crossings. A 15-month-old baby was also reported missing after his family’s overcrowded boat capsized in the Channel’s treacherous waters.

Faced with this maritime spectacle, and with refugee drownings off the coast of England bringing total border deaths since 1999 close to 300 (Institute of Race Relations 2020), the UK government deployed military “assets” including drones, coastal patrols and warships, comprising three cutters named HMC “Vigilant”, “Searcher”, and “Seeker” (Home Office 2020a). Coordinating this martial response, the UK Home Office also appointed an ex-marine to the new position of “Clandestine Channel Threat Commander” or “Small Boat Commander” with the explicit aim of “adopting interceptions at sea and the direct return of boats” (Home Office 2020a). This naval militarization was matched by the deployment of a distinctly militarized discourse and social media campaign, in which people crossing the Channel in unseaworthy boats were portrayed as an invading “threat” or criminal menace rather than potentially vulnerable individuals fleeing direct and structural violence.

While there is burgeoning scholarship focusing on informal migrant camps in the Pas-de-Calais (see Davies, Isakjee, and Dhesi 2017, 2019; Mould 2017;

Sandri 2018; Isakjee et al. 2020) there has been less attention paid to the responses to irregular Channel crossings, and almost no scholarship on the British state's maritime response in particular. Indeed, the sea and the space of the "offshore" has been absent in much discussion of this border. This article begins to address this neglect, situating contemporary British responses to irregular Channel crossers within the context of colonial histories. In doing so, we focus on the enduring appeal of "the offshore" as a space where "undesirable" racialized populations can be managed. As Shotwell (2016, 139) has articulated, "our response to the past constitutes the conditions of possibility for the present", and our aim in this paper is to offer a historicized perspective on the Channel crossings phenomenon which takes seriously calls to embed colonial histories in analyses of the contemporary political moment.

Other maritime border-zones such as the Mediterranean basin have been the focus of intensive research in recent years (for an overview, see Squire and Stierl 2020; Stierl 2020a). A small but growing part of this scholarship explores the connections between EU responses to irregular boat arrivals within the context of colonial histories and logics (for example, Saucier and Woods 2014; Danewid 2017; Proglione et al. 2021). This is also part of what has been dubbed a "postcolonial turn" in critical migration studies (Koh 2015; Tudor 2018) and speaks to the same research agenda to which we wish to contribute. However, the particularities of the Channel border-zone and responses by the British state also make this, like any border-zone, a unique case which is worthy of further in-depth analysis.

We draw on a range of empirical materials, most notably the records of the 2020 UK Home Affairs Select Committee inquiry into "Channel crossings, migration and asylum-seeking routes through the EU", as well as a range of government statements, newspaper articles, UK Home Office social media campaigns, and political speeches. But our focus is primarily conceptual and our overarching aim is to show how the British response to irregular Channel crossings can be understood within the context of colonial histories. Our argument may then find resonance in other postcolonial contexts, particularly those where the space of the "offshore" is wielded as a technology of control. The first section offers further context to the phenomenon of irregular Channel crossings. The next section discusses the relationship between contemporary border regimes and the legacies of colonialism in order to illustrate how the governance of contemporary mobility is shaped by ongoing racialized hierarchies of human value. We then move into our analytical discussion of the "offshore" as a colonial practice and imaginary which builds on the history of maritime empire and the racialized control of "undesirable" and "devalued" populations.

Contextualizing irregular channel crossings

The journeys of asylum seekers across the English Channel are anything but new. During the Great War, for example, 250,000 Belgian refugees crossed the Channel “crowding every floating thing that could possibly be put out to sea” (Baiklin 2018, 16). Folkstone on the south coast of England became known as a “town of refugees” with 35,000 arriving in October 1914 alone. Over a century earlier, anarchist writer Peter Kropotkin described the Union Jack as “the flag under which so many refugees, Russian, Italian, French, Hungarian and of all nations, had found asylum” (cited in Holmes 1983). Long before this, the English Channel had witnessed similar journeys by refugees in the bloody wake of the sixteenth-century Reformation. Refugees moved across the water in both directions – oppressed Catholics fled England for the continent, while thousands of Walloon, Dutch, and Huguenot-French exiles made the 21-mile crossing from France to England to escape persecution. As the English clergyman John Strype wrote, in Elizabethan England: “Great Numbers of them therefore from all Parts daily fled over hither into the Queen’s dominions for the safety of their lives” (Strype 1725, 554 sic). The Dover Strait, when viewed through the *longue durée* of history, is no stranger to displacement and asylum.

Nevertheless, any history of migration across the Channel, should not overlook the wider role that British colonialism has played in constructing who counts as a “real” refugee. It is in this context that the period since the late 1990s especially has seen a shift from people seeking asylum being construed as primarily a humanitarian phenomenon, to being understood as primarily an existential, economic, or racial threat (Mayblin 2019). This shift has coincided with a change in the nationalities of those seeking asylum. No longer are they European and racialized as white, now they come from formerly colonized countries, and are racialized as black and brown. In 2020 for example, the origin countries of people detected crossing the Channel in small boats included Iran (51 per cent), Iraq (26 per cent), Syria (6 per cent), Afghanistan (4 per cent), Yemen (2 per cent), Pakistan (1 per cent), and Eritrea (1 per cent) (Walsh 2020). It is in this racialized context that the Channel borderzone has become a site of securitization and militarization against the perceived menace of irregular migrants seeking entry to the UK. Within this shifting racialized milieu, the “threat” named in the Home Office role of “Clandestine Channel Threat Commander” finds its bodily form.

People who are seeking asylum find themselves in the migration bottleneck of the Pas-de-Calais for a variety of individual reasons. During fieldwork in northern France between 2015 and 2019, authors Isakjee and Davies met displaced people who were in Calais for various reasons. This included a translator who had worked for the British army during the military occupation of his country in the wake of the “War of Terror”; as well as a

young man who explained – in a thick Black Country accent – how he wanted to return to his family in the West Midlands after being automatically deported from the UK to Kabul when his temporary refugee status had expired at the age of 18. Though each person's migration story is different, our research with people residing in informal camps in northern France found four main reasons for being in Calais – several of them directly linked to colonial histories (Davies and Isakjee 2019; Isakjee et al. 2020).

First, many displaced people have applied for asylum in France but remain destitute while they wait to be accommodated. Second, some have been biometrically processed and added to the EU Asylum Fingerprint Database (EURODAC) in their first country of entry to the EU, yet are denied protection and experience “coerced onwards migration” (Davies, Isakjee, and Dhesi 2017, 1273) to northern European states. Third, many have close family in the UK (often as a direct consequence of long-standing imperial ties to the British metropole) yet few legal routes are available through which to reunite with their kin, even for unaccompanied minors. Fourth, many people view Britain as a “fair country” which respects human rights, and offers safety and the possibility of a better future. This latter reason is often connected with English being the lingua franca of colonial rule, again directly implicating empire in the contemporary politics of asylum. None of these groups can enter Britain legally in order to seek asylum, not least because the UK routinely circumvents international refugee law. For example, it operates a policy of carrier sanctions whereby ferry and train operators, airlines, and haulage companies would be fined if they allowed someone without legal travel documents to enter the country using their services. This effectively turns carriers into border guards and makes them highly circumspect in relation to who is allowed to board a vessel.

As critical migration scholars have observed (Mayblin 2017; Davies and Isakjee 2019; Mayblin and Turner 2020), the overwhelming majority of people trapped at Britain's borders, in places such as Calais, come from former European colonies. A range of policies have been pursued by both the French and British governments to punish and disperse them. As part of these efforts, the port of Calais has been fortified against irregular migrants. The “Great Wall of Calais”, for example, is a £2 million assemblage of barbed wire fences and surveillance infrastructure that surrounds the Euro-tunnel entrance and ferry port in the French border-town (Mould 2017). These fortifications were constructed in late 2016 in response to the increased visibility of migrants at the France-UK border (Isakjee et al. 2020). In general, “when countries decide to build walls and patrol borders, it does not stop people from moving but it does funnel them into more dangerous routes and force them to rely on smugglers and human traffickers” (Brambilla and Jones 2020, 297). In this way, the onshore fortifications and surveillance

systems in Calais have directly contributed to increasing attempts to cross the Channel using unseaworthy boats.

In response to these Channel crossings, the “defense” of British borders has moved into the sea. This has included the kinds of militarized responses detailed in the introduction: the use of drones, coastal patrols and warships; and the appointment of a “Small Boats Commander”. It has also precipitated a new period of policy discussion and development in Britain which has coincided with the new vision for Britain’s post-Brexit “sovereign borders” policy designed by the Home Office. In the final section of the paper, we explore the range of strategies being discussed and deployed with a particular focus on the enduring colonial fantasy of “offshoring”. We suggest the proposed asylum strategies created in the wake of increased Channel crossings showcase “the contemporary force of imperial remains” (Stoler 2008, 196). That is, not a formal continuation of empire or imperial rule, but a system of racialized violence hinging on colonial ideas of human value and a nationalist ideology shielded and legitimated by the legacies of colonialism. Part of that, of course, is an understanding that some lives are worth more than others in a colonial and racial schema, and some mobilities should therefore be filtered out at the border, whatever the cost. At the UK border, migrants are placed at the sharp end of a filtration system that sees bodies marked out as worthy or unworthy, based on inherited systems of prejudice, including racialized notions of value (Rajaram 2018).

Before focusing on the UK government’s response to contemporary Channel crossings, it is vital to place these state actions within a historical context that recognizes the links between colonialism and border policy. Beginning from the global scale and moving to the British case, in the next section we particularly emphasize how maritime policies, offshoring, and the sea have long been foundational to how Britain maintains and imagines its borders. Having introduced our analytical starting point – colonial histories of racial exclusion through border filtration – in the final section we draw on a range of empirical data to explore how contemporary British responses to irregular Channel crossings follow a distinctly colonial logic, particularly in relation to the offshore as a policy solution and political imaginary.

Border controls and the legacies of colonialism

People originating in what we might term the “First World” or the “Global North” are able to cross borders much more easily than people originating in the “Third World” or the “Global South” (Achieme 2019); understanding these terms as symbolic geographies (see Mayblin and Turner 2020). For example, Mau et al. (2015) have analysed data on visa agreements and found that since 1969 the opportunities for visa free travel have expanded for citizens of OECD countries while they have stagnated or declined for

citizens of African countries. In this way, it is relatively easy for someone with a French, German, or Canadian passport to travel around the world legally. Visa fees will be minimal, interrogations in airports rare. Meanwhile, someone with a Jamaican or Ghanaian passport will be subject to a barrage of checks, costs, barriers and en-route interrogations which make moving across borders slow, difficult and expensive. Not only is the geography of mobility globally uneven, it is also deeply connected to colonial histories.

There is a growing literature which explains the colonial origins of border controls, and the ways in which the racial logics of colonial era practices of mobility control persist today (see Mayblin and Turner 2020 for an overview). Browne (2015), for example, shows how bodily surveillance worked as a racialized technology of mobility control from its inception as part of the organization of the slave trade. Enslaved people were sorted and categorized at transatlantic ports, inspected and documented through branding, wanted posters, and slave logbooks in a manner that preceded and shaped the invention of paper documentation and the passport (see also Mongia 1999). Later, and within the British Empire, colonial subjects did not enjoy real freedoms of movement even within its constituent territories. Actual free movement only existed for white Europeans and settlers; systems of centralized state border controls were initially developed precisely to facilitate and control the movement of indentured labourers (mostly from the Indian subcontinent) across British and European empires – often via the sea – as a cheap and expendable workforce to support imperial capitalist and settler state interests (Mongia 2018). People racialized as “inferior” were therefore often subjected to extensive forms of control which accompanied exploitation and facilitated systems of dispossession by accumulation (Turner 2020, 64–100). As Gurminder K. Bhambra (2017) has argued, this means recognizing that the control of mobility – and we can extend this to the purpose of border infrastructure – emerged to regulate racialized mobility and to support white European and capitalist interests. Put differently, the construction of race and the border have always been linked.

As movements for decolonization were successful in many territories across the British Empire in the post-war period (though also of course across other empires as well), successive governments legislated to create a British immigration regime for the metropole which aimed to strictly curtail the movement of people who had previously been citizens of the British Empire. Boat arrivals of people of colour carrying British passports from other parts of the Commonwealth, such as the arrival of HMT “Empire Windrush” to the UK from Jamaica in 1948, became symbolic of an “invasion” that could threaten society (Fryer 1984). Commonwealth citizens, and then “migrants”, from former colonies were therefore slowly stripped of their right to move to the former metropole, particularly those racialized as non-

white. Special effort was made, in fact, to ensure that white arrivals were not curtailed (Paul 1997). In short, mobilities, particularly, though of course not exclusively, in the context of postcolonial Britain, have always already been shaped by racialized notions of value and belonging.

These same logics of racial value also applied to people seeking asylum, which is pertinent to the case of irregular Channel crossers. When Britain ratified the 1951 Geneva Convention on the Status of Refugees in 1954 it did so (as did all other signatories) on the basis that refugees were defined as Europeans displaced before 1951. This territorial restriction, which remained until 1967, was hard won at the negotiations but it was necessary because Britain and the other colonial powers did not view colonized subjects to be fully entitled to – or even ready for – human rights. The right to asylum was, therefore, racially discriminatory at its inception based on restrictive definitions of humanity (Mayblin 2017). In the late 1990s, people applying for asylum began to originate in formerly colonized Third World countries. They were racialized as black and brown and came from low income “developing” states. Thus, Britain, and the other European and more broadly “Western” states became explicitly hostile to refugees at the very moment at which they started to arrive from these former colonial territories (Mayblin 2017, 2019).

As intimated in the previous section, technologies of border filtration continue to operate through colonial demarcations of race, and this extends to people who are seeking asylum. The rationale and knowledge of who to surveil on the basis of who is considered valuable, dangerous or worthless, is always already racialized (De Genova 2018; Rajaram 2018). Indeed, colonial systems of racial distinction have fed into systems of value which may appear detached from formal colonialism and yet shape who is viewed as “valuable” or “surplus” in contemporary regimes of rights and under what Cedric Robinson identified as “racial capitalism” (1983). Border technologies are, therefore, imprinted with culturally embedded ideas of who is seen as probably innocent and valuable, and who is seen as potentially surplus or a “threat”. For people who are seeking asylum their appearance and nationality mark them out as dangerous and/or value-less, making it almost impossible to travel through safe or legal routes (Mayblin 2017; Brambilla and Jones 2020).

One important aspect of these colonial era controls in the British Empire was the role of maritime law as a means through which mobilities were managed. For example, Browne (2015) argues that the architecture of the Atlantic middle passage provided many of the technologies of control we have come to associate with border regimes today (also see Sharpe 2016). It was imperial port cities such as Mumbai and Aden where international border controls were often first experimented with to regulate the passage of indentured Asian labourers, through medical examinations, paper inspections and quarantines (Khaleli 2020; Turner 2020). When Indian “Lascar”

sailors began to settle in London in the seventeenth century they were subject to removal orders by the East India Company, who systematically both devalued and exploited their labour against their white counterparts (Weymss 2009). When imperial and settler authorities curtailed the movement of Indian subjects to Canada in the early twentieth century, this was done by limiting entry only to those travellers who had travelled continuously by boat from their country of origin, effectively banning Indian immigration through changing private shipping routes and ticketing policy (Gutiérrez Rodríguez 2018, 22). On the British mainland, the first laws pertaining to immigration in the twentieth century such as the Aliens Act of 1905, also targeted seafarers who might be arriving at British ports; on the basis of perceived penury, perceived ill-health, or perceived likelihood to become a public charge – meaning seafarers could be arbitrarily denied leave to disembark (Fryer 1984).

If maritime conquest can be understood as a hallmark of British imperialism, maritime crisis also punctuated its decline. The Suez crisis in particular demonstrated how Britain's maritime geopolitical dominance had dissipated – and arguably transmuted into dependence on the US (Peden 2012). But as importantly, the sea was also a key space for anti-colonial resistance, from on-ship slave revolts (Stierl 2020b), to maroonage; and long voyages at sea, were also important sites of connection for formal independence struggles (see Legg 2020). Border measures were not, then, only developed to control movement across the Empire but also to and from the metropole, and to pacify relentless forms of struggle. This brief account demonstrates how racialized ideas of who was “valuable” shaped who was subject to different forms of filtration in the British Empire, just as these colonial bordering technologies worked through maritime infrastructure. In this way, the sea networked people and wealth into the metropole, and conversely the offshore space of empire was a particular site where racialized anxieties and practices of control over who moved and settled were played out. The sea, then, has played a vital role in Britain's history of bordering. In the next section, by examining contemporary responses to Channel crossings and the enduring appeal of “the offshore” as a political imaginary, we argue that this is still the case today.

Governing channel crossings and fantasies of the offshore

As a state spread across multiple islands, and a former Empire for whom maritime travel, war, and trade was central, the sea is highly symbolic to British nationalism. While Britain is no longer a formal Empire, the English Channel has become a key site through which both the country's maritime imaginary, and its colonial nostalgia can be articulated. The English Channel is highly symbolic in militarized nationalist narratives which focus on the “British”

defense against Nazi Germany in the Second World War. More recently, the debates around Brexit have seen both refugees and the EU being considered threats to British sovereignty from “across the water”.

The colonial salience of “the offshore” has eased itself into everyday life through frequent and uncritical evocations of empire as a period associated with British achievement and success (Procter 2003; Valluvan 2019). For example, when Prime Minister Boris Johnson set out his ambitions for a “Global Britain” emerging as a consequence of Brexit, he chose a military centerpiece of the British Empire as his backdrop. Giving his speech in February 2020 at the Royal Naval College at the heart of the Admiralty in Greenwich, London, he emphasized to the gathered journalists that: “Above and around us you can see the anchors, cables, rudders, sails, oars, ensigns, powder barrels, sextants, the compasses and the grappling irons” (Johnson 2020a), before introducing his oceanic, neo-imperial plans through nautical nostalgia and maritime metaphors. He concluded his speech by stating: “There lies the port, the vessel puffs her sail. The wind sits in the mast. We are embarked now on a great voyage!” (Johnson 2020a).

As Valluvan (2019, 110–111) has observed, drawing upon Gilroy (2005): “a ‘Rule Britannia’ version of empire continue[s] to assert itself at the center of [Britain’s] national political culture.” It is no wonder, then, that the flurry of media images later that summer of racialized migrants approaching the British shoreline by boat created such a colonial response. Such is the dominance of colonial tropes within British political life that in a subsequent speech by the Prime Minister (which compared Covid-19 to a foreign “invader” and discussed tighter border controls) he even drew upon offshore imagery and the spectre of empire to announce state-investment in wind energy:

I remember how some people used to sneer at wind power 20 years ago ... They forgot the history of this country. It was offshore wind that puffed the sails of Drake and Raleigh and Nelson, and propelled this country to commercial greatness. (Johnson 2020b)

Here, Drake, Raleigh and Nelson become “iconic human ciphers” of imperialism (Gilroy 2005, 100), and their personal involvement in slavery, for example, is ignored in the name of a maritime offshore colonial fantasy. But these all too explicable visions of empire, and the corresponding offshore imaginary, are not innocent, accidental misreading of history. As De Genova and Roy (2020) have identified, the resurgence of rightwing nationalism across Europe – which in Britain manifests itself through imperial nostalgia – is not separate from the state-sponsored illegalization of migration which has caused deaths at European borders, including in the English Channel.

It is within migration and asylum policy especially where these themes of offshoring and coloniality come to the fore and take material form.

Geographers, for example, have highlighted how asylum is increasingly externalized, offshored, and isolated within a global “enforcement archipelago” (Mountz 2020). The offshore, then, is imagined as an invisible space, elsewhere, out of sight, somewhere in which normal rules do not count, where undesirable people can be placed (Potts 2019; Campling and Colas 2021). The offshore turns legal rights (here to asylum) into ambiguous and indefinite forms of abandonment. These efforts work in tandem with wider moves of some states to push responsibility elsewhere, offering “protection-lite” forms of asylum (Gammeltoft-Hansen 2011, 30). Indeed, the practice of offshoring asylum has been the exclusive preserve of former colonial and settler-colonial states (European countries, the USA and Australia), who use their wealth – or “commercial greatness” – generated through centuries of colonial extraction, to keep the migrant other at bay, whilst warding off international legal pressures through geopolitical power. These efforts curtail the incursion of what Goldberg (2006, 332) has called the “colonial outside”.

We can see how this manifests itself today by examining political responses to the increased attempts of people seeking asylum to reach the UK using small boats during 2020. Government documents leaked to the Guardian newspaper in late 2020, which were labelled “sensitive” and “official”, revealed how during the previous summer, the British state had been trialling:

a “blockade” tactic in the Channel on the median line between French and UK waters, akin to the Australian “turn back” tactic ... whereby migrant boats would be physically prevented (most likely by one or more UK RHIBs [rigid hull inflatable boats]) from entering UK waters. (Leaked government document, cited in the Guardian 2020)

The Financial Times reported that the UK Home Office was considering proposals to place a floating wall, sea barrier, or even wave machines in the middle of the English Channel to prevent people seeking asylum from entering UK jurisdiction, and had been in secret feasibility consultations with Maritime UK, a trade group which represents the shipping, port and marine industry (Financial Times 2020). These nautical proposals to “wall off” the British Isles from asylum responsibility are not new, they form part of a wider political geography of wall-building that has heightened the violence of borders around the world (Jones 2016).

These maritime measures, if put in place, would constitute “push-backs” where would-be refugees are deflected from entering a territory and accessing their right to due asylum process (Breen 2016). Although refugee push-backs are illegal under international law – as enshrined under the 1951 Convention Relating to the Status of Refugees – such measures have been witnessed recently at other European border zones (see Isakjee et al. 2020), and have been a routine part of the Australian “turn back the boats” border policy for nearly two decades. The adoption of similar border practices

by the British state, as set out by the UK Home Office in direct response to Channel crossings, reflects the UK government's view that irregular Channel crossings are a threat that must be defended against.

As part of this agenda, obscure maritime laws have been utilized as a means of criminalizing irregular Channel crossers, and therefore to deny them access to asylum. If someone who is aboard such a vessel, then, touches the tiller, oars, or steering device, they are liable to be arrested under anti-smuggling laws. Eight people were jailed on these grounds in 2020; they faced prison sentences of up to two and a half years, and the subsequent threat of deportation. By February 2021, the Home Office announced via Twitter that a further seven people had been "jailed in the last four weeks for steering small boats across the Channel" (Home Office 2021).³ By making "steering" illegal, would-be refugees are criminalized before they disembark on British territory. Not only does this offshored-criminalization perpetuate a racialized narrative of "invasion", it also obscures the fact that there are no safe alternative routes with which to claim asylum in the UK. This is part of the discourse that refugees are victims "targeted by people-smuggling networks" (Home Office 2020b), as opposed to primarily being endangered by violent border regimes. Such actions, which seek to transform people seeking asylum into criminal smugglers, therefore, attest to the sense that irregular migrants can be treated as a maritime threat which must be met with defensive actions.

Not only must this threat be defended against, but those who do get through – and have not touched a tiller – should be cast away, processed elsewhere, in an as yet indeterminate "offshore". The UK government set up a Home Affairs Select Committee inquiry into "Channel crossings, migration and asylum-seeking routes through the EU" in late 2020, holding nine half-day sessions from September to December that year. During the inquiry, one member of the committee called for the construction of an offshore "civilized facility" that could be used to "process" asylum seekers. He went further, asking the attending civil servants:

At the very least, why do we not have a civilised version of what Australia does, which is to house and look after these people remotely, until such time as they can establish that they have a genuine asylum claim? (Home Affairs Committee 2020b)

In response to this question, the Director General of HM Passport Office and UK Visas and Immigration suggested that Brexit would allow "more flexibility" in UK asylum policy, and that they were "exploring a number of different options" in relation to offshoring (Home Affairs Committee 2020b). The following month, some of those options became apparent when the UK Home Office told The Times newspaper that it was considering a range of asylum policies, all of which involved a distinctly maritime logic that would

offshore responsibility and outsource asylum beyond the territory of the UK. These included imprisoning unwanted asylum applicants on disused ferries moored off the British coastline; storing others on decommissioned North Sea oil rigs; or even deporting applicants to overseas territories, such as St Helena and Ascension Island in the South Atlantic, or to Papua New Guinea or Morocco (Swinford and Gosden 2020).

The compulsion “to house and look after these people remotely” (Home Affairs Committee 2020b), was complemented during the select committee meetings by the suggestion: “shouldn’t civilised countries [like the UK] be really supporting governments such as those in Lebanon and Turkey to provide civilised environments for people?” (Home Affairs Committee 2020b). This sentiment not only reproduces the “dismally familiar frame of imperial beneficence” (Stoler 2008, 191) whereby coloniality is justified through enlightenment logics of saving the “uncivilised” other (Said 1978), it is also another means of offshoring migration away from UK territory. Within the responses to Channel crossings, then, we see “lingering but usually unspoken colonial relationships and imperial fantasies” (Gilroy 2005, 100).

Other offshore solutions to Channel crossings put forward by government officials included proposals to persuade the French police to enforce their own obscure marine traffic regulations. For example, one Committee member suggested that: “to operate a boat above 5 horsepower in France you require a *Carte Mer*. Is it not the case that the French authorities should indeed pick these people up because they are operating boats illegally?” (Home Affairs Committee 2020c). This attempt to criminalize people seeking asylum and obfuscate responsibility for refugees using the laws of the sea, could also be witnessed in a Committee meeting held in December 2020, where the Minister for Immigration Compliance described the virtue of so-called enforced rescue methods. According to his proposal, Channel crossers would be detained and refouled at sea for their own protection. As another Committee member explained, this would “enable the French, under international law, to intercept and tow back migrants picked up by British Border Force or to allow British Border Force to land them back on French land” (Home Affairs Committee 2020a). Here, maritime conventions of rescue, such as the International Convention on Maritime Search and Rescue (1979), could be used to subvert or supersede international rights to asylum. This mendacious nautical workaround, taking place just a few miles off the English coast, would not only allow the UK to avoid responsibility, but would do so in the name of humanitarianism. Such mechanisms (denying rights under the discursive guise of humanitarian values) was common in the age of Empire.

What tethers all of these maritime proposals together, is the political and colonial imaginary of the offshore. As Appel (2012, 2019) has argued, the

offshore represents an important physical and symbolic space within contemporary capitalism, not only providing “a literal watery stage for placeless economic interaction” (Appel 2019, 3), but also, we argue, as an “empty” geography to circumvent the inconveniences of asylum law. In the context of the English Channel, the sea becomes a maritime space of exception. This is not a new phenomenon, it is a longstanding imaginary operationalized throughout empire. Those territories within the British Empire but outside of the metropolitan space of the UK were treated as spaces of exception in much the same way. Most relevant to our case here is that the offshore was both somewhere that undesirable populations could be sent or kept, and a space in which normal rules, laws and codes of behaviour did not necessarily apply – as in the case of “enforced rescue methods”. As Achille Mbembe articulates in his work on necropolitics (Mbembe 2003, 24): “colonies are the location par excellence where the controls and guarantees of judicial order can be suspended – the zone where the violence of the state of exception is deemed to operate in the service of ‘civilization’”. There are many examples of this kind of logic in action, from convicts being sent to Australia to violently settle and acquisition land, to the genocide enacted upon Indigenous people (Wolfe 2015).

Extending Mbembe’s vision of the colony as a land-based space of exception, extraction and violence, we suggest the space of the sea is also a vital place of colonial abandonment and control. “The offshore”, then, joins the colony (Mbembe 2003), the plantation (McKittrick 2011), and the camp (Davies and Isakjee 2019) as vital topographies of racial rule and colonial governance. The offshore represents a capacious *terra nullius* (“nobody’s land”), or in this case *mare nullius* (“nobody’s sea”), into which sovereign states can so easily avoid responsibility. The offshoring of asylum, either by deporting people to former colonies, housing asylum applicants aboard prison ships, or enforcing refugee push-backs at sea, continues a colonial logic of border governance that has long been central to UK asylum policy (see Mayblin 2014, 2017).

From dumping enslaved people overboard, to prison hulks, to the threat of sea-based deportation as a form of colonial discipline and punishment (Steirl, 2020); the offshore has long played a vital role in the colonial imagination. Just as the sea has been a site of anti-colonial resistance (Legg 2020). We see this throughout the history of maritime Empire, and we see it again today play out in the discourse and actions of the British state regarding Channel crossers. Offshoring is the coming together of the fantasy and technologies of the maritime Empire with the exceptional violence of the colony, even as migrants themselves resist such injustice by continuing to move, cross borders and claim a right to move, often born out of the connections of Empire. Through offshoring, new territories (*mare nullius*) can either be created on floating vessels, or existing territories bought through

development funds to create spaces of *terra nullius*. The latter would mimic the Australian approach on Manus Island and Papua New Guinea, the former is something more distinct.⁴ All of these spaces become “historically emptied places” (Vergara-Figueroa 2018); that is, both discursively untethered from the colonial logics that inform their creation, and the connected histories which inspire them.

Offshoring migration governance parallels the networks of “off-shored” security practices that have been resuscitated through the global war on terror – including torture “black sites” and methods of extradition that rely on both colonial military logics but also neocolonial prison outposts such as those found on the Chagos island of Diego Garcia (Kapoor 2018; Li 2020). Here also spaces of exceptionalism are recreated in the service of western interests and to imprison and punish those racialized as terrorists. While outsourcing is not the focus of this article, it is so often an important part of offshoring. Together the offshoring and outsourcing of migration management connect to processes of racial capitalism both in terms of how surplus populations are made and “dealt with” and the processes of extraction, profit and inequality that this creates (see Rajaram 2018). The globalization of migration control is an expensive business, with costly concessions demanded by third countries which are often poorer postcolonial states. For example, the UK has made agreements with former colonies Jamaica and Pakistan for housing foreign national prisoners (De Noronha 2020). At the same time, private security companies and contractors increasingly accumulate large profits from running border infrastructure, and asylum services from detention centres to housing provision and deportations (Darling 2016; Davitti 2019).

Through this discussion of the relationship between the fantasy of the offshore as a policy solution to the arrival of people seeking asylum in Britain we have further developed the analytical connection between the legacy of colonial histories and the contemporary evolution of bordering practices. In the following section, we draw out some conclusions.

Conclusion

This article has argued that British responses to irregular Channel crossings, particularly ambitions of offshoring, must be situated within the context of histories of colonialism and empire. Groups of migrants in small boats venturing upon the English Channel, enter a maritime space laden with material legacies of colonialism and symbolic resonance evoking imperial histories and myths; imaginaries of colonial conquest, defensive retreats, armadas and flotillas all combine to construct the borders around British nationhood. Just as the imaginary of invasion by sea restructures the nostalgic promise of a militarized nation holding out against the “barbarians” (Gilroy 2016), the

justification of “push back” and offshoring draws upon colonial logics of valuable vs disposable lives. In doing so, it exposes people seeking asylum to tenuous harms on both land and at sea. The offshoring of infrastructure designed to repel migrants and migrant detention shares a rationale with the wider processes of border externalization (Bialasiewicz and Maessen 2018). However it also makes use of popular conceptions of the sea as a *mare nullius*, an empty space, a space of exception from which people wrongly deemed “illegal” can arrive – and to which and through which, they can illegally be returned. The space of the sea then does political work, by establishing a territorial or extra-territorial space to which responsibility can be off-shored.

Whereas the language of action, enterprise and of vibrancy are often evoked in celebration of imperial expansion, the mobilities of migrants, including people seeking asylum, are not framed as progressive human endeavours, but rather as acts of transgression. Whilst this is largely unrecognized (explicitly) in the contemporary debates around Channel crossing, colonial ideas nonetheless inform the treatment of asylum in Britain today (Mayblin 2019). Framed as “illegal migration”, “illegal movement” and through militarized discourse, people seeking asylum are now treated as an “invading force” and rendered a racialized threat (see De Genova 2018). This works to erase the connections that asylum seekers may have to claim rights and settlement in post-metropolises like the UK based on histories of colonial and imperial ties, exploitation and violence, alongside international laws on refuge.

When colonial logics and contemporary border politics come together, their entanglement becomes hard to ignore. As Shotwell (2016, 38) argues, “we might like to think that the present can be innocent of the past that produced it” – however, thinking through the imperial fantasies inherent in the “offshoring” of racialized asylum seekers, it is clear that the inheritance of Empire and colonial thinking has not disappeared at all, but has mutated into more palatable forms. In these ways, the violent and militarized border practices we are seeing imagined and enacted in the Channel are not merely a legacy of Empire, a “remainder”, but the active remaking of colonial modes of rule through the ongoing logics of authorized and unauthorized mobilities. This situation that we describe is not unique to British imperial nostalgia. The active remaking of colonial modes of governing irregular migration can be witnessed at many borders around the world. Such logics and practices work to hide and conceal racism under a veneer of liberalism (Isakjee et al. 2020) and through discourses of illegality, invasion, and “threat” at international borders. The Channel has become, then, yet another site for the symbolic and material manifestations of the deadly after-life of colonialism.

Notes

1. For example, the Port of Dover which handles 17% of the UK's entire trade in goods reported a 13.7 and 14.3 per cent *reduction* in Road Haulage Vehicle traffic in the first and second quarters of 2020 respectively (Port of Dover 2021).
2. 1,825 people crossed the Channel by small boat in 2019, up from 299 in 2018 (Home Affairs Committee 2020a).
3. They were charged under section 25 of the Immigration Act 1971. In 2020 the UK arrested 116 people linked to small boat crossings.
4. Precursors to these exclusionary maritime methods can also be found in the Caribbean during the 1970s and 80s, when refugees fleeing Haiti and Cuba were routinely intercepted by US forces (Mountz 2020).

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