Rethinking the Political Dimension of Migrations

ALEXIS SPIRE

Michael Bommes and Ewa Morawska, eds., *International Migration Research: Constructions, Omissions and the Promises of Interdisciplinarity* (Aldershot: Ashgate, 2005), 285 pp., £60.00 (hb), ISBN 0754642194.
Gallya Lahav, *Immigration and Politics in the New Europe: Reinventing Borders* (New York: Cambridge University Press, 2004), 316 pp, $75.00 (hb), ISBN 0521828147.
Mary Dehurst Lewis, *The Boundaries of the Republic: Migrant Rights and the Limits of Universalism in France, 1918–1940* (Stanford: Stanford University Press, 2007), $24.95 (pb), ISBN 0804757224.
Clifford Rosenberg, *Policing Paris: The Origins of Modern Immigration Control between the Wars* (Ithaca and London: Cornell University Press, 2006), 241 pp., $23.95, ISBN 0801473152.

Reflections on the role of foreigners in contemporary society have played a central role in the development and institutionalisation of sociology. A century after Georg Simmel's founding text, 'The Stranger',[1] immigration has begun to attract renewed interest among scholars working in the social sciences. Recent works in history, sociology, anthropology and political science invite an interdisciplinary approach to the subject. As the eleven contributors to the collection edited by Michael Bommes and Ewa Morawska show, immigration can be a valuable analytical key to understanding contemporary societies. Unlike the sociologists of the Chicago school, who focused their attention on immigrant communities and their social networks in urban settings, these researchers are instead interested in the influence of immigration on host countries – on domestic policy and interstate relations. In this respect, the process of European integration offers privileged ground for study and has already given rise to several works in political science.[2] In the wake of these

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[1] First published in English in Georg Simmel, *The Sociology of Georg Simmel*, trans., ed. and with an introd. by Kurt H. Wolff (New York: Free Press, 1950, originally published in German in 1908), 402–8.

[2] Sarah Collinson, *Europe and International Migration* (London: Pinter Publishers, 1993); Andrew Geddes, *Immigration and European Integration: Towards Fortress Europe?* (Manchester: Manchester University

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works, Gallya Lahav's new book offers an analysis of the relations of dependency and influence between public opinion and the political elite on a European scale. Among historians we also witness a renewed interest in the use of methods, observations and the posing of research questions. The studies of Mary Lewis and Clifford Rosenberg are good examples of this kind of work. Both authors choose inter-war France as their field of enquiry, and for understandable reasons: the country that gave rise to human rights and republican universalism was also the country which played a leading role in the development of foreigner control and identification practices. By adopting a resolutely local approach, they show that modern control of immigration did not emerge as part of the upsurge in xenophobia in the 1930s but some years earlier, in the context of the demobilisation that followed the Great War. These books share the aim of reformulating the question of the place of immigration in the social sciences, by placing the political dimension at the heart of the analysis. Above all they allow a re-examination of the state's role in the construction of immigration as a political problem.

Re-examining the role of the state

Over the last few years the ability of states to monitor foreigners has grown dramatically: the taking of fingerprints, retinal scans and new, high-powered computers have made it possible for governments to track people and control their mobility as never before.[3] Under the pretext of the fight against terrorism, Western states have applied measures which had formerly been reserved for wartime. This contemporary context encourages us to re-examine the genesis of immigration control policies in Europe, and more particularly the 'golden age' of identification practices, the period between the wars. For all the states engaged in the First World War, the conflict marked a turning point in the history of population control.[4] In France the identity card became obligatory for all foreigners in 1917; in the United Kingdom the Aliens Restriction Act of 1914 increased the government's capacity to control the movement of foreigners; and, finally, in Germany any individual arriving from abroad was compelled to hold a temporary passport. European governments initially presented these restrictions as temporary measures, but quickly made them permanent once the war had finished.[5]

At the end of First World War, France was both the country that welcomed the most foreigners, proportional to its population, and the one which established a genuine policy for foreigners. Using this as his starting point, Clifford Rosenberg

Press, 2000); Virginie Guiraudon and Christian Joppke, eds., *Controlling a New Migration World* (Liste document London: Routledge, 2001).

[3] Alex Aleinikoff and Vincent Chetail, eds., *Migration and International Legal Norms* (The Hague: TMC Hacer Press, 2003).

[4] John Torpey, *The Invention of the Passport Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000).

[5] Aristide R. Zolberg, 'International Migration Policies in a Changing World System', in William McNeill and Ruth S. Adams, eds, *Human Migrations: Patterns and Policies* (Bloomington: Indiana University Press, 1978), 241–86.

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plunges into the archives of the Paris Prefecture of Police – the first major police force anywhere systematically to discriminate based on nationality and citizenship status. According to Rosenberg, the birth of what he calls 'modern immigration control' dates from 1 January 1925, when the prefect of the Paris police decided to separate the active section of the immigration services from the administrative, 'sedentary' section (p. 60). Within a year, the Paris immigration control service was fully functioning and employing more agents than any other prefecture service. Within a few years, tens of thousands of individual files were held, allowing the Paris police to identify and trace every legally admitted foreigner residing in the capital. This bureaucratic revolution was replicated elsewhere, although the precise form it took varied across different cities (Lewis, pp. 25–41). The activity of the agents in Marseille suffered, for example, from a dearth of adequate personnel, a lack of administrative co-ordination and a poor record on absenteeism. In Lyon, by contrast, the police had a higher ratio of personnel per inhabitant, a simpler command structure, a smaller bailiwick and a better administrative infrastructure. Identical instructions from the central government thus gave rise to very different police practices on the ground, depending on the configuration of resources and structures within each city. A foreigner considered as enjoying permanent residence in Lyon, for instance, could be labelled as 'transient' in Marseille (p. 53). The originality of Lewis's work lies in its simultaneous treatment of state repression and the practices which led to the granting of social rights to foreigners (pp. 101–6), a field rarely studied by historians of immigration.[6] She offers a multitude of well-chosen examples of the experiences of foreigners, based on a careful reading of individual expulsion files. Her handling of statistics is, by contrast, less impressive: the graphics are not always entirely intelligible, sources are weak and captions are often incomplete. On the effectiveness of police practices Clifford Rosenberg provides the reader with a more eloquent set of statistics. He balances an assessment of the evolution of different types of 'deportation notices' (turning back, refusal of residence and expulsion) with the evolution of effective measures of implementation (pp. 94–5). One thus understands that during the inter-war period the French police succeeded in establishing an impressive administrative system, but a large number of migrants who received an expulsion notice managed to escape police control and remain in France illegally.

The role of the state regarding foreigners is not limited to the question of control. Authorities actively sought to help immigrants assimilate into the national community. The phenomenon is not new, but the place that it occupies in social science research has undergone significant change. While the authors of the Chicago school studied assimilation from the point of view of the migrant and his trajectory, European researchers today tend to focus on the concept of integration and place the state at the centre of their analysis.[7] Integration is an ambiguous notion which can

[6] For a reflection on this component of migrants' citizenship see Alexis Spire, 'Semblables et pourtant différents. La citoyenneté paradoxale des "Français musulmans d'Algérie" en métropole', *Genèses. Sciences sociales et histoire*, 53 (2003), 48–68.

[7] For example, the 'cycle of racial relations' studied by Robert Ezra Park and Ernest W. Burgess in *Introduction to the Science of Sociology*, (Chicago: University of Chicago Press, 1921).

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take two distinct forms. First, we can define integration as a collection of measures, guaranteed by the state and designed to facilitate relations between foreigners and the national community (Adrian Favell, in Bommes and Morawska, p. 43): basic legal and social protection, residence rights, housing policy and police activity, but also the granting of subsidies to those groups considered to be victims of discrimination. At the same time, integration is not only a governmental programme; it is also a way of understanding the social process by which each individual finds their place in the society. The paradigm of integration thus depends on the state as both a juridical and a symbolic framework. In Europe this link is strengthened by the fact that the results of academic research feed directly into the policymaking and political agendas; this is less the case in the United States (Favell, p. 49). The ascendancy of the national framework in the representation of immigration makes meaningful comparison between several countries difficult to achieve. In Germany, for example, researchers analyse immigration policies in terms of immigrants' socio-economic inclusion into the welfare state: foreigners are considered to be integrated if they participate as groups within social and economical institutions. On the other hand French scholars focus more on the civic dimension of immigration policies: they measure the integration of foreigners according to their individual ability to conform to universal rules. As for Sandra Lavenex (in Bommes and Morawska, pp. 250 ff.) the comparison of French and German studies on immigration shows the formative impact of both the public debate and the national framework on the choice of questions posed by researchers and the types of answer provided by them. This vision of the state as a constituent and formative element of the views on immigration has yet to be qualified. In Europe an increasingly large part of immigration policy depends on directives issued at Community level, and numerous academic research projects are now financed by programmes funded by the Council of Europe or the European Commission. Consequently we can hypothesise that state level is no longer the only frame of reference in conceptualising and understanding immigration policies within Europe.[8]

Since the 1990s the creation of a European citizenship by the Maastricht treaty and the progressive inclusion of immigration and asylum policies in the European Union agenda have modified the prerogatives enjoyed at the level of the central state over the control of foreigners (for example the Schengen agreements in 1995 and the Dublin treaty of 1997). This new configuration poses researchers with an intriguing question: is it necessary to analyse this harmonisation process as a result of the emergence of a new form of state or is it merely the implementation of a broader process of co-ordination between states? For Andrew Geddes European integration does not correspond to the emergence of a new state, as the European Union has neither its own church, its own army or its own schools. On the contrary, harmonisation starts as a technocratic plan, elaborated by experts who, in turn, influence the practices and ideas of European decision-makers (Geddes, in Bommes and Morawska, p. 268).

[8] Christian Joppke, ed., *Challenge to the Nation-State: Immigration in Western Europe and the United States* (Oxford: Oxford University Press, 1998).

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In her book, Gallya Lahav argues that the progress of harmonisation at the European level is compatible with an increase in the influence of the state (p. 9). This influence depends on public opinion and the way it affects the beliefs and practices of political decision-makers. The pertinent divide is not that between left and right, but rather between the pro- and anti-immigration currents (p. 13). From this point of view the harmonisation of European policies was always likely to be realised in a restrictive sense and approved by public opinion and political elites. The citizens of the European Union and their leaders differ on the level of desirable immigration (p. 89), on the migrants to be privileged according to their origin and on the rights to be granted to them (p. 96). But both public opinion and the elites agree on the need to resist the entry of undesirable migrants (p. 57). Lahav's entire argument is supported by the use of polling data provided by the Eurobarometer and by questionnaires and interviews between 1989 and 1994 with members of the European Parliament. This material is complemented by information drawn from discussions held between 1992 and 1998 with the 'European elites', a term which encompasses journalists, politicians, bureaucrats and Commission experts. Lahav's research design delivers a set of general conclusions about the extent of European harmonisation which reflect the nature of her sources. By assessing immigration policy from the point of view of the political elites and the image they project in the polling data, she arrives at the conclusion that attitudes on immigration are conditioned by political adherences and national traditions (p. 145). But she does not really explain the link between the evolution of immigration representations and their support at a European level. Moreover, the hypothesis of the emergence of a supranational representation (chapter 5) is supported by the selective quotation of political decision-makers and by the results of a questionnaire of questionable design. The author sent the questionnaire to 518 members of the parliament, received answers from 168 and conducted interviews with a further 54. Lahav insists that the sample is representative of the opinions found in twelve countries and nine parliamentary groupings (p. 19). But everything leads one to believe that those who took the time to complete the questionnaire or answer Lahav's questions were deeply involved in the debates at the European level. The problem is exacerbated by the fact that we know nothing about the social, national or political characteristics of those members of parliament who chose not to answer the questionnaire. The weakness of Lahav's approach is clearly apparent when one reads Favell's excellent contribution to *International Migration Research*, which shows that academic research on immigration in Europe still depends on the will of sponsoring agencies. The expectations of those who finance projects and set the research parameters consistently determine the conclusions of contemporary scholarship (Favell, in Bommes and Morawska, p. 49).

Local forms of immigration control

The political dimension of immigration is not only found at the macrosocial level of global transformations of the state. An increasing number of authors direct their

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attention towards local forms of power and focus on interaction between foreigners and representatives of the state.

In the United States, as in Europe, immigration control officials always enjoy a degree of discretion in applying the letter of the law. Historians and political scientists have in recent years analysed immigration policy by favouring the practical dimension of the activity of street-level bureaucrats, paying special attention to their room for manoeuvre and ability to shape policy on the ground.[9] This level of analysis exposes the important variations between the discourses advanced by political officials and the practices pursued at the local level. Thus as leader of the Radical Party Edouard Herriot denounced the treatment of Jews in Germany after 1933, but as mayor of Lyon he issued instructions in favour of protectionism and restrictions (Lewis, p. 177).[10] Focusing attention at local level also allows scholars to uncover the differences in treatment between different types of migrants: in Marseille, those residing on the outskirts of the city were more protected from the threat of expulsion than those living in the city centre (p. 32); the same was true for those owning their own business (p. 108). Foreigners in regular employment or with settled families were more likely to be treated leniently by public officials. The lifestyle of the accused frequently determined official attitudes towards foreigners charged with such trivial offences as the theft of coal (p. 61). This connection between social criteria and administrative practices was not, however, immutable and could evolve over time. The young unmarried men targeted for repatriation during the economic crisis in the early 1930s suddenly became 'desirable' as war loomed on the horizon at the end of the decade and the state woke up to the need for military conscripts (pp. 218–40). In sum, social and cultural factors were important in shaping the borders, which varied from one place to another and from one period to another.

The analysis of local forms of immigration policy also sheds light on the social uses of 'race', even if this criterion never explicitly appeared in government legislation. Since the end of the 1990s the theme of racial discrimination in immigration policies has occupied a central place in social science studies, but its meaning varies considerably between different national contexts (Lavenex, in Bommes and Morawska, p. 250). In the French case, the racial question is indissoluble from the colonial question: the republican state long treated its colonial subjects as second-rate citizens, especially Algerian migrants.[11] Clifford Rosenberg brilliantly shows how a broad political consensus – stretching from the socialist left to the extreme right – could emerge from the beginning of the 1920s over the question of how best to limit the entry of north Africans into the metropole and organise their surveillance

[9] Janet Gilboy, 'Deciding Who Gets In: Decision-making by Immigration Inspectors', *Law and Society Review*, 25 (1991), 571–99; Kitty Calavita, *Inside the State: The Bracero Program, Immigration, and the INS* (New York: Routledge, 1992); Alexis Spire, *Etrangers à la carte. L'administration de l'immigration en France* (Paris: Grasset, 2005).

[10] On the reception of Jewish refugees in France between the two wars, see Vicki Caron, *Uneasy Asylum: France and the Jewish Refugee Crisis* (Stanford, CA: Stanford University Press, 1999), 94–116.

[11] See Neil MacMaster, *Colonial Migrants and Racism: Algerians in France, 1900–1962* (New York: St. Martin's Press, 1997).

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once they were there (chapter 5). Unable to distinguish colonial migrants from other French citizens on juridical grounds, in 1925 the Paris Prefecture of Police established a network of police personnel – soon dubbed the north African brigade – who specialised in the control of Algerians. The thirty inspectors who composed the brigade were predominantly former colonists or soldiers, recruited for their knowledge of Arab and Kabyle. Statistics on police sanctions between the two wars testify to their zeal: in 1935, north Africans were four times more likely to be arrested than other members of the population (p. 162). Discrimination also affected migrants' social rights: between the wars, in contrast to their European counterparts, immigrants from north Africa were excluded from France's nascent social security system (Lewis, p. 198–208), and had, instead, to rely on specific institutions like the 'Franco-Muslim hospital', specially created in 1926 to service the north African populations. The goal of the Paris authorities was to segregate the north Africans – and their diseases – from the French population by confining them at Bobigny, outside the capital (Rosenberg p. 184–6). The mission of such an organisation should have been restricted to assistance, but in practice the police supervised all operations and had a preponderant role within the administration. Rosenberg's book clearly exposes the ambiguities of a French-style affirmative action system: by treating the north Africans differently from other migrants, Republican authorities created new forms of discrimination that endured well beyond the inter-war period. To this day Muslim populations continue to endure discriminatory treatment. Yesterday's paternalism manifests itself today more often in explicitly gendered terms. In numerous countries the debate around the wearing of the headscarf resulted in the presentation of Muslim women as backward and traditionalist. Gender has, then, become a way to stigmatise Muslim migrants in the name of modernity. The question of women has thus been placed at the heart of debates on immigration, even though social sciences long disregarded this dimension of the issue (Page, in Bommes and Morawska p. 104).

The study of immigration policy at a local level thus allows scholars to show how discriminatory practices can develop within a universalist legislative framework. More generally, this change in scale reveals that immigration policy is not simply a one-dimensional relationship, a set of measures imposed on defenceless immigrants by all-powerful receiving states: it is also the product of the strategies adopted by migrants in face of this domination.

Taking migrant strategies into account

Throughout the twentieth century states never ceased to regulate international migration in accordance with their national interests.[12] For a long time this domination of the state over foreigners was presented as unilateral and all-powerful. By referring to the definition of power given by Michel Foucault, more and more

[12] See Aristide Zolberg, 'International Migrations in Political Perspective', in Mary Kritz, Charles Keely and Sylvano Tomasi, eds., *Global Trends in Migration: Theory and Research on International Population Movements* (New York: Center for Migration Studies, 1981), 3–27.

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authors view the relationship between foreigners and the state as a power struggle that generated novel forms of resistance.[13]

Historically, migrants' resistance to state coercion has taken a collective or individual form according to context. In the case of France the communist movement has done a great deal to help organise foreigners politically: the Comintern ordered every national communist party to create special foreign-language sections to improve the supervision of migrant community activities (Rosenberg, p. 64). For foreigners, entry into these organisations offered the advantage of benefiting from a collective structure but the disadvantage of arousing police suspicion. Migrants who were not refugees could rely on their consulates to intercede with the French authorities on their behalf. In her examination of expulsion files, Mary Lewis finds that migrants tended to adopt individual strategies against the state's agents. After the promulgation of the 1932 law protecting the national labour market, for example, a great many migrants opened businesses in order to be allowed to remain in France (Lewis, p. 67) or sought naturalisation (p. 92). Migrants' strategies did not exclusively take place within the framework established by the law: many remained in France illegally. The originality of Lewis's analysis lies in her ability to show that the enforcement of the law is subject to reciprocal adaptations from those holding power – the police – and from the migrants subjected to that power. Foreigners expelled for failing to pay taxes, for example, benefited from a reprieve that enabled them to stay if they paid their dues: the state thus recovered its lost revenue while the tax evaders were able to stay in the country (pp. 108–9). Nevertheless, Lewis's claim of a form of symmetry between foreigners and agents of the state is open to debate: because there was no judicial appeal against most of their activities, police forces were vastly more powerful than the migrants they watched.

Even as the ability of states to control mobility has increased in recent years, that power has been limited by the emergence of juridical norms which benefit the interests of foreigners. International conventions grant rights to migrants as individuals. In Europe most non-governmental organisations make use of these instruments to correct the restrictive measures adopted by the state (Geddes, in Bommes and Morawska, p. 272). This tension provoked a debate amongst migration specialists. To some, the extension of juridical rights to migrants challenges the traditional dichotomy between the immigrant-outsider and the citizen-member;[14] moreover, economic interdependence and globalisation have compelled states to restrict their role in the regulation of migrants and to adopt more liberal policies.[15] Hollifield shows that in the case of Europe immigrants have received more and more rights, including, in certain cases, the right to vote, which clearly blurs the distinction

[13] Michel Foucault, *The History of Sexuality Volume I: An Introduction* (New York: Pantheon, 1978).

[14] This current includes numerous authors, for example Yasemin Nuhoglu Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (Chicago: University of Chicago Press, 1989).

[15] See Saskia Sassen, *The Global City: New York, London, Tokyo* (Princeton: Princeton University Press, 1991).

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between citizens and non-citizens.[16] Peter Schuck gives a similar picture of migrants entering the United States: he defends the idea that changes in immigration law have considerably diminished the difference in status between the citizen and the foreign resident.[17] This erosion of political borders is said by these authors to be the sign of a decline of the nation-state brought on by the pressure of globalisation and long-term cultural transformations. In his contribution to Bommes and Morawska's collection, Gary Freeman resolutely rejects this trend. For him, states remain the most important actors from the point of view of migratory movements: they still shape the possibilities of movement by the grace of their increasingly complex, technical and expensive systems of control (Freeman, in Bommes and Morawska, pp. 122–3). While the anthropological works devoted to transnational strategies of foreigners have greatly enriched this debate,[18] as Morawska reminds us, the paradigm of transnational migrations can be used in two different directions (pp. 213–16). Transnationalism refers, first, to a concept which is far more encompassing than nationally rooted identities, thus implicitly substantiating the thesis of the decline of the nation-state. But transnationalism can also refer to a combination of social and cultural networks which remain linked to the state. In this second direction, transnationalism refers to the reterritorialisation of state identities.

In contexts as different as France during the period between the wars and contemporary Europe, the confrontation between migrants and state organs is always disrupted by the introduction of a third term: the law, or rather the game played out on the border between legality and illegality.[19] The practices of state representatives and migrants meet and confront each other, and are mutually reconstructive.[20] One can thus no longer imagine the state as a monolithic and omnipotent entity: the state henceforth appears through those commissioned to serve in its name, and their action is always the product of a set of balances and compromises in the projection of power.

Conclusion

The variety of disciplinary approaches and methodologies shown in recent books on immigration makes any attempt at synthesis a delicate task. Taken collectively, these books suggest that we are witnessing a convergence of sociological and historical approaches (Morawska, in Bommes and Morawska, p. 223): sociologists increasingly use historical examples to support their theories and historians no longer hesitate to

[16] James F. Hollifield, *Immigrants, Markets and States: The Political Economy of Postwar Europe* (Cambridge, MA: Harvard University Press, 1992).

[17] Peter H. Schuck, *Citizens, Strangers, and In-betweens: Essays on Immigration and Citizenship* (Boulder, CO: Westview Press, 1998).

[18] Alejandro Portes and Josh De Wind, eds., *Rethinking Migration: New Theoretical and Empirical Perspectives* (New York: Berghahn, 2007).

[19] Kitty Calavita, *Immigrants at the Margins: Law, Race and Exclusion in Southern Europe* (Cambridge: Cambridge University Press, 2005).

[20] Susan Bibler Coutin, *Legalizing Moves: Salvadoran Immigrants' Struggle for US Residency* (Ann Arbor: University of Michigan Press, 2000).

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borrow sociological concepts in order to enrich their comprehension of migratory phenomena. Beyond this convergence, however, important divisions between the two disciplines remain. On one hand we find books like the ambitious study by Lahav, which, in seeking to embrace the whole of public opinion in Europe, operates on a level of generality that makes it impossible for her to give credance to her conclusions. At the other extreme, scholars such as Lewis present narrow monographs, centred on a limited space and a particular period (in this case, immigration in Lyon and Marseille between the wars); without sufficient context, the relevance of her two case studies for immigrants at other times and in other places remains unclear. The challenge of the social sciences is without doubt to connect the different disciplines, but it is also that of working on an appropriate scale, as Rosenberg has done. Since the end of the 1990s there has been a renewal of empirical works concerned with the relationship between the individual state and the new, globalised migrants. The richness of this new field is due at once to its pluridisciplinary character but also to the possibility of changing scales between the macro, meso and micro levels. These new contributions not only renew the analysis of immigration: they also offer the possibility of thinking differently the role of the state in the context of globalisation.

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