

Constructing Illegality: Epistemic Borderwork in the Speeches of UK Political Elites

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Introduction

Migration has been a consistent topic of political debate in the UK since Margaret Thatcher set it on the agenda of the 1979 election (Francis, 2017). Successive governments of all political persuasions have introduced Bill after Bill restricting who can enter and under what conditions, resulting in an Act for every two years since 2004. Accompanying each Bill as it starts its passage through the Houses of Parliament are political speeches, typically given by the prime minister or home secretary, which introduce and justify the Bill and its (claimed) moral legitimacy to people and Parliament. While a hostile public and/or media is often cited as the justification for restrictive policies, this obscures the power of politicians to shape the terms of the debate (Goodfellow, 2020) and to convert rhetoric and discourse into legal fact. In this chapter, we focus on the ‘epistemic borderwork’ (Davies et al, 2023) in eight speeches on migration policy given by the most powerful politicians in the UK – two prime ministers (Boris Johnson, 2019–22, and Rishi Sunak, 2022–24), two home secretaries (Priti Patel, 2019–22, and Suella Braverman, 2022–23) and a secretary of state (Michael Gove, 2021–24) – between July 2021 and March 2023. This was a time of significant legislative and policy reform on immigration, including the introduction and enactment of the Nationality and Borders Act 2022 and the Illegal Migration Act 2023, as well as the Rwanda Partnership and the Homes for Ukraine policies.

Political discourse on migration is fundamentally nation-building: it separates ‘us’ from ‘them’, prescribes who belongs and who does not. In Westminster,² such discourse has frequently been explicitly racist and sexist.

However, in the age of postcolonial migration and associated neo- and post-racism (Sharma, 2020; Saini et al, 2023), the borderwork in political articulations can be surreptitious, coded and slippery. All the speeches analysed create a lexical connection in their representation (*Darstellung*) of ‘the British People’, ‘the Nation’ and government policies by describing them in the same value-laden terms. All also dehumanize migrant Others, constructing them as undeserving and exploitative. Three of the five speakers, however, are people of colour and thus subject to racialization and racism themselves. How they navigate and (re)articulate this racially coded discourse has not been subject to much scrutiny (Saini et al, 2023). We find that politicians are constrained by their own (perceived) positionality as insider/outsider in their ability to represent or speak as/for the people/nation (*Vertretung*), which produces subtle but significant differences in their discursive constructions of migrant Others – constructions which are subsequently repeated and naturalized in media reporting, the popular imagination and the legislation itself. This borderwork, undertaken by the most powerful politicians, is not inconsequential rhetoric but epistemic violence (Spivak, 1988).

We start with a brief discussion of history, context and literature, then outline our methodology and develop our analysis. Taking up Bridget Anderson’s call in the [introduction](#) to this volume for methodological denationalism, we make visible and analyse the relationship between the state-imposed category of ‘illegal migrant’ and the embodied – racialized – characteristics of political leaders.

Background and context

Politicians regularly refer to the UK’s ‘proud history’ of welcoming refugees, obscuring a complex and far from generous reality bound up with race, class and colonialism (Mayblin, 2017; Carver, 2019; Sharma, 2020; Anderson, 2021). Systematic restrictions on immigration began with the Aliens Act 1905 (Dias-Abey, [this volume](#)), which stipulated that people classified as ‘undesirable’ could be denied entry (Kushner, 2003; Yeo, 2022). This classed, racialized and gendered classification has been repeatedly rearticulated and remains relevant today.

The United Nations 1951 Refugee Convention – to which the UK was a founding signatory – gave legal structure to the reception of people requesting asylum, placing an obligation on the government to assess protection claims from Europeans. Following the lifting of geographical limits in 1967, the rise in air travel and the end of the Cold War, increasing numbers of people from outside Europe began to seek asylum in the UK. By the 1990s, most applications came from people from the Global South (Mayblin, 2017). The prevailing representation of ‘the refugee’ changed

from a ‘white, male and anti-communist’ individual (Chimni, 1998, p 351) to the non-White ‘illiterate global poor’ (Anderson, 2013, p 69), perceived as threatening both in their Otherness and their potentially unlimited numbers. Often fleeing persecution for non-Convention reasons and/or from non-state entities, many struggled to reconcile their histories within Convention constrictions and struggled therefore to be recognized as refugees in a system that constructed failure of recognition as evidence of falsehood and deception (Carver, 2019).

Systemic change occurred with New Labour’s (1997–2010) reconceptualization of citizenship as membership of an imagined ‘community of value’. While this was a major departure from the explicitly racialized construction of the nation state of the preceding decades (Maughan, 2010; Anderson, 2013), critical scholars argue that New Labour’s approach re-entrenched racism in a dangerous and surreptitious form (Schuster and Solomos, 2004; Bhattacharyya et al, 2021). Entry was facilitated for European migrants and those considered ‘the brightest and the best’, yet restricted for asylum seekers and others from the Global South, including former colonies (Somerville, 2007). Asylum seekers were denied the right to work and their access to welfare was severely restricted. These punitive measures were bolstered under the Coalition and Conservative governments of David Cameron (2010–16), which also tightened the points-based system introduced by New Labour and further restricted family-based applications (Carver, 2016; Consterdine, 2020; Zotti, 2021). In 2012, then Home Secretary and later Prime Minister Theresa May (2016–19) introduced the hostile environment policy, which aimed to make life so difficult for ‘irregular’ migrants that they simply left the country (Zotti, 2021; Yeo, 2022). Without acknowledging the failure of this policy or recognizing its distressing effects, Prime Minister Boris Johnson ushered in the Nationality and Borders Act 2022, embedding hostility from the point of arrival by differentiating the asylum claims of those arriving ‘irregularly’ from those arriving under government-sponsored schemes or with visas. The Act curtailed the rights of the former to family reunion, further limited access to welfare, increased the scope for criminal prosecution for arriving undocumented, and enabled the warehousing of asylum seekers in quasi detention centres. The claimed intention was to deter people from risking their lives crossing the Channel, and in 2022 the legislation was enhanced through the announcement (by Johnson and Home Secretary Priti Patel) of a five-year partnership agreement to permanently relocate asylum seekers arriving in the UK to Rwanda.

At the same time, the war in Ukraine sparked cross party sympathy and solidarity, and in March 2022 Secretary of State Michael Gove announced the Homes for Ukraine scheme, offering any Ukrainian three years’ residence with rights to work, healthcare, schools and most welfare benefits if they are sponsored by a UK resident who hosts them for six months. The scheme

reinforced division between mode of arrival: Ukrainians who could wait for a visa were given a package enabling full integration, while those who made their own way struggled to gain entry or get support, and risked being treated like other asylum seekers (Easton, 2022; Syal and Taylor, 2022). The Illegal Migration Act 2023, introduced by then Prime Minister Rishi Sunak and then Home Secretary Suella Braverman, took this further, denying access to the asylum system altogether for those who arrive by their own efforts. It has been labelled an ‘asylum ban’ by UNHCR (2023) and effectively ends the UK asylum system as we know it.

A substantial body of research has examined how refugees, asylum seekers, immigrants and migrants are constructed in the media, but there has been little focus on political discourse, despite its significance (Taylor, 2020). While the relationship between politicians and media is symbiotic, those in office can construct, embrace, reject and shape discursive and legal constructions (van Dijk, 1997). Indeed, Crawley and Skleparis (2018) argue that the continual redefining of labels is so fundamental to each government’s foray into legal exclusion that it amounts to ‘categorical fetishism’.

Analysing Blair’s parliamentary discourse on asylum, Maughan (2010, p 22) found that Blair constructed ‘a new “us”’ and ‘a new “them”’. Blair associated ‘asylum seekers rhetorically with the category of non-contributor’ and then argued that the exclusion of non-contributors was “‘fair” as only those who contribute to society should be rewarded with citizenship rights’ (Maughan, 2010, p 23). This conveniently overlooked the fact that it was New Labour who banned asylum seekers from working and contributing economically.³ ‘Asylum seeker’ doubled up as a politically and socially pejorative term as well as a legal category (Schuster, 2003). Similarly, ‘economic migrant’ was employed simultaneously to recruit and celebrate Blair’s economically and socially contributing migrant and as a disparaging term to signal the duplicity of ‘bogus’ asylum seekers (Maughan, 2010). Tracing the term ‘economic migrant’ from its first mention in Hansard (the official report of all parliamentary debates) in 1983, Goodfellow (2023) found that it is used to justify both inclusion and exclusion on classed and racialized terms.⁴ Likewise, the (ab)use of the concept of fairness in political discourse on migration has a long history and is typically employed, as it was by Blair, as a means to deny or invisibilize racialization (van Dijk, 1997; Capdevila and Callaghan, 2008; Bates, 2022).

But how do the embodied racial characteristics of the speaker affect or change articulations on migration? Is there a relationship between the migrant heritage of the speakers and the policies they articulate? Priti Patel and Suella Braverman were the UK’s second and third home secretaries of colour (the first was Sajid Javid in Theresa May’s administration), while Rishi Sunak is the first prime minister of colour. All three were born in England to ‘economic migrants’ who had emigrated from India via East Africa (Kenya, Tanganyika,

Mauritius and Uganda) ‘armed with hope for a better life’ (Sunak in [Palod, 2022](#)). Post-Independence Africanization policies made life difficult for East African Indians; however, were a similar situation to arise today it would provide no basis for a UK asylum claim, not least because the Home Office would argue that claimants could or should relocate to India. At the time, however, all six future parents were, we presume, migrating as British passport holders/Citizens of the UK and Colonies within the British Empire, part of a group of people who have subsequently been termed ‘the Windrush generation’ ([Taylor, 2020](#)).⁵ Like many White British people, Boris Johnson has migrant heritage in his family (albeit more distant than Patel, Braverman and Sunak). However, his appearance as a middle-aged, upper-class, White man obscures this, something also true for Michael Gove, despite his less auspicious start in life.⁶

In their analysis of campaign speeches by ethnic minority contenders in the 2022 Conservative leadership contest, Saini et al found that Sunak, Braverman and others undertook ‘post-racial political gatekeeping’, drawing implicitly or explicitly on their embodied racialization and migration histories to ‘legitimise hard-right views on race, immigration and border politics’ (2023, p 61). As members of a model minority (British Indians), Sunak, Braverman and Patel are well placed for this work and regularly ‘co-opt mainstream nationalisms’ and promote a ‘hierarchy that “rewards” social conservatism and adherence to the White protestant work ethic’, embedding themselves within the Conservative elite through ‘shedding negative connotations of immigrant-hood that risk their becoming “othered”’ ([Saini et al, 2023](#), p 57). Here we consider *how* they tackle this discursive challenge and how that shapes their construction of migrant Others.

Materials and methods

We analysed eight purposively selected speeches on migration given by these five elite political figures ([Table 11.1](#)). Three relate to the introduction of legislation: the Nationality and Borders Act 2022 ([Patel, 2021](#)) and the Illegal Migration Act 2023 ([Braverman, 2023](#); [Sunak, 2023](#)). Four relate to the introduction of migration policy: the Homes for Ukraine scheme ([Gove, 2022](#)), the Rwanda Partnership scheme ([Johnson, 2022](#); [Patel, 2022](#)) and [Sunak’s \(2022\)](#) statement to the House of Commons on illegal migration, specifically fast-tracking returns of Albanian nationals. The eighth was delivered by [Braverman \(2022\)](#) to Parliament following the Manston Asylum Centre scandal.⁷ Excluding this last, these texts were meticulously crafted rhetorical acts. While we cannot establish the specific creation process for these particular speeches, government speech writer James [Doughty \(2017\)](#) explains that the procedure starts and ends with the minister: the speech writer has an initial meeting with the minister who outlines what they

Table 11.1: Speeches analysed

Date	Speaker	Office	Occasion
19 July 2021	Priti Patel	Home Secretary	Statement to Parliament introducing the Nationality and Borders Act 2022
15 March 2022	Michael Gove	Secretary of State for Levelling Up, Housing and Communities	Statement to Parliament on the Homes for Ukraine scheme
14 April 2022	Boris Johnson	Prime Minister	Speech to press from Downing Street on the Rwanda Partnership scheme
14 April 2022	Priti Patel	Home Secretary	Speech to press from Rwanda on the Rwanda Partnership scheme
31 October 2022	Suella Braverman	Home Secretary	Statement to Parliament on the Manston Asylum Centre
13 December 2022	Rishi Sunak	Prime Minister	Statement to Parliament on illegal migration
7 March 2023	Rishi Sunak	Prime Minister	Press statement outside Downing Street on the introduction of the Illegal Migration Bill
7 March 2023	Suella Braverman	Home Secretary	Statement to Parliament on the introduction of the Illegal Migration Bill

want to convey, followed by meetings with policy advisors, fact-checkers, other ministers, communications staff and so on, before the speech is finally returned to the minister, who will cut, add and recraft. None of the speeches are spontaneous, and the majority have been subject to careful creation by a team of writers over a period of time. Moreover, there are multiple intertextual references, so each speech builds on others, including those of previous prime ministers.

Our approach falls within the tradition of critical discourse analysis, which views discourse as a form of social practice that does not merely reflect but constructs and transforms the social world (van Dijk, 1997). Critical discourse analysis seeks to uncover the processes by which power relations are discursively constructed and the ideology at work when discourses are naturalized, becoming considered as common sense (Janks, 1997). Moving between the texts and context, we took a flexible and inductive approach to analysis, reading across the speeches to identify common themes, words and concepts while also taking each individually, tracking the development of discourses over time and exploring how speakers construct themselves,

the nation and migrant Others. This uncovered the ways speakers used discourse and rhetoric to legitimize their ideological frameworks, exercising their political power to convert ideology into epistemology.

Representing the British people

For centuries, our United Kingdom has had a proud history of welcoming people from overseas, including many fleeing persecution. My own great-grandfather came from Turkey in fear of his life, because our country offered sanctuary for his outspoken journalism. And when you look back over the centuries as people have come seeking refuge or simply in search of somewhere to build a better life, you see this is the very stuff our history is made of. From the French Huguenots, to the Jewish refugees from Tsarist Russia, to the docking of the Empire Windrush, to the South Asians fleeing East Africa, to the many, many others who have come from different countries at different times for different reasons, all have wanted to be here because our United Kingdom is a beacon of openness and generosity, and all in turn have contributed magnificently to the amazing story of the UK. (Johnson, 2022)

All five speakers reference *our* ‘long’ and ‘proud history’ of welcoming those in need with ‘compassion’ and ‘generosity’, discourse also found in the speeches of previous Conservative leaders including David Cameron, Theresa May and Michael Howard (Capdevila and Callaghan, 2008), as well as Labour leaders, particularly Tony Blair (Maughan, 2010). Through exophoric repetition of this claim across political parties and actors, and over time, the speakers construct a ‘unitary and coherent version of the past’ (Misztal, 2003, p 127) in which Britain unfailingly and without hesitation provided sanctuary to those in need and in which colonialism is notably absent. This is not a version of history supported by empirical evidence: on nearly every occasion Britain has been faced with a refugee situation, its government has sought to prevaricate, deny and make difficult any attempt at welcoming people. Consider the examples given by Johnson in the earlier excerpt: the Jewish people fleeing at the turn of the century were described in Parliament as engendering an ‘evil of a very real and genuine kind’ (HC Debate, 1902) and the government responded to their plight by introducing restrictions through the Aliens Act 1905; the racist reception of the Windrush generation is well documented, as is the continuing ungenerous, uncompassionate and alienating treatment of them and their descendants under the hostile environment policy (Taylor, 2020; Bhattacharyya et al, 2021); and the acceptance of East African Asians (the majority of whom held British passports) fleeing Idi Amin was undertaken extremely reluctantly and often with open hostility (Mamdani, 1973; Nasar, 2022).

These political articulations are ‘heritage’ rather than history, which is to say, ‘the story we tell about ourselves in a way that gives meaning to our existence over time, explains the way we are now, and guides for the future’ (Kirkwood, 2019, p 298). While the primary function is to instrumentalize ‘the past [...] to provide reassurance of moral rectitude in the present’ (Kushner, 2003, p 273), through repeated articulation, it is a version of history that has taken on the illusion of truth and become widely accepted. The discursive purpose is not reflection and reparation but forging a positive national identity; it is a ‘comforting mirage’ (Yeo, 2022, p 28), which nonetheless does uncomfortable epistemic borderwork. What London (2000, p 17) calls the ‘ritual invocation’ of claiming nation and people to be welcoming, generous and compassionate is repeatedly wheeled out by government ministers as a prelude to introducing harsh restrictions.

A further necessary discursive step to justify each restrictive Act is the conflation of people/nation with government and government policy, accomplished through using the same terms to describe people and policy both within and across speeches. Consider how Patel deploys ‘generosity’, telling us: ‘*this country* is not mean-spirited nor ungenerous towards asylum seekers’; then: ‘*the system* is generous – costing the taxpayer over one billion pounds each year’, and if other countries do not cooperate, ‘their access to our generous, fast, and open visa *system* may be at risk’; and finally: ‘*The British people* are generous and compassionate. They simply want a system that is fair and firm. Fair to the British people, fair for those in genuine need, but firm against criminals and those who exploit our generosity by gaming the system’ (2021, emphasis added). The lexical work done by ‘generosity’ links ‘country’ with ‘system’ and ‘people’, so the ‘our’ in the final assertion that ‘our generosity’ is being exploited, refers to all three as one.

Johnson (2022) and Gove (2022) do similar work with both ‘generosity’ and ‘compassion’, but although Sunak and Braverman rely on and reference the same discourse, their preference is to make ‘fairness’ the vehicle for connection. Patel’s (2022) assertion that ‘[t]he British people are fair and generous’ is amplified by Braverman’s (2023) claim that ‘the British people are famously a fair and patient people. But their sense of fair play has been tested beyond its limits. And they’ve seen the country taken for a ride and that patience has run out’. ‘Fairness’ allows Patel, Sunak and Braverman several additional dimensions: it provides for a claimed moral upper hand, portrays gentlemanly conduct, associates the speaker with dispensing justice and, importantly, provides a justification for being ungenerous and uncompassionate. Sunak (2022) simply states: ‘the simplest moral framing for this issue ... is fairness’. While Braverman (2023) invokes Shakespeare and cricket: ‘The British people[’s] [...] sense of fair play has been tested beyond its limits’.⁸ All three use the sporting idiom of *playing by the rules* – those who arrive in unregulated Channel crossings are ‘gaming’ (Patel, 2021,

2022), ‘cheating’ (Sunak, 2022) and ‘abusing’ (Patel, 2021; Braverman, 2022, 2023) ‘the system’, which is ‘unfair’ on both ‘the British People’ and other, rule-abiding migrants.

While the shift to fairness harks back to Blair and goes hand in hand with justifying increasingly harsh policies, this divergence between Johnson/Gove’s emphasis on generosity and compassion and Sunak/Braverman/Patel’s on fairness and playing by the rules (with Patel embracing both discourses equally) is also born of the fact that the latter are hesitant to speak *as the nation* or as *one of the people*, in contrast to Johnson and Gove. Although all five employ a royal ‘we’ to foster unity, Sunak, Braverman and Patel present ‘the British People’ – always adduced with the definite article to make them a singular cohesive group – as lexically separate to them. In Johnson’s (2022) speech, he refers to ‘our United Kingdom’ twice, ‘our country’ and ‘our history’ just in the opening paragraph. The possessive pronoun functions to include the audience, but also places Johnson as *one of us*. Thus his opening does not simply invite ‘identification and solidarity with the “we” group’ (van Leeuwen and Wodak, 1999, p 93), but co-opts it for himself. In using the full ‘United Kingdom’, Johnson emphasizes the togetherness of (his) imagined community: this is not simply an ‘arbitrary collection of people’ but a ‘community of value’ (Anderson, 2013, p 2), a *kingdom* that is *united* by a shared history, values and beliefs, of which Johnson is part and parcel. He does not present himself as taking action on migration because he has the mandate of ‘the British People’, but because he *is* ‘one of “us”’ and therefore knows how *we* feel about *our United Kingdom*.⁹ Gove (2022) too, albeit with less panache, confidently speaks simultaneously as and for the people, referring to ‘our country’ and ‘our proud history’. Compare this to Patel, Sunak and Braverman, who instead present themselves as servants of the people, speaking for or on behalf of those people rather than as one of them.

The British people have had enough of open borders and uncontrolled migration. [...] The British people have had enough of being told none of these issues matter – enough of being told it is racist to even think about addressing public concerns and seeking to fix this failed system. The British people have repeatedly voted to take back control of our borders. They finally have a government that is listening to them. Our priorities are the people’s priorities. (Patel, 2021)

Today we are introducing new legislation to keep my promise to you – to stop the boats. [...] So I say again: my policy is very simple, it is this country – and your government – who should decide who comes here, not criminal gangs. And I will do whatever is necessary to achieve that. (Sunak, 2023)

Crucially, these are decisions supported by the British people precisely because they were decisions made by the British people, through their elected representatives – not by the people smugglers and other criminals breaking into Britain daily. [...] This cannot and will not continue. Their government – this government – must act decisively. [...] So, make no mistake. This government, this Prime Minister will act now to stop the boats. (Braverman, 2023)

There is a distance between these politicians and ‘the British People’ they repeatedly namecheck, implicitly marking that distance as something to be crossed. Their right to speak on behalf of the people must be justified: Patel’s ‘our’ is the government rather than the public, and she expressly confirms the government’s priorities are those of ‘the people’; as the head of ‘your’ not *our* government, Sunak vows to keep his promise to ‘you’ rather than ‘us’; while Braverman claims that ‘this government’, which is ‘their government’, will act decisively. At times this distance is so conspicuous that it jars (cf Braverman). This difference between Johnson/Gove and Patel/Sunak/Braverman, we suggest, is primarily due to their embodied characteristics as White vs People of Colour, in which Whiteness is assumed as a key marker of belonging. They (or their speech writers) are consciously or subconsciously positioning these speakers as not fully *one of us*, or assuming that ‘the British People’ are more comfortable thinking of them as *in the service of* the people rather than *one of us*.

This positioning produces subtly different accounts of *us* and *them*. Always at risk of being perceived as ‘migrants’, Patel/Sunak/Braverman cannot rely solely on the ‘proud history’ discourse of generous welcome. Instead, they use ‘fairness’ as the moral framework and *playing by the rules* as the arbitrator of good migrant from bad. This way, they too belong to Braverman’s ‘law-abiding patriotic majority’; implicitly, their parents *played by the rules* and are therefore legitimately here. This appeals to White Britons including ethnocentric voters who ‘consistently favour stances which protect or enhance the position of their in-group’ (Sobolewska and Ford, 2020, p 62) whose voices were amplified and legitimized through the Brexit campaign. It also gives permission to non-White Britons – who have been voting Conservative in increasing numbers and are therefore an important cohort for the Party (Saini et al, 2023) – to distinguish themselves from ‘bad migrants’ and support the Bill.

As White, middle-/upper-class men, Johnson and Gove have ‘category entitlement’ (Potter, 1996, p 121) to speak *as and for* ‘the British People’. The other three only have entitlement to speak *for and on behalf of* ‘the British People’ due to their government positions. As the children of non-White migrants, however, Sunak, Braverman and Patel assume category entitlement to judge and distinguish migrants who ‘play by the rules’ from those who

‘cheat’/‘game’/‘abuse’ the system. Johnson, in contrast, has to assert his entitlement to do the same: ‘My own great-grandfather came from Turkey’. Using his personal narrative to complement the national one, Johnson positions himself as the epitome of national belonging (emphasizing that ‘*our* country’ gave his great-grandfather sanctuary, in case this heritage gives rise to doubts about his belonging), but also as having category entitlement – here moral entitlement – to determine who is un/deserving. Later in the speech he extends this category entitlement to ‘colleagues of mine like Nadhim Zahawi who escaped with his family from Saddam Hussein’s Iraq, Dominic Raab, whose Jewish father came to Britain from Czechoslovakia to escape Nazi Germany, and Priti Patel, whose family fled persecution in Uganda’ (Johnson, 2022). The message is clear: this is a government composed of the descendants of refugees, who have moral legitimacy to judge contemporary asylum seekers. Importantly, all those mentioned fit the heritage discourse brief of the ‘elite club of historically designated “genuine refugees”’ (Kushner, 2003, p 267), having fled oppressive dictators *in the past* and gone on to success in their new country. Notably, Patel’s refugee background is not drawn on by her in either of her speeches. A third-generation establishment White male, Johnson is in a stronger position to reference a migrant background – indeed he *must* reference it else the general public would not be aware of it – a strategy that is perhaps too risky for second-generation Patel, a woman of colour whose position within the imagined community of value is always precarious (Anderson, 2013). Braverman, also a second-generation woman of colour, does acknowledge her background, but underlines her own precarity vis-à-vis belonging in doing so: ‘Indeed my own parents ... decades ago found security and opportunity in this country, something for which my family is eternally grateful’ (Braverman, 2023).

Thus, individual politicians are constrained by their own positionality and perceived racialized positionality as insider/outsider in their ability to represent or speak as/for the people/nation. This produces subtle but important differences in their discursive approaches, most notably relying more on ‘fairness’ to claim moral legitimacy. In the next section, we consider how these subtle differences in turn give rise to different articulations of migrancy.

Fetishizing categories

In 2023 the term ‘illegal migrant’ became established as the go-to term in political debates on migration, taking over from ‘economic migrant’. This marks a watershed moment in migration discourse in two ways. First, for many, ‘illegal migrant’ is a dehumanizing oxymoron, as people cannot be ‘illegal’.¹⁰ While the tabloid press has previously used similar inherently contradictory labels, such as ‘illegal asylum seeker’ (Lynn and Lea, 2003;

Zaborowski, 2019), such terms have rarely been employed in political discourse, particularly by political elites in positions of responsibility. Second, while these discursive categories have a complex relationship with legal categories, leading to academic and policy confusion (Anderson and Blinder, 2019), the Illegal Migration Act 2023 gives this pejorative dehumanizing term legal footing.¹¹

The term ‘economic migrant’ has seen frequent and regular use over the last 20 years in parliamentary debates, with a peak in the run-up to the Immigration Act 2016 (Goodfellow, 2023). ‘Illegal migrant’, on the other hand, is a relative newcomer, used rarely before 2015 but becoming more commonplace than ‘economic migrant’ in 2023.¹² This is reflected in the speeches, with Patel (2021, 2022) and Johnson (2022) both using ‘economic migrant’ to indicate illegitimacy and duplicity (for example, ‘Enough of economic migrants pretending to be refugees’; Patel, 2021), whereas Sunak and Braverman talk instead of ‘illegal migrant’,¹³ primarily in relation to numbers and cost: ‘It’s completely unfair on the British people who have opened their homes to genuine refugees but are now having to spend nearly £6 million a day to put up illegal migrants in hotels’ (Sunak, 2023). While there is no definition of ‘migrant’ in international law, policy definitions (for example, see European Commission, nd; International Organization for Migration, nd) align with dictionary definitions, conceptualizing ‘migrant’ as an umbrella term for all people who have left their country of origin.¹⁴ In this case, the ‘illegal migrants’ being ‘put up ... in hotels’ are asylum seekers: those who arrive irregularly and do not claim asylum are sent to a detention centre to await removal, as Braverman (2023) acknowledges. However, the Illegal Migration Act 2023 essentially eliminates the status of ‘asylum seeker’ by restricting refugee entries to those few preselected by the government, meaning it is no longer necessary to even attempt to determine whether a person is, to use Sunak’s tautology, a *genuine* refugee.

This shift in discourse from ‘economic’ to ‘illegal’ stems at least in part from the migration backgrounds of these speakers and lawmakers: Sunak’s, Braverman’s and Patel’s parents fled from the upheavals of East Africa seeking economic security and opportunity. Politically, it would be difficult if not impossible for these politicians to use ‘economic migrant’ in the same way as Johnson and others before him, without at the very least being accused of throwing stones while living in a glasshouse. But while they could readily be accused of being the descendants of recent ‘economic migrants’ (and, implicitly, not ‘genuine’ refugees), they cannot be accused of ‘not playing by the rules’. Sunak and Braverman thus assert that it is those who arrive without government permission who are, by definition, insufficiently deserving or bogus, but at the same time they allow that *some* unregulated arrivals *may* be genuine, so the only ‘fair’ system is to stop all of them and rely on resettlement policies, which allow the government to select. According

to Braverman (2023), ‘by some counts there are 100 million people around the world who could qualify for protection under our current laws. And let’s be clear: They are coming here’. According to Sunak (2023), this is ‘unfair’ on ‘the British people’, ‘taxpayers’ and ‘those who most need our help but can’t get it as our asylum system is being overwhelmed by those travelling illegally’. Unregulated arrivals are ‘skipping’ (Sunak, 2023), ‘bypassing’ or ‘jumping the queue’ (Braverman, 2022).

This image of a queue, where the neediest are being pushed from their rightful place at the front, is a development of the ‘fair play’ and ‘playing by the rules’ metaphors used by Patel, Sunak and Braverman. As Martin (2021) highlights in an Australian context, the queue-jumping metaphor presents the receiving nation as civilized, orderly and paternalistic, rescuing those in *real*/more need. Braverman (2023) states that stopping the boats and capping the annual number of refugees will ‘ensure an orderly system’. The metaphor has additional significance in these speeches given the mythology of Britain as a nation of queuers (see Newburn, 2022), meaning those arriving irregularly are not only harming the ‘genuine’ (feminized, helpless) refugees waiting in camps, but disrespecting a British value, thereby reinforcing their Otherness and undeservingness. Queue-jumping is all the more inexcusable in the context of the often-repeated claim that there are ‘safe and legal’ routes. This claim is demonstrably false: only a tiny proportion of people access protection through government schemes (Lenegan, 2023). In 2022, for example, 10 Iranians were resettled via formal schemes, but 5,642 crossed the Channel ‘irregularly’ (Refugee Council, 2023). Grant rates for Iranians were 80 per cent in the UK at initial decision in the same period, indicating that the majority are determined by the UK Home Office to be refugees.

As well as constructing the British government as responsible, just and fair, the queue-jumping metaphor also channels broader problematic humanitarian discourses of un/deserving and the ‘ideal refugee’ (Fiddian-Qasmiyeh, 2010; see also Ticktin, 2016). Throughout the speeches, deservingness is instantiated through vulnerability or proximity to ‘innocence’, which is in turn constructed through nationality, gender, disability and age. For example, the groups most consistently humanized across the speeches are the totally helpless dead, always referred to as ‘people’ or the even more humanizing ‘men, women and children’. Consider also the case of nationality. Ukrainians are typically talked about in the most humanizing way as ‘the people of Ukraine’, as in ‘everyone in the United Kingdom, continues to be in awe of the bravery of the people of Ukraine’ (Gove, 2022). Afghans are assigned the epithet ‘brave’ by Patel (2021) along with the more humanizing ‘nationals’, as in ‘brave Afghan nationals’. Similarly, Sunak (2022) tells us that ‘we have opened our hearts and homes to people from Hong Kong, Afghanistan and Ukraine’.¹⁵ All these constructions present the specific national groups as deserving of sanctuary. Albanians, in contrast, are dehumanized and

constructed as undeserving, with Albanian used as an adjectival attribute of ‘arrivals’ (Braverman, 2022; Sunak, 2022), ‘cases’ (Braverman, 2022), ‘asylum seekers’ and ‘illegal migrants’ (Sunak, 2022), and never paired with ‘people’ in any construction. Similar work is done by gender and age, whereby those who Patel (2021) tautologically terms ‘grown adults – mostly men’ are undeserving, while women and children are deserving: ‘It’s a striking fact that around seven out of ten of those arriving in small boats last year were men under 40, paying people smugglers to queue jump and taking up our capacity to help genuine women and child refugees’ (Johnson, 2022). This is a trope that has sustained currency in the UK from the Kindertransport of World War II to the Dubs amendment to the Immigration Act 2016 (McLaughlin, 2018) and was also prominent in the press reporting on the Mediterranean Crisis in 2015 (Strasser, 2022). The explicit humanizing term ‘human beings’ is only used once across all the speeches – ‘We have a moral obligation to stop this vile trade. Because human beings are not cargo’ (Patel, 2021) – to implicitly reference the slave trade (which Patel does explicitly later in the speech in a passive construction), positioning the government as modern-day abolitionists fighting a just cause against modern-day slave traders or people smugglers.¹⁶

Use of ‘people smugglers’ has increased in parallel with that of ‘illegal migrants’. It was used sparingly until 2015 but extensively in the Houses of Parliament in 2022 and 2023¹⁷ and occurs frequently in the speeches analysed, with Sunak and Braverman building on the constructions set up by Patel. The term is used interchangeably with ‘criminal gangs’ by all speakers except Gove, and is typically coupled with ‘ruthless’ and/or ‘organized’. These collocates emphasize agency and sophistication, as does the repeated use of the phrase ‘business model’, as in ‘we will break the business model of these people smugglers’ (Sunak, 2023). In this construction the agentic ‘vile’ and ‘evil’ ‘people smugglers’ are placed in opposition to the passive, helpless people being smuggled. However, these two are also frequently conflated with each other through criminalization (both are ‘illegal’) and through characterization as abusers and exploiters of ‘the British People’/nation/system, constructed as a holy trinity through generosity/compassion/fairness. ‘People smugglers’, ‘criminal gangs’ and ‘illegal migrants’ are all ‘abusing our human rights laws and other protections’ (Braverman, 2022), thus depriving those ‘in genuine need of protection’ (Patel, 2022) and indeed undermining ‘the very principle of seeking refuge’ (Patel, 2021), all of them guilty of ‘breaking into Britain daily’ (Braverman, 2023).

Braverman’s metaphorical allusion to the nation as a family home – which is also evoked by Patel (2021), who wants ‘to slam the door on foreign criminals’ – positions the government as a paternalistic and protective father figure, a metaphor with a long history in conservatism (Lakoff, 1995) and migration discourse (Walters, 2004; Taylor, 2020). It is also prominent in the metaphorically titled Homes for Ukraine policy, which invites *us* to offer *Ukraine*

(the title suggests we will house a nation rather than individual families) ‘a home’ (Gove, 2022). This contrasts with the much-debated large-scale accommodation for asylum seekers: ‘sites such as disused holiday parks, former student halls, and surplus military sites [...] locations that could accommodate 10,000 people’ (Sunak, 2022). Patel, Johnson, Braverman and Sunak all repeatedly express outrage (on behalf of ‘the British people’ and ‘taxpayers’) that unregulated arrivals are being accommodated in hotels, as if this was due to migrants’ choice rather than government policy. The metaphor positions migrants as un/wanted guests or unwelcome ‘invaders’.¹⁸ While we are urged to make Ukrainians ‘feel at home’ (Gove, 2022), asylum seekers are conflated with ‘failed citizens’ (Anderson, 2013) and as ‘people of no fixed abode’ and ‘in our care’, who, like criminals, should not be ‘free to wander’ (Braverman, 2023).

Conclusion

Anderson argues that ‘[t]o label a person as a “migrant” is to label them out of place, and this labelling itself can be a means of displacement’ (2021, p 300). Here we have demonstrated how the label has been further fetishized along an axis of il/legality (Crawley and Skleparis, 2018). There is continuity with the prevailing discourse on migration going back to Blair’s tenure, with harsher measures being justified through harsher discourse. Dehumanizing discourse has been written into legislation, creating new pre-denigrated legal identities. The Illegal Migration Act 2023 marks a major shift in the UK’s approach to sanctuary, and we suggest that the notable acceleration in this nationalist and superficially post-racial trajectory is in part facilitated by the embodied racialized characteristics of the elite politicians responsible for migration policy. We have demonstrated that Patel, Sunak and Braverman position themselves as *serving* ‘the British People’ rather than speaking as or for them. Their migrant heritage and racialized status push them to put more discursive emphasis on concepts such as ‘fairness’ and ‘playing by the rules’ for determining entry criteria rather than the (supposedly national) characteristics of generosity and compassion. This, in turn, lends itself to the construction and division of ‘migrants’ as il/legal. Their presentation of themselves, their life trajectories and their powerful government roles further signal post-racialism, which overrides and obscures the racial colonial logic inherent in their discourse and policies on migration.

Notes

- ¹ We would like to thank Bridget Anderson, Dan Godshaw and Amanda Schmid-Scott for their helpful comments.
- ² UK immigration policy is controlled by central government rather than the devolved authorities in Northern Ireland, Scotland and Wales. The rhetoric that accompanies such policy typically ignores this complex landscape and assumes a singular nation state, conflating England with Britain (Sobolewska and Ford, 2020; Honeyman, 2023).

- ³ Until 2002, asylum seekers could apply to work if they had been waiting more than six months for an initial decision.
- ⁴ Others have found similar political constructions in Europe (see, for example, Szmagalska-Follis, 2011, and Paynter, 2022).
- ⁵ Both Sunak and Braverman had a parent recruited to work in the NHS (Palod, 2022; Braverman, nd).
- ⁶ Gove started life in care and was adopted into a working-class family in Aberdeen. Alexander Boris de Pfeffel Johnson has Turkish, Swiss, Bavarian and Saxon heritage and was born in the US. Sunak and Johnson attended elite education establishments, followed by the University of Oxford where they were joined by Gove. Braverman was an undergraduate at Cambridge and Patel at Keele.
- ⁷ In October 2022, it emerged that an estimated 4,000 people – including children – were being held for long periods at the Manston Centre in Kent, a processing facility intended for 1,000–1,600 people. The extreme overcrowding led to a diphtheria outbreak (BBC, 2022).
- ⁸ See Duke-Evans (2022) for the etymology of the term and its association with being British.
- ⁹ Johnson, renowned for his discursive competence and flair, is a long-standing admirer of Winston Churchill and frequently styles his rhetoric on that of the wartime leader (Abramicheva, 2022; Honeyman, 2023).
- ¹⁰ Cf Migrants' Rights Network (nd) and Brennan, this volume.
- ¹¹ The Illegal Migration Act 2023 amends the Immigration Act 1971 (s 33(1)), which previously referred to 'illegal entrants', defined as those '(a) unlawfully entering or seeking to enter in breach of a deportation order or of the immigration laws, or (b) entering or seeking to enter by means which include deception by another person'.
- ¹² This is based on a Hansard search, via <https://hansard.parliament.uk/> search, undertaken on 1 August 2023.
- ¹³ Although neither prime minister makes extensive use of either term in Hansard, both home secretaries use both terms frequently, Patel favouring 'economic' and Braverman 'illegal'.
- ¹⁴ This is still problematic, as Anderson and Blinder (2019) point out, since many are born outside their supposed or claimed country of origin and many are also stateless and therefore have no country of origin.
- ¹⁵ The resettlement policies for those from Afghanistan and Hong Kong are limited to specific groups, but this is not made clear in these speeches.
- ¹⁶ In his analysis of UK parliamentary discourse on the European asylum crisis in 2015, Kirkwood (2017) found that most uses of 'human beings' were by those on the political Left.
- ¹⁷ This is based on a Hansard search, via <https://hansard.parliament.uk/search>, undertaken on 1 August 2023.
- ¹⁸ Braverman was strongly criticized for her use of the term 'invasion' in the parliamentary debate following the 2023 speech analysed here, but has refused to apologise (The Guardian, 2023). While the other speakers have not gone so far as to call unregulated arrivals 'invaders', war metaphors permeate the speeches of Sunak (2022) in particular, who talks about 'boots on the ground patrolling ... beaches', 'officers ... embedded in respective operations' and '[h]ostile states ... using migration as a weapon'.

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