

Captive People but Free Trade?

Human Rights and National Boundaries

by

Madhu Kishwar

Ever since the collapse of communist party regimes in the Soviet Union and Eastern Europe, the proponents of "liberalisation" have become ever more aggressive in advocating a market economy as the panacea for all problems related to economic prosperity and political and social justice. We are told that this magic *mantra* will pull the erstwhile Second World as well as the Third World out of the economic and political morass they find themselves in. The assumption is that removing the restrictions imposed upon private enterprise within a country and free flow of capital from one country to another are the most effective ways

to remove poverty. The IMF, World Bank and other powerful international funding agencies backed by Western governments are banging at the ruling elites of the Third World, making them cringe and crawl to obtain good character certificates regarding their liberalisation measures.

Apart from the pressure to "liberalise" their economies, countries like India are also being pressured to adopt more stringent and effective measures to control the rate of growth of their population. The internationally fashionable ideology of the day is that most Third World countries are poor because, in addition to their economies being

choked by state controls, the resource base of these countries is overburdened by the size of their populations. Curbing population growth is thus being presented as an essential precondition for the removal of poverty. First World countries are not averse to massive statist interventions in Third World population policy because they see the Third World poor as responsible for jeopardising the environmental safety of the globe due to their "uncontrolled breeding habits." Unfortunately, the ruling elite in most Third World countries, including India, have accepted this diagnosis as accurate and are desperate to

adjust their population policies to this world view, even if they have not been able to figure out how to do so effectively.

The basic problem with this world view is that it views the problem of poverty not from the point of view of the poor but from the perspective of the wealthy.

Thwarted from Fending for Themselves

How is it that so many people are poor? In the vast majority of cases, poverty is not due to any fault or disability on the part of the concerned group or individuals. Mostly people get to be poor because they are actively thwarted by others more powerful than them in their attempts to fend for themselves. Therefore, the most effective and dignified way of attempting to combat poverty is to accurately identify and remove the hurdles placed in the way of currently vulnerable groups when they strive to fend for themselves. Throughout human history, people have been thwarted in different ways in taking care of their economic well-being; for example, rapacious rulers and military chiefs taxed and plundered in order to drain subject people's wealth from them. Those who have been remembered as "good" rulers are usually those who kept warfare at a distance from the people, snatched the least from their subjects through taxes or other means, and put the least number of hurdles in the way of people organising themselves to care of their own economic well-being.

Till very recently in history, one simple way people had of dealing with poverty conditions and overpressure on land was to move from areas of scarcity and greater oppression to areas of relative abundance. This is how continual migrations took place from one part of the world to another. Whenever there was, for instance, prolonged famine or drought, people would eventually start a move to a

place where the land was more hospitable, more fruitful, where there was less pressure on it. Undoubtedly, great risks were involved in this process. Transportation itself was often a hazardous affair. In addition, problems of security and the enormous amount of coordinated labour required to bring new land under cultivation made it necessary for them to move in large numbers willing to work together as a closely knit community and evolve security arrangements.

Lack of an efficient and systematically enforceable set of political restrictions on migration served another very important purpose. It allowed people an escape

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route from tyrannical rulers. If, for instance, rulers turned oppressive, then a significant number of people, to the extent it was viable, voted with their feet and moved to territories outside the jurisdiction of oppressive rulers. Since there was a more favourable land-person ratio in earlier times because of the smaller population due to the low child survival rate, there were enough under used territories to settle onto if they were willing to put in enough hard work to turn it into habitable land. This created some restrictions on rulers, often causing them to behave with some restraint toward their subjects, because otherwise they might not have any subjects left to oppress. Often rulers were known to encourage migration from other territories and organise settlements on their own territories, offering all kinds of incentives for doing so. This provided

another important exit route from more tyrannical rulers.

Sealing of Borders

The twentieth century saw the culmination of a long process initiated by modern European states from at least the seventeenth century onward of building a world system of restrictions on human migration outside the boundaries of growing colonial empires and later on, the nation states. This became a role model for all other societies as well, as they sought to transform themselves into nation states on the European model.

In the post-World War I period we have the systematic completion of the system of introduction of passports,

sealed borders and need to get visas prior to setting off for another nation in a world rapidly becoming completely divided up into a world system of nation states.

It is important to remember that European nation states began to impose these restrictions only after Europeans in the colonial period had gone and taken over by force, fraud and other means large parts of the richest lands in the world. Europe's conquests in the Americas, Australia, New Zealand, Africa, and Asia, were some of the biggest and bloodiest land grab operations in history. The migrations led by imperial powers were different from other migrations in so far as the Europeans (in those places they chose to settle) were not content with just making a space for themselves alongside the local populations. The indigenous people in many places, such as most of the

Americans, were brutally subjugated, marginalised, made to live on reserves or altogether eliminated through violence, diseases and brutal coercion. The conquests often had genocidal characteristics. In many cases whole civilisations together with their people were made extinct. While the extinctions and subjugations were underway, Europeans declared themselves exclusive owners of some of the most bountifully endowed lands in the world. Thereafter they not only forced the tiny surviving indigenous populations to live on small reserves but also began to restrict the entry of other non-European peoples, both into these colonised countries as well as into Europe. This regulation of people's movements across the new boundaries is an important weapon used by the so-called First World countries to become exclusive citadels of power, privilege and plenty.

Simultaneously, the European colonisers were also instrumental in affecting large scale population transfers between different colonies. This was carried out under their own severe restrictions and controls designed to provide them with a cheap and reliable labour force in areas where there was a shortage of native people willing to work under harsh conditions imposed by the colonisers. For example, the British took Indian indentured labour to Africa and Fiji, among many other places. Despite brutal working conditions it, was possible to recruit Indians for this labour because the impoverishment of the rural population in India under British colonial rule left people with no choice. These population movements were permitted only to the extent that they met the economic and political requirements of the European colonisers. It did not take long for the colonising powers to choke even this rigorously monitored flow by imposing more and more restrictions on new entrants. For example in the early phases of setting up plantations

in America, Africans were captured, and forcibly carried in shiploads as slaves to America. In the nineteenth century, many Indians were forcibly carried as indentured labour to Africa (see interview with Fatima Meer in this issue). However, by the early twentieth century, they were already putting restrictions on even wives joining their husbands as happened with indentured Indians in South Africa. This trend continues more ferociously today. For example, in the 60s and early 70s highly skilled Indian professionals, especially doctors and engineers, were encouraged to migrate to the US because it was experiencing a shortage of skilled professional manpower. But as soon as the US requirements were met, stringent restrictions were imposed. Today, getting a visa for an Indian wife to join her immigrant husband in the US may take years or never materialise.

It is ironical that all these oppressive restrictions on migration came to be fairly effectively implemented at the same time when, during the same period in world history, due to tremendous advancements in technology, travel has become easy, relatively inexpensive and swift, when local security risks are fewer and when resettlement is not as hazardous and arduous an enterprise as it had hitherto been.

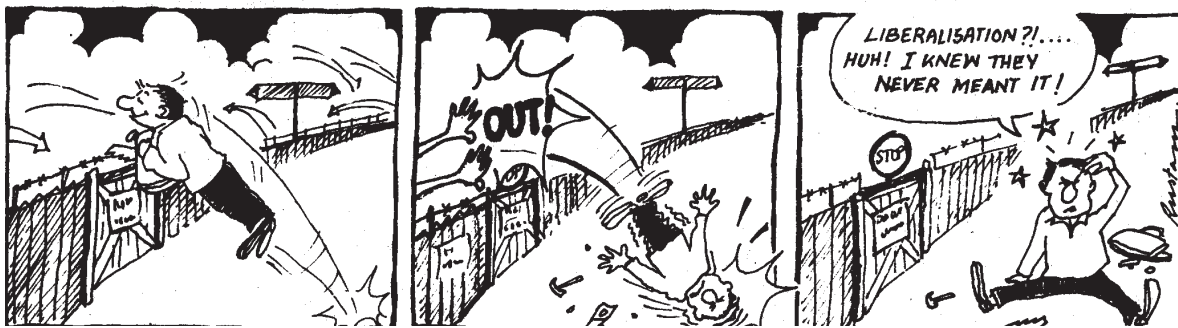
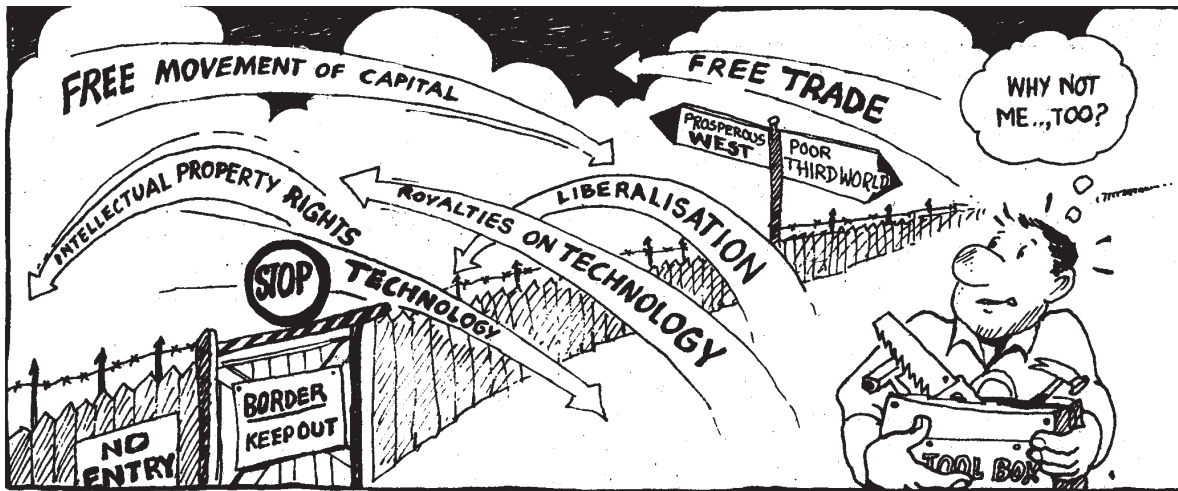
For example, getting an immigration visa to Australia is an extremely difficult, almost impossible affair for an ordinary Asian today. Even getting a tourist visa to America or Germany comes as a boon bestowed upon a select few. Getting a work permit is a blessing that comes only to the very lucky and to the most privileged among the excluded millions. This is the first time in human history, in all likelihood, that fending for oneself outside certain political boundaries is made to appear a crime. For example, if one is seeking a tourist or study visa to the US or Australia,

one has to sign all kinds of pledges promising not to work in these countries to earn a livelihood before one will be given an entry permit. If one were to be "caught" working for a living, one is likely to be put behind bars or deported or punished in some other way.

In recent years some of the First World countries, for example the US, have introduced a more blatantly biased immigration criterion for a select few. They offer to admit people who undertake to bring very large investments along with them. Thus an already wealthy society manages to keep its doors shut to most of the ordinary working people from poor Countries who are most in need of economic opportunities, while picking out a few very wealthy applicants for special treatment.

Choked and Confined

This tightly controlled immigration policy has resulted in a very imbalanced situation. The, people of what are now called Third World underdeveloped countries are compelled to live under poverty conditions because severe obstacles are placed in the way of their attempts to make a decent living for themselves, whether internally or externally. They appear to live in over populated areas because people in these societies are denied the right to move outside the political borders of their nation states. It is important to remember that most of the so called underdeveloped, overpopulated Third World has evolved out of societies which were colonised by the Europeans during the seventeenth, eighteenth and nineteenth centuries. The Europeans had not come in search of poverty. They came originally to trade with them because many, like India, had highly evolved economies which were able to go beyond meeting survival requirements of their populations, and to produce a large variety of high quality luxury goods. These economies could support the largest



populations of any societies in those days. But Western imperial domination of these highly organised societies led to a systematic draining away of economic wealth leaving them extremely impoverished. Having destroyed the economic, political, social, and ecological balances in these societies today, the Western powers are deliberately thwarting the movement of Third World people to other areas controlled by the Europeans that are better off. Thus an important aspect of the very process through which Europeans had themselves emerged as a strong economic power is denied to Third World people.

The ideologists of the Western powers make it appear as though the restrictions on people's movement across borders is based on some god given principle of natural rights—as though those who now live in Australia, New Zealand or various parts of America have acquired some divine right over that territory. By

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claiming exclusive rights and excluding others from crossing their borders, they make believe they are performing some high patriotic duty. But in actual fact this has resulted in the ghettoisation of poverty. Bangladeshis, for instance, would not remain poor, nor would the country be "over populated" if Bangladeshis could easily migrate to Australia or Canada -countries which are clearly "underpopulated" — as did Europeans to these same lands in the eighteenth and nineteenth centuries. Even while governments in Canada and Australia want the white people living there to produce more children in order to be less "under-populated", they don't want to solve the problem more equitably and rapidly by allowing entry to people from over-

populated countries. It is precisely by choking and holding populations as virtual prisoners within the colonial world's creation, the borders of nation states, that overwhelming population pressures are created in some areas which then become so hopelessly poor.

In order not to appear as violating their commitment to human rights and democracy, the US and many European countries are trying to develop a new definition of what gives a person a right to enter another country. Most of them have slowly come to a consensus that individuals suffering from particular acts of political persecution in their respective countries must be allowed entry in order to escape being killed or jailed or whatever at the hands of

repressive regimes. At the same time, however, they are trying to clamp down heavily on what they call "economic refugees", that is, those persons who are trying to escape poverty conditions in their countries and want to come and make a living for themselves and their families. For example, the Haitian boat people seeking entrance to the US are trying to escape the economic devastation resulting from Haiti's almost endless succession of brutal and corrupt dictatorships. As more of these people try to come in, the US government is seeking to put them into detention camps and forcibly send back as many of them as possible. They are rejecting what they call "economic refugees" and only accepting those individuals who can prove to the US government's satisfaction that they were being actively persecuted for their political activities in Haiti.

The tragic story of the Vietnamese boat people is well known. Many of them perished at sea by drowning, starvation, murder and rape because they were shunted from one shore to another for months without being allowed into any of the countries to which they tried to gain admittance. The treatment meted out to Albanian refugees is another poignant example of this process. As long as Albania was ruled by a ferocious dictatorship which forbade Albanians from leaving their country, in the early stages of

the ensuing flow of refugees, Italy allowed in with much fanfare the very few who managed to escape—for that served a political purpose. But as the dictatorship disintegrated and young Albanian men began leaving in ever larger numbers by ships across the narrow strip of water that separates their country from Italy, they were handled fairly brutally. The refugees were put in camps, were denied adequate food and kept as malnourished, ill-treated prisoners until they were forced out of Italy.

All these and many other similar examples demonstrate how the dividing line that the more prosperous nations seek to draw between economic and political refugees can be very deadly when applied to groups who are escaping harsh economic conditions.

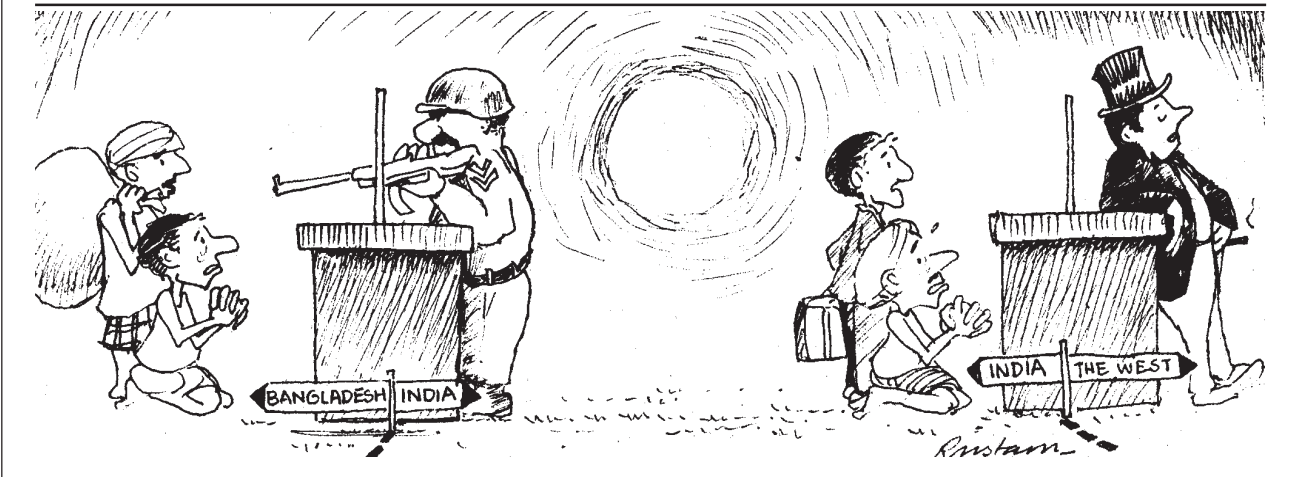
Third World Policies Even Worse

However, this madness has spread beyond the White world. These very stringent immigration policies which were initiated by the First World Countries against the people of the erstwhile Second and Third World for fear of loss of wealth, jobs, income, power and privilege are being unfortunately emulated by Third World regimes with no less vigour.

For example, we ignore the news of Bangladeshis being shot dead almost every day by our security forces on the border as they try to

sneak in to India. If we make an attempt to ignore the murky politics of India's ruling elite which presents this immigration as a kind of "Islamic invasion" of India, we will realise that what is actually occurring is essentially a movement of people from areas where the economy has been so devastated by the various ruling elites that people can't earn enough to meet even their survival needs, no matter how hard they work. They try to move out to wherever they can make a relatively better living. Since they don't have the access or resources to reach more opulent societies, they try to make it somehow to India or Pakistan. They mostly come and work at such low paying jobs as domestic servants, rickshaw pullers, ragpickers—that is, work at the bottom rungs of our survival economy. In the same way many Indian migrants to the West find they can earn a better wage and look forward to a higher standard of living in the US or Germany than in India. They do work few citizens the country would undertake such as wash dishes or vend newspapers.

Both of these groups are willing to do extremely arduous and menial jobs in foreign societies because they have a hope of improving their economic prospects, gaining some upward mobility from however low an initial level through this physical movement to a relatively better off



society. But in most cases they can enter in only as “illegal immigrants” who can be arrested and punished for daring to work for their living without permission. In India we are forever demanding the deportation of Bangladeshis as the Europeans and Americans do to most Asians. Indians yearn to have the right to travel and settle freely in First World countries but cannot conceive of conceding the same rights to poor Bangladeshis.

The First World countries use discriminatory policies mostly against non-First World people. Travel for Europeans within Europe requires no visas. Likewise Americans require no visas for travel to Europe and vice versa. The Third World regimes do not even treat their own similarly disadvantaged neighbours any better. It's more difficult for an Indian to get a Pakistani visa and vice versa than it is for a traveller to get a visa to England. At least a few privileged Indians are able to secure work permits or immigrant rights to the First World countries every year but India's own policy does not allow this right to virtually any foreigner. Not only that, we are fairly stringent even towards our own people. Even Indians settled abroad have to apply for visas, which they are not automatically granted, when they want to come to visit their families. While there may still be some kind of justification for putting some restrictions on entry of people into India from outside its borders, it is hard to understand why our government has made the issuing of passports to Indians to go elsewhere such a complicated business. It is made to be such a boon that many people have to use touts, pay bribes, go through humiliating police enquiries and what not simply to acquire a document that is an absolute precondition for even applying for a visa for other countries. This is one important reason that makes forging passports such a lucrative business.

Capital Moves Freely, People Cannot

There is undoubtedly some merit in the argument that if at this point of time one accepts the right of people to go and settle for short or long periods anywhere they desire to go, and be free to make a living there by their own work, then it would set into motion conditions of great turbulence, especially in the First World countries. Hundreds of millions of people would be ready to go across national borders if they were not restrained by guns and barbed wire. It seems at first justifiable that the First World countries should have the right to use their own criteria to restrict migration.

However, the devastation caused to the millions who are being forcibly

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confined in areas of great poverty is no less important in causing great turbulence and misery the world over and threatens to destroy the very ecological balance of our planet. The First World cannot escape its responsibility for this mess not just because of what it did during the era of colonisation but also for its current policies. Given the present power balance, their dominating power in military, political and economic terms make it easy for the First World countries to impose discriminatory trade policies in Third World people leading to further economic drain from these societies. Thus the big powers have no moral justification for choking the flow of people into territories controlled by them while bullying the whole world into agreeing to their version of free trade.

The humiliating treatment meted out to Indians when they queue outside the American, German, Australian or even Philippine Embassies to apply for visas, the rate of denials versus admissions makes nonsense of the attempts to “liberalise” economies—just as it would be hypocritical for Indians to demand more open entry for business deals in the Middle East or wherever but continue shooting down Bangladeshis as they try to “intrude” into India.

The free flow of capital will mostly benefit the big business houses and multinational companies if it does not come along with allowing a freer flow of people across borders. Allowing multinationals to set up industrial plants or enter into joint ventures to explore mineral or oil deposits without too many hindrances must be

accompanied by the lifting of restrictions on ordinary Asians setting up a small newspaper kiosk, a food stall or a laundry shop in New York or Sydney—or for that matter washing dishes in Paris or Frankfurt. Most people of Third World countries are not likely to have investment capital for setting up even small businesses. “Liberalisation” of the economies must include being free to seek work wherever one can find it without too many hindrances.

All these checks and restraints against the flow of human beings work not just across international borders but in subtle ways even within each country. For instance, when the rural poor come into cities in search of work they have no capital to buy the exorbitantly priced land or homes in the city. They have no option but to squat on whatever piece of empty land they can find and build shelters for themselves or put up roadside vending stalls. They are then treated as illegal encroachers whose poor dwelling places are forever being demolished by municipal and police squads. Their wares are taken away

by the corporation to prevent them from selling where they are not officially “permitted”—all this when official permits are impossible to get without paying big bribes and grovelling before dozens of officials. They are compelled to live at the mercy of police, corporation employees, and other officials who extract regular cuts from their measly income while holding the threat of eviction and demolitions constantly over their heads. We never care to ask: “Does a government have the right to forcibly prevent people from finding for themselves through hard work especially if it has no other alternative to offer them?”

Risks and Problems of Free Migration

This is not to argue that the freer migration of people from the countryside to cities or from one country to another will end poverty or that this migration will be a problem free phenomenon, now that technological advances have made travel and resettlement relatively easy. Nor is it true that migration or freer flow of people is a policy devised only

to protect the interests of ruling elites. We know from our own experience that migration from outside can cause severe dislocations and stress for vulnerable groups of any area. For example, the migration of the relatively more “advanced” Bangladeshi peasantry into Assam meant the local populations were being pushed off their land. The large scale migration of people from north Bihar and other areas into tribal pockets of south Bihar, after this area was opened up for industrialisation by the British, meant the alienation of local tribals from their land and other means of survival while at the same time they did not gain adequate access to the new jobs that were created because more “skilled and educated” outsiders moved in to take up those jobs. Likewise the relatively low paid workers in the First World countries are likely to be the first ones to feel threatened, and rightly so, if a large number of Asian labourers were allowed into those countries. It is rare that a situation like the one in Punjab comes to prevail, whereby the poor Biharis migrate to take on the job of agricultural



labourers in Punjab while the sons of the Jat peasantry and even some mazhabi Sikhs who used to do those agricultural jobs migrate to other parts of India or even to places like Canada as entrepreneurs.

In most cases there are tensions and conflicts produced between the new incoming and local groups. This raises a very fundamental question: Do those who claim to be indigenous groups have the right to determine who comes in and who doesn't? Do we accept the principle that only indigenous people have the right to decide how the resources in the area they inhabit are to be used?

If we are consistent in applying this premise then we have to be willing to accept that Punjabis have no right to go in search of business opportunities to Manipur, Kerala or even Uttar Pradesh. But that would be considered absolute heresy because most people have been lead to assume that there is something noble and moral about the unrestricted movement and right to free settlement of people within national frontiers, for it brings about "national integration." Any move to the contrary is seen as thwarting this process and leading society towards

narrow parochialism, no matter how much economic, cultural and social stress such a movement causes to the local, indigenous populations of different regions within a country. The question is, if we are not willing to accept restrictions on the right of a Tamilian to settle in Bombay, why are we not willing to be consistent and accept the free movement of people across frontiers as a no less sacred human right?

No Free 'Trade' Without Free People

Likewise those who advocate the removal of obstructions in the way of trade, money flow, technology and activities of corporations are being dangerously inconsistent in not allowing for a free flow of people across national frontiers. Their argument that this will cause economic stress within the host economies is undoubtedly true. There is no escaping the fact that such a free flow will adversely affect the poorer sections of the working class populations in those countries. Wages may fall as a result of such migrations. They may even have to face unemployment in the immediate future, among other things. However, the free flow of capital and technology

is also known to cause similar economic stresses in the vulnerable economies. The entry of multinational corporations very often pushes the small businesses out and has other adverse affects on the host economies. Yet the liberalisation enthusiasts see those as acceptable risks in the supposed interest of economic *laissez faire* as the most efficient route to worldwide prosperity.

Laissez faire is no *laissez faire* if people can't move freely and only big money can. The evil effects of putting severe state controls on trade and business are recognised. Somehow we are not yet willing to face the fact that severe state controls on the free movement of people results in much greater evil and substantially reduces people's ability to throw off the shackles of exploitation and poverty. No doubt there are risks and problems in opening the gates to people—but these are far less or no more than those that come with removing restrictive controls on trade, technology and business. In short, truly free trade can only be carried out by truly free people. □

