

Migrants and their descendants

Guide to policies for the well-being of all in pluralist societies



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Migrants and their descendants
Guide to policies for the well-being
of all in pluralist societies

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FOREWORD

“Mankind can develop painlessly only when looking upon itself as one unit, one single family without dividing itself into nations other than in matters of history and traditions.”

Andrei Dmitrievich Sakharov, *Reflections*

In our contemporary world, migrants are present in every society. Although migration is certainly not a new phenomenon, it has in the last few decades become a hot topic of discussion worldwide. It has become an important element in politics, a key issue for policy makers and, sadly, a source of fear and aversion for many. It has been used to make a distinction between the concepts of “us” and “them” – the “nationals” of a country and the “immigrants”, “aliens” or “foreigners”.

It is worrying to observe how some politicians now try to gain popularity through xenophobic and nationalistic statements and radical anti-immigration policies. It is even more worrying that the policies they advocate find wide support. This has consequences – migrants are increasingly perceived through a prism of harmful stereotypes that hamper their integration into the communities in which they live. This, in turn, brings us all away from a society in which all are treated as equals, where all have equal opportunities and all can genuinely benefit from the available resources.

It is important to realise that the process of migration will continue, in spite of the various actions to prevent and hinder it. Migration is an element of globalisation and an inextricable part of 21st-century reality. Immigrants and nationals will continue to live side by side and it is thus essential to find ways in which this cohabitation can be of benefit to all.

The key to promoting tolerance towards migrants is fostering a greater sense of understanding of the phenomenon of migration – among policy makers but also the population at large. Knowledge is crucial to overcoming the superficial barrier created between nationals and immigrants.

Migration should be perceived in its sociological, historical and geographical context. It is important to understand that the decision to migrate is taken as result of a more complex set of factors, going beyond just mere poverty. While nationals tend to worry about the impact that large-scale immigration could have on the welfare and security of the state they live in, migrants also have their concerns – in relation to family reunification, their possible lack of legal status, lack of access to social services, personal security or loss of values.

Instead of observing migrants in terms of a “community”, thus making generalisations and operating on the basis of predefined stereotypes, one should learn to regard every immigrant as an individual, a human being with his/her own background, past experiences, abilities, hopes and wishes for the future. It is essential that we try to understand migrants and learn more about the issues surrounding the question of migration.

How is migration portrayed in modern-day societies? What paths do migrants follow before and upon arrival in their countries of destination? What distinctions can we make between and within the concepts of “immigrants”, “aliens” and “foreigners”? What are the aims and effects of immigration and integration policies currently in force and how are they shaped? Who are the stakeholders in migration strategies? What are the common stereotypes with regard to immigrants and how can they be overcome?

Migrants and their descendants

These and other important questions are the focus of the present guide, which aims to clarify concepts and fallacies surrounding the phenomenon of migration, as well as to analyse migration policies and offer alternatives to the ones applied at present.

We have no influence over where we are born. Some of us are lucky enough to be born in democratic states governed by the rule of law, where wealth is more or less evenly distributed and everyone has equal opportunities. Others, however, live in places where they are subjected to persecution or have no possibilities for development, which thus compels them to leave their countries of origin and search for happiness elsewhere.

“Nationals” must fight the illusion that the presence of immigrants in their countries is not justifiable and that they have no right to be there. They should cease to treat the “nation” as a point of reference. Rather than giving in to fears of what we perceive as “different” or “foreign”, we should be open to pluralism in our societies and benefit from the rich cultural diversity that immigrants bring with them. And recognise that they also have human rights.

Thomas Hammarberg
Commissioner for Human Rights
Council of Europe

INTRODUCTION

This guide, produced by the Council of Europe’s Social Cohesion Research and Development Division, asks one of the most pressing questions for the Europe of today and tomorrow: what are the concepts, frameworks, forms of institutional organisation, stakeholder responsibilities, ways of public awareness-raising and measures to combat stigmatisation that are essential to frame and implement policies for the well-being of all, including migrants and their descendants?

This guide sets out to bring some clarity to a difficult topic, moving beyond commonly held views where everyone thinks they know what is at issue, in order to build up the knowledge required to address the long-term challenges inherent in harmonious coexistence in plural societies. The guide goes beyond considering migration as a “problem” or an “opportunity”, which are somewhat simplistic and imprecise terms used both at institutional level and in the public debate, leaving no scope for getting to the root of the complex phenomena of human mobility and the cognitive experience of migrants.

Accordingly, this guide explicitly spells out the need to reconstruct the paths taken by migrants – including their chances of success – in order to put an end to viewing migration from a purely mechanical, econometric or demographic angle so as to gain a better understanding of the very dynamics of migration. Many European citizens today are the direct descendants of displaced persons, refugees or migrants who have not always found it easy to become integrated. For example, one third of French people have a parent or a grandparent of foreign origin. It is therefore essential to take a fresh look at our idea of a fixed identity which does not tie in with the reality of the migration process. The very concept of identity itself is highly ambiguous. Since migrants develop their identity between two worlds, this guide stresses the interactional aspects of identity-building, and in so doing avoids trivialising the discussion on “cultural identity”.

By clarifying the issues, ways of thinking and their effects on the people concerned, this guide explores alternative visions and approaches to enable public decision makers to frame innovative policies in line with the Council of Europe’s social cohesion objective, namely the well-being of all in a plural society. Policy makers have a huge responsibility and can, through legislation and political discourse, encourage or inhibit fruitful interaction between nationals and non-nationals. Policies in host countries often suffer from a degree of “democratic deficit”; quite apart from the fact that migrants very rarely have any input into such policies, the recognition of rights is often subject to derogations or restrictions by the authorities. This guide, by redrawing the map of stakeholders, shows the extent to which the proliferation of stakeholders and the constant reassignment of responsibilities makes it difficult to achieve overall consistency in migration policies.

The guide also analyses the function of stereotypes as vehicles of social exclusion and shows how migrants often bear the brunt of harmful stereotypes. A matrix is drawn up of the harmful stereotypes targeting migrants and their descendants, cross-referenced with national concerns of “security”, “well-being” and “lifestyle”. The guide suggests an approach for analysing and transforming these stereotypes: each analysis is followed by an alternative interpretation and relevant indicators in support of this alternative view.

Given that the very objective of the Council of Europe’s strategic action in terms of social cohesion is the “well-being of all” and in order to ensure that this approach remains effective when applied to migrants and their descendants, this guide analyses as fully as possible the obstacles to be overcome.

This guide ties in perfectly with the Council of Europe's role of upholding the rights and dignity of all, and is the fruit of a long process. It is the result of the reflections of several people who, at different stages, have provided valuable input.

To begin with, the Forum on Achieving Social Cohesion in a Multicultural Europe was held in 2006 in conjunction with the European Commission, and led to two publications¹ offering a series of ideas on the question of migrants in Europe.

Next, a meeting with the organisations directly involved in grass-roots work with migrants or comprising migrants and their descendants provided an opportunity to look in greater detail at the issue from the point of view of day-to-day life. These organisations – to which we extend our heartfelt gratitude for their contribution – were represented by Ndeye Andujar from the Junta Islámica Catalana,² Hasan Habib from the City of Turku,³ Teresa Hayter and Bob Hughes from NOII,⁴ Sadri Khiari from the Mouvement des Indigènes de la République,⁵ Harish Patel from the Transport and General Workers' Union⁶ and Reda Sadki from the association *Survivre au SIDA*.⁷

A number of researchers contributed to the drafting of various parts of the text: Laurent Bonelli from the University of Paris X-Nanterre (France), Kris Clarke from the University of Tampere (Finland), Altay Manço, Academic Director of the Institute of Research, Training and Action on Migrations (IRFAM) – Liège (Belgium), Miguel Pajares, Department of Anthropology, University of Barcelona (Spain), Claire Rodier, lawyer at Gisti – Groupe d'Information et de Soutien aux Immigrés (France), Ruba Salih, University of Bologna (Italy), and Emilio Santoro, Associate Professor in Philosophy of Law at the University of Florence (Italy). Agnes Jarzyna, at the time a lawyer at the European Migrant Workers' Union in Frankfurt (Germany),⁸ provided input to the guide not only through her fieldwork experience but also by carrying out a survey on the forms of prejudice encountered by Polish migrants in Germany; a similar study was carried out in Barcelona by the Sabadell Immigration Observatory (Spain),⁹ in particular by Silvia Puente Rodriguez and Carme Ferrer.

All of the above were happy to travel on numerous occasions and take part in often complex discussions, seeking to move on from platitudes and find a way forward.

Philippe Nanopoulos, Lecturer at the European Centre for Management and Economics (Strasbourg – France), helped identify other possible indicators for interpreting the different problems relating to migration.

A meeting in Moscow (Russian Federation) with Elena Tyuryukanova, Senior Researcher, Institute of Socio-Economic Population Studies, Russian Science Academy, Director of the Migration Research Centre; Olga Chudinovskikh, Head of Division, Centre for Population Studies, Faculty of Economics, Lomonosov State University; Victoria Antonova, Professor, Sociology Department, Saratov State University; Irina Ivakhnyuk, Senior Researcher, Deputy Director of the Population Department, Faculty of Economics, Lomonosov

1. Trends in Social Cohesion series:

No. 18, *Achieving social cohesion in a multicultural Europe. Concepts, situation and developments*, ISBN 978-92-871-6033-1.

No. 19, *Reconciling migrants' well-being and the public interest – Welfare state, firms and citizenship in transition*, ISBN 978-92-871-6285-4. See the Council of Europe Publishing site: <http://book.coe.int>.

2. Junta Islámica Catalana, Spain: www.juntaislamica.org.

3. City of Turku, Finland: www.turku.fi/Public/default.aspx?culture=en-US&contentlan=2&nodeid=23.

4. No One Is Illegal (Oxford, United Kingdom: www.noii.org.uk/no-one-is-illegal-manifesto).

5. Mouvement des Indigènes de la République, France: www.indigenes-republique.fr.

6. Transport and General Workers' Union, United Kingdom: www.tgwu.org.uk.

7. *Survivre au Sida*, France: <http://survivreausida.net>.

8. www.emwu.org/englisch/englisch.htm.

9. www.dretsdelspobles.org.

State University; and Iralya Galimulina, website editor, Civic Assistance Committee, Migrants' Assistance Organisation,¹⁰ provided considerable insight into the stigmatisation of migrants in Russia. A survey on this topic was carried out by Irina Ivakhnyuk, and Olga Chudinovskikh undertook a detailed analysis of specific forms of stigmatisation in Russia. Interviews were held with a number of associations in Moscow. We would also like to thank the following for their contribution and commitment on the ground: Svetlana Gannushkina, Chair of the Civic Assistance Committee, member of the Government Committee on Migration Policies and the Human Rights Committee and her team, and Sulaiman Shokhodir, project leader at the Migration and Law rights and information centre, together with her team.

Federico Oliveri, Lecturer in Governance and Active Citizenship at the University of Pisa, was responsible for collating the different texts and drafting much of the analysis.

The Social Cohesion Research and Development Division wishes to express its gratitude to all the above not only for their contributions but also for their personal endeavours to bring about social justice in societies to ensure that pluralism goes hand in hand with democracy, recognition of others and positive interaction.

Our thanks also go to Nicolas Wild for the illustrations and for the way in which he is able to make often complex and difficult concepts readily understandable to all.

Lastly, a number of other people have been working "behind the scenes": Alan McDonald and his colleagues in the translation department at the Council of Europe, whose advice and comments have always been relevant and to the point; Irène Malki-Botte, assistant in the division who has, with infinite patience, read and compared the different versions of the texts; and Sabine Emery, Olivier Meyer and Edith Wilsdorf from the Council of Europe Publishing Department on whose professionalism we have always been able to rely.

This guide is therefore the result of the expertise and experience of many contributors. We hope that their efforts will help make coexistence in a plural society an opportunity for enrichment and openness to the world and the future.

We trust that this guide will provide you with some interesting food for thought.

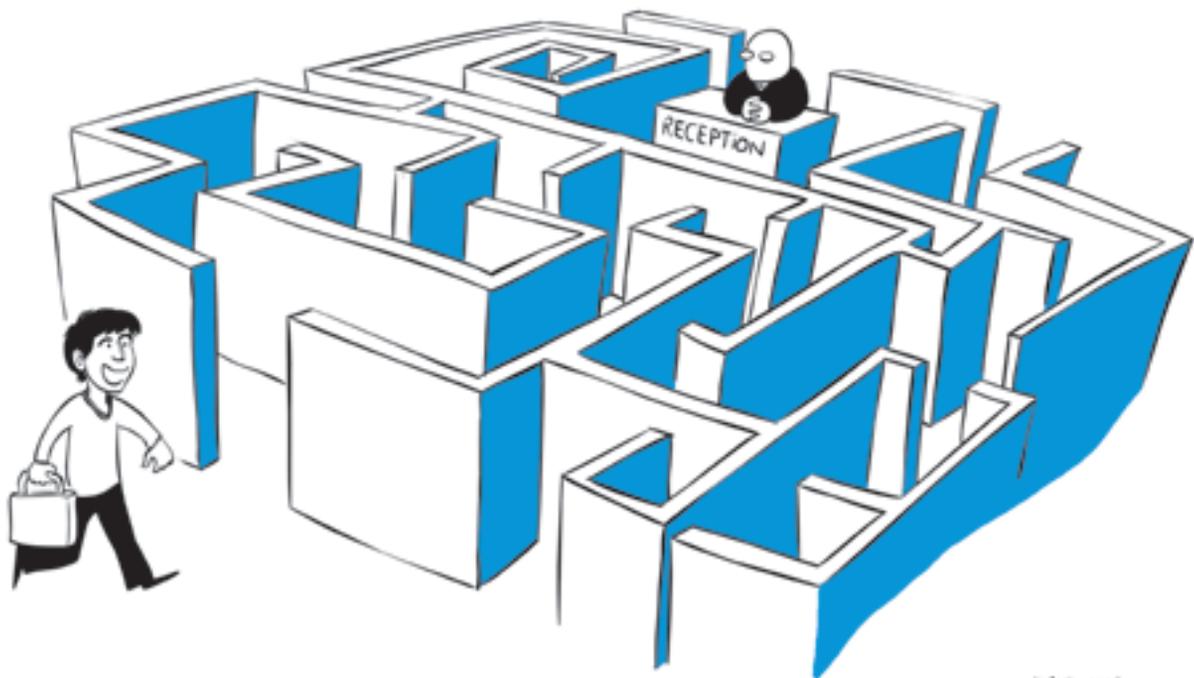
Gilda Farrell

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DG Social Cohesion
Council of Europe*

10. See <http://refugee.memo.ru>.

Part 1

Rethinking policies towards migrants and their descendants



WORLD 2015



CHAPTER 1 – CLARIFYING THE DEBATE AND THE CONCEPTS USED

1.1. Introduction to the discourse on and concepts used in relation to migration and migrants

a. A well-known phenomenon requiring a more in-depth study

For almost 20 years immigration has been one of the most hotly debated issues in Europe. It is regularly discussed in parliamentary debates, newspapers, discussion programmes and televised series, radio shows and websites, and scores of works on the subject can be found in bookshops and libraries. How it is viewed is relevant to all of us: citizens, families, politicians, entrepreneurs, professionals, the police, researchers, journalists, artists, etc. Everybody seems to have their own clear idea of what and who we are talking about. And yet is this true? What do we really know about migration and the societies and people involved? What do we believe we know and how does this type of knowledge, with its keywords and categories, influence individual and community action in our day-to-day lives and in organisations and institutions?

Given the repeated difficulties encountered by Europe in dealing with migration and in the accompanying transformations, it is quite legitimate to have some doubts: what if our considerable familiarity with these topics was a barrier to full understanding of what is really happening in our pluralist societies? And what if immigration, immigrants and their descendants, the differences between “us” and “them”, were deep down merely the image or idea that we in the host countries have formulated? Where does the popular view end and where does genuine knowledge of the issues which will help provide a long-term solution begin?



Migrants and their descendants

Like every social phenomenon, migration is addressed and public action taken within predetermined frameworks, debates and concepts constructed collectively. The more these frameworks give plausibility to the phenomenon in question, recognising its importance and assigning to it the status of “problem” or “opportunity”, the more they are accepted as normal and without any apparent alternatives.

Moreover, no “social problem” exists in isolation. In order to become one, it requires “the action of socially interested groups to devise a new way of perceiving the social world in order to act on it” (Lenoir, 1996: 77). Very often, the dominant discourse is the discourse of the dominant element, at least in the absence of any counter-discourse or the direct expression of the views of those who suffer the effects, including the negative effects, of this discourse. Naming and categorising social processes is a first step towards governing them, since doing so influences the perception and behaviour of the different players involved, reduces the range of their possible reactions and selects the interpretations serving to maintain order and the appropriate action strategies.

Accordingly, is it possible to move away from these dominant frameworks and power relations, given their difficulty in providing a sufficiently complex interpretation of the reality and their inability to contribute to fostering “the well-being of all” in a pluralist society? It is questions of this type that this first chapter will attempt to answer.

b. The need to be careful not to use racist vocabulary

We need to ensure that the vocabulary we use is consistent with the rights, freedoms and principles of dignity and solidarity enshrined in the democratic constitutions and with a social cohesion strategy based, like the Council of Europe’s own strategy, on equity in access to rights and opportunities, individual and collective recognition, autonomous living and the participation of individuals in the societal choices which concern them (Council of Europe, 2003). Care taken with the vocabulary we use on a daily basis and in institutional environments, in private and in public, is a key factor in any political initiative to combat the risk for migrants and their descendants of exclusion or a feeling of inferior worth, and for the well-being of all those who live in Europe, whatever their background, legal status or affiliations.

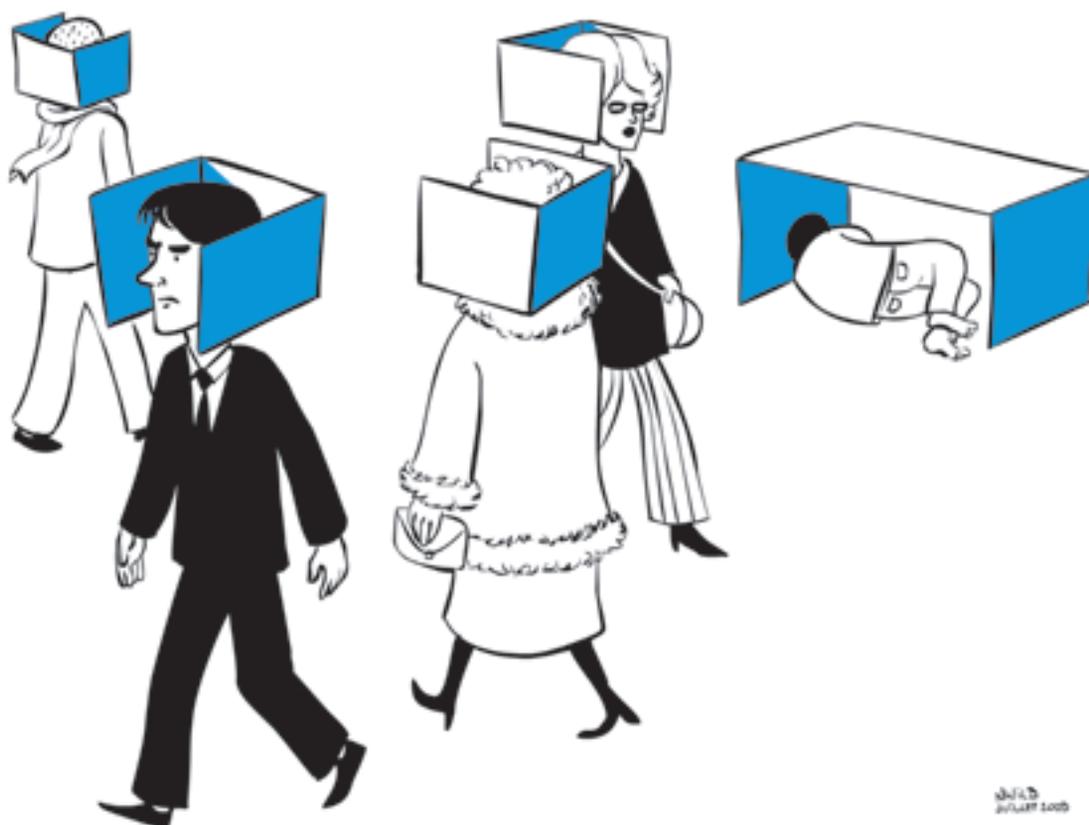
This approach seeks to respond to several requirements at the same time. First of all, the requirement for clear and appropriate language. The phenomena related to human mobility, especially if this is at international and intercontinental level, are systematically richer and more complicated than one would imagine from the plethora of legal categories defining the status of migrants, their residence permits, rights and obligations. Here, we find a strange coexistence between efforts to ensure bureaucratic accuracy by the authorities interested in “managing” migration and the profusion in public debate of generalisations and inappropriate labels giving rise to confusion and anxiety.

Second, in the voluntary sector, in independent research and in certain supranational institutions, there is widespread conviction that racism and xenophobia are expressed openly and violently in only a minority of cases, such as physical and verbal aggression which are criminally punished. In accordance with this interpretation, conventional racism has, over the course of history, become politically unacceptable, and as it has been overtly and officially censured, increasingly it has been replaced by technical and well-documented expressions describing “de facto situations” which are therefore apparently neutral, applying across the board to all political affiliations (ECRI, 2005) and different social milieus. In reality, however, they have the sometimes unintentional effect of creating a distance vis-à-vis migrants and their descendants, alienating them and lowering their feeling of self-esteem. The latter, almost never have the opportunity to challenge these expressions or to contribute to the debate about them, to negotiate other words to refer to themselves,

our interactions, the society we share and its future. If we define racism on the basis of its effects of humiliating and lowering the self-esteem of the people who are its target, we could describe these expressions as neo-racist, as vehicles for a racism which is portrayed as “democratic” (Faso, 2008), “reasonable” or “right-minded”; for these reasons they can easily avoid censure.

At the same time, clarifying and critically analysing the words relating to migrants, migration and policies in this field is not merely a cultural operation. It would also be wrong to accuse this approach of advocating “politically correct”, misleading or euphemistic language vis-à-vis the difficulties and tensions encountered in European society. If “racism is a social relation, and not the mere ravings of racist subjects” (Balibar, 1997a: 59), it would be wrong to think that changing the way we refer to migrants and their descendants, using expressions showing greater respect, will automatically improve their living conditions and our ability to live together in harmony as equals despite our differences.

The method we have chosen is more ambitious. We cannot simply change the words we use without also changing our views of society as a whole and without questioning the material structures of that society. We need, by analysing the dominant categories and frameworks, to highlight the central political issues that have occupied European societies for decades and which migrants have systematically had to deal with and have been instrumental in bringing to the fore, in accordance with the well-known “mirror effect” (Allal et al., 1977). As we shall see, these key issues concern the citizenship-related transformations and crises brought about by phenomena inherent in advanced democracies, such as the dominant production model, polarisation of the labour market, reduced opportunities for social mobility, fragmentation and individualisation of life paths, a weakening of the welfare state, renewed rise in socio-economic inequalities, poverty and, contextually, a feeling of insecurity focusing on crime and “urban anti-social behaviour”, the gap between the leading classes and the rest of the population, increasing difficulty in transforming private concerns into collective social projects (Bauman, 2000; Crouch, 2004).



c. Ethnocentrism and its reductionist effects

It is almost inevitable that we interpret and evaluate reality from our own position. Ultimately “we know only what we are interested in knowing, and we understand only what we need to understand” (Sayad, 2006: 18). This is the basis of all forms of “ethnocentrism”: although the viewpoint of a group of individuals is always conditioned by that group’s history and culture, or by each individual’s education and life experience, there is a tendency to consider it as a universal measure of well-being and of what is reasonable (Lévi-Strauss, 1952) and, as such, there is often an attempt to impose it universally.

In the case of migrants and migration, there is a particularly acute danger of taking an uncompromising stance. Largely unintentionally, we view all social phenomena, including human mobility, within national or nationalist parameters. At the same time, foreigners are “strangers” par excellence, people about whom we are wont to say that we do not know what makes them tick, what they think, how they think, what might go through their heads, how they react, etc. Consequently, they foster within us an urge to discover, to classify, to gather almost compulsively information because ultimately “you never know with them ...” (Sayad, 1999: 408).

Nationalist ethnocentrism has at least three negative consequences for the subject we are discussing. Knowledge about migration and migrants systematically tends to become:

- knowledge subject to the requirements of the societies of destination;
- knowledge which is neither participatory nor co-operative;
- an incomplete, abstract, depoliticised knowledge.

By seeking to clarify the concepts and discourse, we are, at the same time, attempting to find practicable alternatives to this ethnocentrism and its unfortunate effects. The only practical solution is to adopt an approach which takes into account the experiences and requirements of migrants and their descendants, drawing on the positions of anti-racist movements and migrant associations, “non-embedded” NGOs, local, national and international institutions active in the field of human rights, and researchers totally independent of official immigration science.

For societies which refer to them as such, immigrants exist only where there is a risk that they will cross the borders or actually do cross them. Until this happens, the factors leading up to the decision to migrate are of secondary concern, giving rise to an “official migration science” which is largely fuelled by generally held views and which in turn gives the latter some credence (Dal Lago, 1999). Here, the only viewpoint accepted for designating, interpreting and governing the migration phenomenon is that of the countries of destination. The growing body of data and information accumulated and exchanged on migrants and their families should lead first of all to knowledge which will serve for control and selection, rather than understanding and sustainable adaptation. Moreover, if we use only the viewpoint of the countries of destination and the “indigenous” populations, the quality of this knowledge will clearly be lacking, particularly in terms of completeness and complexity.

For example, when in the early 1970s, several of the older European immigration countries such as Great Britain, France and Germany decided to suspend labour immigration following a long period of relative non-intervention, in which the key players were the employers, the social issue associated with immigration changed: the focus turned to assessing all the costs and benefits for the society of destination.¹¹ The aim was to see whether this additional source of manpower cost more than it brought in, or if the negative effects (the “costs”) outweighed the positive effects (the “profits”). For a long time, this had been assessed in purely

11. It should, however, be remembered that certain studies in the 1970s did also undertake a cost benefit analysis of international migration from the point of view of the sending countries (Tapinos, 1974; OECD, 1979).

financial terms. Little by little, it became clear that immigration was no longer exclusively a temporary but more and more a permanent move. Nevertheless, cost-benefit analyses continued implicitly to shape subsequent policies, since one social issue is never replaced by another on a given date once and for all. One only needs to look at the vigorous return of a utilitarian approach to migration, which is a feature of “selective migration” policies, as seen today in France, the United Kingdom, and even in countries with more recent migration such as Spain.

In this approach, everything is either “cost” or “profit”: what is often “cost” according to a given political vision of immigration may be “profit” according to another, and vice versa. Each of the criteria selected may be viewed as “cost” or “profit” or, at least, comprise a degree of “cost” or “profit”. For example, regarding the birth-rate of immigrant families in general (and of families from the countries of North Africa in particular), there is at times an official welcome for the demographic surplus which these families bring to a population tending to decrease and get older, and at other times there is criticism (also from official quarters) of this population increase because it is “costly”, because it weighs too heavily on family assistance mechanisms. And the ambiguous reaction to the fertility rate of immigrant populations applies equally today, because of the difficulties on the labour market, to another characteristic of immigrants, which is nevertheless a constituent and defining factor, namely their status of workers. The “profit” represented by the labour force that they provide – the counterpart of which is the wage they receive and which they can transfer – tends to be redefined as a “cost”, a direct “cost” when the immigrants in question are unemployed, thereby losing the justification for their existence, and an indirect “cost” when the immigrants are in work, as if the post they occupy were a sort of loss, a form of virtual harm inflicted on the national workforce (Sayad, 2006).

In general, under the effect of multiple forms of pressure, beginning with that of the media and their sensationalist approach, the problematical dimension of migration is the one that always predominates. An emphasis is placed on the difficulties, problems, harm and the unanticipated effects associated with immigrants and their families. The typical terminology of this approach is one of “decadence”, “degeneration”, “degradation”, “anti-social behaviour”. Consequently, there is a strong tendency to transform “every social problem into a problem which is regarded as being posed by the fact of the presence of immigrants, or at least, as being aggravated by their presence”. The presumed responsibility of immigrants in a whole range of different questions – employment, housing, the crisis in the welfare state, health, public safety – easily leads to the supposition that these are all aspects of one and the same social crisis (Balibar, 1997b). This ultimately leads to the political programmes of “zero immigration” as the magical solution to every social problem.

Furthermore, such a one-sided attitude makes it impossible to understand whether the problems brought to light in fact correspond to the problems and demands of immigrants, or whether these problems and demands are brought about rather by the societies of destination and by their way of including (or excluding) immigrants. To find the answer, we have to take a different look at these matters and consider the problems that our societies pose for immigrants, not only in terms of material conditions of well-being but also in terms of personal and social life: the need for and strategies of adaptation, identity crises and variations (Oriol, 1985), loss of reference points, fragmentation of family links (Todd, 1994), tension between generations (Zhou, 1997), loneliness, alienation, depression, unfulfilled expectations, insecurity, loss of confidence and self-esteem, fear of assimilation, fear of return, etc. It will also be difficult for us to understand that the difficulties we automatically relate to the presence of immigrants have not come about with their arrival, but were already there: they are a structural part of our societies and are among the reasons why they emigrated.

Whether one agrees or not, “discussing immigration means discussing society as a whole” (Sayad, 2006: 18): when we talk about the problems of migrants, we are also talking about the problems that occupy our societies. We cannot understand or solve them separately. It is now generally acknowledged, even in

certain institutional quarters, that there are, for example, close and precise links between irregular migration and underground economies (European Commission, 2004) or between unskilled migration and the development of a “two-tier” labour market, particularly in the services sector (Sassen, 2006). In contrast, when we talk of migration as a problem over which we have no control, detached from the political and economic organisation of contemporary society, we are discarding a tool which is essential for the peaceful and negotiated governance of migration. This governance necessarily involves the acknowledgement of common and structural roots of certain social problems, which require a shared response.

In the eyes of the destination societies, migrants are not fully fledged persons, having rights and requiring respect, but “partial persons”, referred to solely in relation to the dominant frameworks and the rules of the relevant sectors of life. Outside these frameworks, they are incongruous and importunate, they give rise to embarrassment, pity or fear. The subjectivity of migrants and their descendants, as they have virtually no autonomy or legitimate space within public discourse, is easily reduced to fixed roles and stereotypes: the migrant as a useful worker, as a victim of violence and disasters, as the faithful representative of a culture, a way of life or foreign religion, as a person who turns to crime and deserves ending up in prison. In this way, we lose sight of all the subtleties and depth of the migration experience, with its aspects of adventure and discovery, its contradictions and its ambivalences.

In particular, this ethnocentrism prevents us from seeing migrants as partners in the construction of shared categories and visions of the future, since they are just the passive recipients of the discourse and policies implemented elsewhere by other people. Immigrants are just as much as and perhaps even more than other population groups “the subject of the discourse of others”, the subjects of a non-participatory and non-co-operative knowledge. We constantly speak about them, but almost never with them, and we do not let them talk directly either. They are, much less easily than other groups, the authors of their own perceptions, the bearers of a “self-identification ability”, which they could use to modify the discourse concerning them and interact in the European public space on an equal footing. These are two key conditions for them to obtain broader well-being in a pluralist society, because ultimately “it is possible to get to know the identities of others primarily through the accounts whereby these others identify themselves” (Benhabib, 2004).

Ethnocentrism has another negative consequence. It confers upon the “confused perception of the world of immigration” an “internal cohesion, simply because it is a separate world” (Sayad, 2006: 100). This results in a sort of “community illusion”, the result of a fairly naive and simplistic perception of immigrants as being all the same or as definable by common features. This gives legitimacy to the use, in day-to-day and media communication, and also sometimes institutional communication, of generic, collective, anonymous categories to refer to migrants (Butterwegge, 2005). The nationalities (“Romanians”, “Kyrgyz”, “Chinese”, etc.), the continents from which they come (“Africans”, “Asians”, “South Americans”), the cultures (“Arabs”) and religions (“Muslims”) sociologically prevalent in the migrants’ countries of origin are essentialised and racialised: they become distinctive features, almost “natural” ways of being of individuals belonging to or supposed to belong to a certain external group. These collective names not only do not offer an accurate reflection of the multiple composition of the social group to which they refer, in addition, they ultimately deprive the individual of his or her autonomy in respect of the reference community. This imposed communitarianism is also at the basis of the discrimination affecting, upon recruitment or in public services, people whose surname or first name sounds foreign or strange, and for this reason therefore belongs to a particular “group”.

Moreover, these collective expressions are generally far from innocuous particularly when they use bellicose or historical metaphors evoking negative feelings or feelings of danger, excess, or misery such as “bands”, “gangs”, “hordes”, “masses”, “barbaric invasions”, “biblical Exodus”, etc. or other maritime or capacity-related metaphors, such as “flood”, “tidal wave”, “opening the flood gates”, “tolerance threshold”, “full to bursting”, etc.

(Butterwegge, 2005; Faso, 2008). Viewed in this way, as almost natural and catastrophic phenomena, the real issues behind migration are completely sidestepped and depoliticised: in this way migration is no longer seen as a means of “voting with one’s feet” (Fischer and Straubhaar, 1994: 130), as “the oldest action against poverty” (Galbraith, 1979: 7) or as a “protest against globalisation” and its inequalities (Jiménez Alvarez, 2003).

The most probable effect of these ways of speaking is to reinforce a vision of society polarised around “us and them”, in which each pole is regarded or imagined as being homogenous and compact, opposed to or distant from the other. Consequently, all the opportunities for mediation and conflict resolution through political negotiation, interaction, reciprocal transformation of identities, and adaptation are thereby limited. But it also limits the opportunities for understanding migration in all its complexity. The more the society of destination is encouraged to focus on immigration when its borders, population, economy and institutions are concerned, the more indifferent it is to the conditions and circumstances which govern immigration, believing itself totally uninvolved and having no responsibility for this process. This results in a very partial, if not erroneous knowledge: leaving “our governments forever struggling to control it and inevitably failing to do so” (Sassen, 2006).

d. Structure of the analysis

Despite variations arising from historical phases and the different national and local contexts, the terminology used by the societies of destination in addressing migration shows ethnocentric similarities. In the following chapter, we shall reconstruct these general elements, attempting to respond once again to three key questions:

- what is migration?
- what is an immigrant?
- what are cultural identity and diversity?

1.2. Mobility and migration

a. Mobility in the “global society”

Human mobility has been increasing in the “global society” from the end of the 20th century and the beginning of the 21st century, although at a lower rate compared with the mobility of capital, goods and services (Düvell, 2005). All these phenomena, and especially international migration, are less extensive in scope than they were at the end of the 19th and beginning of the 20th century (Hirst and Thompson, 1996). At any event, it is imperative to correctly interpret the data made available in official statistics and to draw the appropriate political conclusions.

The reduction in geographical distances as a result of lower transport and communication costs has, according to the *World migrant stock 2005*, provided the technical basis for the number of “international migrants” in the world to rise from 75 million in 1960, to 99 million in 1980 and 191 million in 2005 (UN DESA, 2009). Estimates for 2008 are now in excess of 200 million (IOM, 2008b). This growth in absolute terms should not lead to the perception of societies of destination as “full to bursting”. Present-day migration is, at least in part, a reflection of the growth of the world population, which reached 6 400 million inhabitants in 2006 as compared with 3 023 million in 1960. The growth rate of the migration stock is higher than that for the population in the same period, but it follows the same dynamics (Table 1). Consequently, the rate of migrants out of all the world population increased between 1960 and 2005 from 2.5 to 3% (UN DESA, 2009).

Table 1: Comparison between the growth rates of the world population and migrant stocks in the world and in Europe (1960-2005)

Period	Growth rate of the population (%)	Growth rate of migrant stock (%)	Growth rate of migrant stock in Europe (%)
1960-65	1.94	0.8	3.1
1965-70	2.02	0.7	2.4
1970-75	1.94	1.3	1.4
1975-80	1.77	2.7	1.6
1980-85	1.76	2.2	1.4
1985-90	1.75	6.7	3.1
1990-95	1.54	1.3	2.3
1995-2000	1.36	1.4	1.0
2000-05	1.26	1.5	1.9

Source: UN DESA (2009).

Today, migration is also an expression of the international division of labour which has been much in evidence since the 1970s and, more generally, of the new economic and political balances between the centres and the peripheral areas of the planet. Whereas for a long time migration took place primarily between developing countries, today it is the developed countries which take in most of these migrants; obviously, this is in addition to the “internal migration, which in countries such as China and India involve hundreds of millions of people leaving rural areas to move to the major urban conurbations of industrial production, services and international trade.¹² In 2005, the most developed regions received 60.1% of international migrants, whereas in 1960 they received 42.8%; in the same period, the least developed regions dropped from 57.2% to 39.5% (UN DESA, 2009). Around 30 countries received more than 75% of immigrants: of these 11 are developed countries, receiving more than 40% of immigrants (IMO, 2006).

However, it must always be remembered that migration flows within Africa are much higher than those towards other continents; part of the reason for this is the many forced migrations (UNECA, 2005). With regard to the general situation in the developing countries, apart from conventional migration flows, which sometimes involve long distances (from the Sahel towards West Africa for example), there are also instances of migration “by default”: more stringent conditions for access to the major centres, such as Europe, are transforming transit countries to countries of immigration. This is true of Morocco, Algeria, Turkey, Egypt and Jordan in the Mediterranean area alone.

At any event, immigration to Europe, especially to the European Union (EU), has surged in the last two decades due to a combination of multiple factors, including the general increase of mobility and easier international travel, the economic malaise in many post-communist countries after the collapse of state socialism, violent conflicts and instability in the Balkans and other areas. Also successful enlargement of the EU, which has progressed hand in hand with economic integration, has played a significant role (Sobotka, 2008). In this context, once again according to the World migrant stock 2005, Europe has 64.1 million

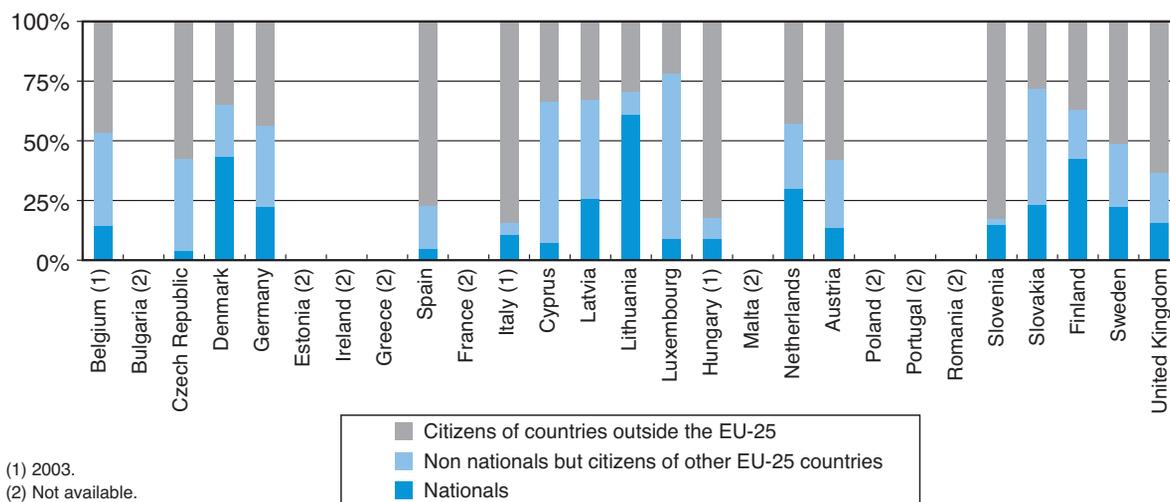
12. In 2003, the so-called “floating population”, namely people not permanently registered in their current place of residence, reached 140 million in China (Ping and Shaohua, 2005). According to the latest available Indian census, in 2001 309 million persons were migrants based on their place of last residence, making up about 30% of the total population of the country. This figure represents an increase of around 37% compared with the 1991 census which recorded 226 million migrants (Bhagat, 2005).

migrants on its territory, as opposed to 14.2 million in 1960, or 8.8% as opposed to 3.4% of the total population (UN DESA, 2009). Once again relating to the 2005 situation, the countries with the largest stocks were, in descending order, Russia (12.1 million, 8.4% of the population), Germany (10.1 million, 12.3% of the population), Ukraine (6.8 million, 14.7% of the population), France (6.5 million, 10.7% of the population), the United Kingdom (5.4 million, 9.1% of the population) and Spain (4.8 million, 11.1% of the population). Nationals of some eastern European countries, particularly Romania and Albania, are among the most numerous in many countries, and this is especially the case in Italy (Caritas, 2008).

In the light of these figures, it must be realised that the concept of “international migrant” is used here as “a person living more than a year in a country other than that of which he or she is a national” (UN, 1998): this does not take into account internal migration prior to changes in international borders, as in the case of the Russian Federation, and, in the case of the European Union, makes no distinction between “non-nationals” who are nevertheless European citizens and the non-nationals who are citizens of non-member states. It should be pointed out that the figures relating to Latvia (22.2% of the population) and Estonia (20% of the population) include among the international migrants citizens of the former Soviet Union who are permanent residents in these countries and who have not acquired the nationality of the host country since the collapse of the Soviet Union.

Concerning the high rate of migrants in the Russian Federation, it should be taken into account that many of these people moved before the break-up of the Soviet Union: it was in fact internal migration of the citizens of the same country, namely Soviet republics, who after the change remained within its borders. In the 1990s, following the collapse of the Soviet Union and the wave of ethnic conflicts in the former USSR republics (mainly – Central Asian and Caucasian), Russia received several million Russian-speaking migrants. Many of them were born in Russia or were “ethnic Russians”.

Figure 1: Immigration by broad group of citizenship, 2004 (% of total immigrants)

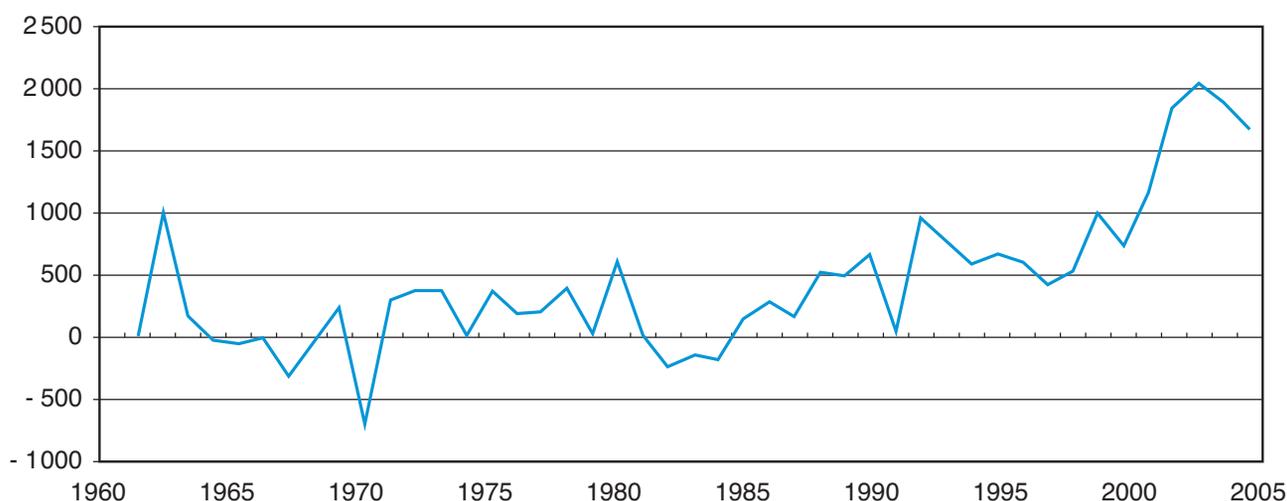


Source: Eurostat (2008: 72).

Considerations on the composition of migrants stocks, and on whether or not it is advisable to distinguish between European citizens and those of non-member states, are also relevant to the analysis of migration flows. In 2006, of a total of 3.5 million new immigrants to the EU-27 member states, about 3 million (86%) were foreigners – that is, they were not citizens of the country to which they migrated. The rest (14%) were nationals returning to their home country. More than half were not citizens of any EU member state. However, this does not mean that all non-EU immigrants were newcomers to the EU – the

number includes immigrants both from outside the EU and from the other member states. Slightly less than half of all immigrants were EU citizens, of whom nearly half a million were nationals returning to their own country. The available data for all countries having received immigrants indicate that, among non-national immigrants, Polish citizens formed the largest group in the EU-27 in 2006. The estimated number of Polish immigrants to other member states was more than 290 000. The second largest group was Romanians, with more than 230 000 (Herm, 2008).

Figure 2: Net migration (including corrections), EU-27



Source: Eurostat (2008: 68).

In any event, migration flows to Europe have been constantly rising for years (Figure 2). The average increase was 100 000 units each year until 2005, when there was a reduction. Accordingly, net migration fluctuated between 1.15 million and 2.03 million people per year between 2001 and 2005, whereas it had never gone beyond 1 million prior to 2001 (Eurostat, 2008). Lastly, if we wish to have a more accurate idea of actual population movements we must analyse net migration, that is entries and departures over the same period.

Nonetheless, it is probable that these figures are less than the actual situation, in view of irregular migration flows. According to estimates, between 10 and 15% of migrants residing lawfully in Europe are believed to be in an irregular administrative situation (ILO, 2004), that is, between 4.5 million and 6 million people in the European Union. On average, almost 500 000 undocumented migrants enter the EU countries each year. By their very nature, migrants in an irregular situation are a hidden population, and there are few reliable statistics. There are, for example, figures relating to people in an irregular situation following the rejection of their asylum request, and whose identity is known to the authorities of the state because of that request; such data are also available because the NGOs take follow-up action regarding the protection of refugees with a diligence which is often lacking for migrants. There are growing statistics concerning the victims of trafficking. People entering unlawfully into a country do so, by definition, without being registered, whereas most of them entering lawfully and then stay without being authorised to do so are not counted, as there is no cross-referencing between the records of entries and departures. Migrants may be recorded as deported even if the deportation order has not been enforced, and remain within the country without being included in official statistics (Commissioner for Human Rights, 2007).

Concerning flows, the only methodology explicitly used for estimating irregular migrants is the projection of border apprehensions, using an estimated ratio of border apprehensions to (non-detected) illegal

entries. Nevertheless, border apprehension data usually refer to cases rather than to individuals. Thus, if an individual is apprehended more than once while trying to cross an international border illegally, he or she will be counted more than once in apprehension statistics (Fassmann et al., 2005). Concerning the stock of irregular migrants, one of the best sources are regularisation figures. Another indirect source for estimates are data on illegal aliens apprehended within a country in the course of one year, sometimes available from police services as statistics distinct from those on persons apprehended when illegally crossing a border. However, more than other apprehension statistics, such data very much depend on the intensity of law enforcement. To simplify, one could say that data on apprehensions can easily be “produced”: if higher numbers are desired, a few additional police raids on suspected work sites or living quarters of illegal foreign residents will do the trick (Fassmann et al., 2005).

A crucial factor in determining the situation is the distribution of migrants throughout the country, which is very uneven. In fact, the biggest rise in immigration in recent years was in Ireland and Spain: in Ireland, immigration doubled in 2006 compared with 2002 while Spain received three quarters more immigrants in 2006 than in 2002. In absolute numbers, Spain had the biggest increase – 350 000 immigrants more in 2006 than five years earlier. In 2004, the two countries with the highest rate of new migrants, namely Italy and Spain, alone took in two thirds of total migration flows in 2004. In 2006, the largest numbers of immigrants to the EU were recorded in Spain, Germany and the United Kingdom. These three countries together received more than 2 million immigrants (including returning nationals). At the same time, several countries including Germany, Austria and the Netherlands saw a decline in immigration rates. In 2006, total immigration to these three countries was 14%, 17% and 11% respectively lower than in 2002 (Herm, 2008).

Similar differences in the distribution of migrants can be seen between regions in the same country. In France, 40% of foreigners live in the Paris region; in the United Kingdom more than a third live in the London Metropolitan Area; in Spain almost one half of migrants live in Madrid or in Catalonia; in Italy, the distribution among the regions is more pronounced, only one fifth of immigrants live in the provinces of Milan and Rome, whereas there are large numbers in medium-size towns which are economically very dynamic (Caponio, 2006). Lastly, as the number of migrants in the national population is expressed in averages, the actual concentration may be very different: for example, in Amsterdam 48% of the population are of foreign origin, 34% of whom are from non-Western countries (van Heelsum, 2007: 6), whereas the country as a whole has a foreign population rate of 11% (UN DESA, 2009).

In the light of these observations, we should speak of the “globalisation of migration” in relation to the dissemination and density of the phenomenon rather than to its numerical consistency. Migration sources have become very numerous, with flows of migrants now moving into a huge variety of regions. We have gone beyond the “migration pairs” model (Simon, 1995), based on a firmly established bilateral relationship, between countries of destination and countries or areas of departure (USA/Mexico, Germany/Turkey, France/Algeria or its colonial empire, UK/Ireland and the British Empire) with this pattern now giving way to myriad migration flows. As regards emigration countries, Turkey’s case speaks volumes: “from being ‘paired’ with some 15 countries during the 1990s, already a fair number, Turkey has since the 1990s become a country of emigration to over 70 destinations worldwide” (de Tapia, 2007). With regard to countries of recent immigration, the case of Italy is significant: the country has received immigrants from at least 75 countries in the world, with large numbers of certain nationalities (Romanians, Albanians, Moroccans) and others more fragmentary (Caritas, 2008). In a “global city” such as London this “super diversity” (Vertovec, 2006) is even more striking, with a 2001 census showing that London is home to more than 179 different nationalities (Figure 3).

Figure 3: Super diversity in the London metropolitan area



Source: Vertovec (2006).

b. Will migration lead to a “glut” of migrants?

The figures on migrant stocks and migration flows are often a source of concern for the societies of destination, especially if these figures are not fully explained. Europe is no exception in this context. We need to understand better the underlying political issues inherent in statements such as “there are too many migrants”, “our societies are now full to overflowing”, “immigrants from poor countries are going to submerge us”, etc. There are three types of questions that are asked: the first concerns the link between the number of migrants and the willingness of local populations to accept them; the second concerns the relationship between the number of migrants and “reception capacity” in the light of available resources; the third concerns the relationship between demographic growth in the countries of origin, which are developing countries, and the growth of migratory pressure on and risk for the developed countries.

The idea of a quota of people of foreign origin above which the society of destination would experience serious disturbances is known as the “threshold effect” or “tolerance threshold”. This last concept was used in Europe in 1964, in a sociological study carried out in France at the request of the organisation responsible for low-cost housing in the Paris region, after a number of incidents in areas in which there was a high proportion of immigrant residents. The concept originated in the work of the Chicago school on racial urban segregation: an attempt was made to find the “tipping point”, or the critical threshold beyond which the presence of the black population in a neighbourhood led to the departure of the white population. This idea gave rise to the conventional definition of the tolerance threshold as “the proportion of foreigners in a region or sector beyond which adaptation becomes difficult, thereby provoking the risk of tension” (Girard, 1971). The person who first put forward this concept learned fairly quickly that this tolerance threshold had no correlation with the numerical reality (Girard, Chabrit and Lamy, 1974). Numerous successive surveys showed that “the problems of cohabitation were no more acute in the zones where the foreign population was higher” (Steiner, 2004: 340), particularly as “intolerance is sometimes expressed by people who reject the very idea of a foreign presence, no matter how small” (Allain, 2004: 319).

Nonetheless, the idea of a tolerance threshold took reasonable hold, both among the general public and in academic research. In this respect, a study from the 1970s is typical: it came up with a sociological law that “average thresholds are 15% of foreigners in a town of 5 000 inhabitants and 18% in a complex of 100 housing units. In schools, it is believed that the class would be disturbed if there were more than eight pupils out of 30. A child would be taken out of school once the proportion reached a third” (Fleury, 1972). These arguments seem to come directly from a xenophobic attitude, which would appear to have infected official discourse and seek to obtain a level of scientific legitimisation. They are also in evidence when people refer to contemporary migration as “excessive” and that it is this excessive presence which allegedly gives rise, by a sort of mechanical reaction, to manifestations of xenophobia and racism among the local population. According to this view, the solution to racism is therefore to be found in the almost total closure of borders, if not in the deportation of “surplus” immigrants. Clearly, this is a “racist explanation of racism” (Faso, 2008: 122), which fuels hostility and complicates the management of migration.

In contrast, the results of several surveys show that there is a direct proportionality between the density of the foreign population (and therefore greater opportunities for interaction) and a favourable and open attitude towards immigrants. Paradoxically, it is in the countryside, where the presence of immigrants is often minimal, that reactions are at their most fearful and intense, whereas towns and cities normally tend to adopt a much more accommodating attitude. As suggested by an EUMC report on the attitudes of majority populations, it is almost impossible to determine a proportionate and exact correspondence between quantitative migration growth (in terms of stock, percentage contribution to the total population, net migration, rate of growth, etc.) and negative feelings towards diversity and immigrants. One only has to compare the different rates of resistance to multiculturalism and to immigrants seen in Spain (moderate) and in Greece (fairly high) with the respective immigration rates (inverse) to have an illustration of this phenomenon (EUMC, 2005: 17 and 29–38).

Lastly, if the indicators on the presence of “foreigners” or groups seen as such seem to influence certain aspects of “resistance” and the feeling that there are “too many immigrants” but are not enough, on their own, to account for the different levels and changes over time, then clearly other explanations are necessary. A country’s general situation, and in particular concerns about people’s living conditions and prospects – in terms of employment, economic growth, confidence in politics, society and the future, feelings of insecurity, etc. – appear to play an important part in the manner in which the presence of immigrants – even if this is not necessarily increasing – is perceived. The fact that high levels of unemployment or low incomes do not automatically spark feelings of hostility either, nevertheless points to the importance of cultural models and of people’s perception of the phenomena in question. In particular, certain individual characteristics (age, educational level) or national characteristics (political and social penetration of xenophobic statements beyond far-right groups, the influence of the media – especially if they prefer to convey information which reinforces the image of immigrants as a problem) affect resistance to diversity and feed a sense of “ethnic threat” (EUMC, 2005).

The idea that there are at present too many immigrants in relation to the economic and social capacities of the countries of destination overlooks one historically and theoretically substantiated factor: there is no absolute relationship between resources and population. The concept of surplus applied to a population makes sense only in relation to a certain level of development and to a certain type of society. This was the case, for example, with the demographic explosion in 18th-century Europe which helped bring about the end of the *ancien régime*: “here was a population that was too large in relation to the specific social system and the level of technological development at that stage in history. In the second half of the 20th century much stronger demographic growth did not lead to similar social tension” (Barrington Moore, 1978). Possibly it could be a question of over-population in general affecting certain regions of Europe (Sassen, 2006) and, still more, the pressure which this population exerts on the environment because of the dominant development and consumption model, which is genuinely “excessive” in relation to the capacity to replenish natural resources

(Shiva, 2005; Gesualdi, 2005). Focusing the question of demographic surplus on immigrants alone, as deportable subjects, is ultimately an expression of a type of “chauvinism of affluence” (Habermas, 1991) on the part of the developed countries, which do not wish to share the advantages of their development.

Still on the subject of demographic excess linked to migration, some authors suggest that there is a linear equation between demographic growth and future migration: “the number of people wishing to leave their country will increase” and therefore “large-scale migration flows are yet to come”. There is a twofold error in these arguments. The first is to consider demographic estimates, especially if they cover several years, as a sure and certain science. The fact is that, population dynamics, such as fertility rate or life expectancy, are subject to numerous variables which may change fairly quickly and run counter to expectations, as a result of urban development, literacy programmes, the emancipation of women, etc. (Livi-Bacci and Martuzzi Veronesi, 1990). Moreover, the reasons for demographic growth are left out of these arguments, as are the responsibilities of the developed countries. The so-called “demographic time-bomb” is at least in part the effect of impoverishment and the diminishing role of women in traditional productive and social systems, thrown into turmoil by Western modernisation.¹³ The second error is to consider demographic shifts as “hydraulic mechanisms”, by virtue of which pressure on one side sooner or later results in a release on the other (Dal Lago, 1999).

Being largely without empirical foundation, the “migration risk” focuses on demographic shifts and wage differences between the countries of departure and the countries of destination, and makes a case for controls. In the European context, the forecast major internal migration from east to west, either following the fall of the Berlin Wall or after the accession of new countries – Poland and Romania in particular – to the European Union, did not take place. For example, following the European Union enlargement in 2004, the mobility rate of nationals of the 10 new member states towards the EU-15 was lower than expected. In fact:

despite their significant size, intra-EU mobility flows since enlargement never reached the dimensions of a “tidal wave” initially feared by some observers. Between 2003 and 2007, the average population share of EU-10 foreigners resident in the EU-15 increased from around 0.2% to 0.5%. By comparison, the population share of EU-15 nationals resident in another EU-15 country grew from 1.6% to about 1.7% and that of non-EU-27 nationals from 3.7% to 4.5%. (European Commission, 2008b: 16)

Despite this, and the fact that migration flows are always very difficult to anticipate:

disaster scenarios often make the headlines, designed to alarm the Western world with extremely high figures announcing 20 million Russians or half of young Moroccans wanting to leave their countries. (Düvell, 2005: 16)

Similarly, in the recent European enlargement, this type of alarmism was a pretext for legitimising the adoption of temporary clauses and moratoria on the free movement of the new Romanian and Bulgarian European citizens, with considerable consequences, in terms of deprivation of rights and prejudices, for the people involved themselves regarding their status and identities, with the result that these fellow citizens were considered as “foreigners”, or “immigrants”.

Obviously, above and beyond this discourse about quantitative and qualitative excess in migration flows and migrant stocks, their concentration, distribution, rates of increase, etc., human mobility is worrying because it is primarily a political issue. Globalisation, the right to mobility and what that means, a capacity that is unequally distributed, speed of movement, etc. are key elements (Bauman, 2000: 174); the relationship between centres and peripheral areas, end of the isolated Third World, inequalities across the board, global towns and cities, continents, planet.

13. “When people lose all other kinds of security and the absence of any assured social security, children are the only economic security. Because of inadequate resources and inaccessible or poor health service, an Indian woman has to produce six children to ensure at least one son will survive to take care of her and her husband when she is 60” (Shiva, 2005).

In the light of these considerations, we must dispense with all conventional mechanical explanations of the “push-pull” type in the field of migration (Mezzadra, 2005), especially if we wish to make way for political action which is not counter-productive. We cannot simply reduce migration (even if this is intellectually comfortable) to a mere movement of labour force: where in one place we have a surplus number of workers and in another jobs that are available. We need first of all to consider the reasons for this surplus labour force and the processes which have made it “available” for immigration, and at the same time reflect on the mechanisms which have made jobs available for immigrants.

c. Migration: a choice resulting from pressure or the force of attraction?

For a long time, migration flows have tended to share many characteristics, immigrants are mostly, though not exclusively, poor people from less developed countries, with low or medium levels of education, and willing to take undesirable jobs. This has led to the notion that it is poverty and unemployment generally which push migrants to migrate (Sassen, 2006b: 51).

At the beginning of the 21st century, there are still significant income inequalities worldwide which are constantly growing. Progress achieved in countries which perform well, such as China, have enabled hundreds of millions of families to rise above the poverty threshold (or two dollars a day). However, even though the number of people worldwide living in poverty has reduced in relative terms, it remains high in absolute terms and has not fallen in Africa. For example, in recent years, in a number of developing countries, income per capita has increased even faster than in the rich countries, but elsewhere, particularly in Africa, income has increased much more slowly than in the advanced economies. The gap between the poorest and the richest countries has therefore on the whole considerably widened. The average per capita income in the 20 richest countries is today 89 times higher than that in the 20 poorest countries, whereas it was only 30 times higher at the beginning of the 1960s. One per cent of the richest population has access to 9.3% of world wealth, corresponding to the resources available to 57% of the poorest population. In addition to the ever-increasing inequalities found throughout the developed countries, it is worth noting that Western Europe, North America, Japan and Australia, with 840 million people, namely 14.2% of the world population, consume 78.5% of resources (Gesualdi, 2005).

Yet many countries with great poverty and high unemployment lack any significant emigration history, and in others emigration is a recent event no matter how long-standing the poverty. It takes a number of other conditions to activate poverty into a push factor, and even then, it is likely to be only a small minority of poor and middle-class people who will actually try to emigrate. Emigration is not an undifferentiated escape from poverty and unemployment to prosperity. (Sassen, 2006). Furthermore, the very concept of “poverty” should be broadened and the desire to escape should also refer to the general capacity to fulfil one’s own idea of “living well”, to develop in full independence, rather than to the monetary aspect of life, as an individual capacity to spend money.

Nevertheless, it is impossible from these conditions to conclude an automatic migration effect. The decisions taken by individuals, families and communities – often on the basis of imperfect information and a very small range of available options – play a key role in determining the migration process. Politicians should be more aware of the fact that migration has a “relative autonomy” in relation to given situations, including governmental policies (Castles and Miller, 2003).

This is why the most suitable model is a multidisciplinary and multidimensional one (Brettell and Hollifield, 2000), which attempts to combine objective factors and their “subjective perception” by the people involved, while at the same time considering migration as a continual process (Krieger, 2004). This approach challenges the abstract image of immigrants as “rational individuals” determining their own life choices solely in

relation to the relative usefulness that they believe can be derived: either because, as we have said, the decision to leave is not exclusively an individual one, or because the information is heavily asymmetrical, or because this model offers no vision of well-being other than economic and monetary, and offers no other incitement to action and change which is not based on a proprietorial and individualistic approach. In reality, without wishing to enter too far into rhetoric, migrating “may be considered as a political act in the sense that it is, in practice, an attempt to act freely” (Palidda, 2008: 21), an expression of the typically human capacity to “begin something new” (Arendt, 1958). At the same time, the incitement to emancipation and freedom should not be viewed with excessive romanticism: it is often a “(rarely satisfied) aspiration to power and therefore may lead to adopting the logic and behaviour of power” (Palidda, 2008: 2).

This has considerable consequences for the way in which migration flows are managed. If flows are not seen simply as a “tidal wave”, an invasion without firm links to economic cycles and the dominant development model, it once again becomes possible to govern them without necessarily having recourse to controls, barriers, limits or other mechanical devices, such as dykes, filters or fortresses. While attempting to fully secure equal rights between immigrants and nationals, policies could support migration in a structural way: they should address the systemic issues which encourage it, in both the countries of origin and destination, in terms of unequal development and the demand for certain types of “dead-end jobs” in our advanced economy, our ageing societies, our weakening welfare state, etc. (Sassen, 2006).

For this, if we accept that “migration is not simply an aggregation of individual decisions but a process patterned and shaped by existing politico-economic systems, then the question of control and regulation becomes more manageable” (Sassen, 1999). When policy makers and the general public misunderstand migration as caused simply by poverty in sending countries, they are left with very few policy options. The seemingly logical response to a mass invasion would be to close and militarise all the borders. Xenophobia and racism are but the most extreme expression of this option in a country’s political culture (Sassen, 2006b: 50-51).

The more states represent themselves as “victims of uncontrolled flows”, without understanding the extent to which the duration, dimension and nature of these flows depend on socio-economic conditions and regulations in the countries of destination, the more the political options will be limited to strict border control. In contrast, the greater awareness one acquires of the complex systems of migration, which have their own regulatory forces, the more one will tend to discard the “management” model centred on *homo oeconomicus*, or on the supposition that immigrants are perfectly aware of their endeavour and therefore able to be influenced by incentives and especially dissuasion. These forms of dissuasion include a reduction of social rights (Da Lomba, 2004), the threat of criminalisation and imprisonment, plans to develop and enhance social and educational services in the countries of emigration to limit or eliminate all desire to emigrate, on the basis that “we must help them to not want to leave their country”.

Contemporary migration must be approached in line with the dominant development model and its effects on global society. As we have already said, the socio-economic context in which the decision to migrate is taken depends on a more complex set of factors, going beyond mere poverty. Possibly, it is a question of the impoverishment of certain regions and the draining of resources from the peripheral areas to the centres to enable the latter to maintain their standard of living. This is the effect of a production policy which is dependent on exports, of the great upheaval brought about in traditional farming by industrialisation and the increasing cost of agricultural production, of the fall in prices of foodstuffs paid to producers and the rising prices paid by consumers, of the food crises due to the use of certain staple foodstuffs, such as cereal, for animal feed, biofuels and more recently for the types of speculation which, after the sub-prime crisis, have regarded raw materials as safe investments (FAO, 2005).

Among the “pressure” factors, it would also be impossible to underestimate the impact during the 1980s in so many African countries of the IMF’s austerity measures and structural adjustment programmes (Sassen, 2006). It would also be difficult to overlook the effect of the rules of international trade, restrictions, subsidies to farming and other manufacturing sectors, the unequal bargaining power exerted by importation centres, especially in some sectors such as agro-foodstuffs, which is the largest employment sector in the non-Western countries. Sometimes, it is also a result of the unexpected effects of development assistance: contrary to the intentions of those who view it as a “politically correct” means of slowing down emigration, official development assistance, for example funding a railway link or road, a new technology park or water engineering projects may be equally destabilising, if only in so far as it creates new forms of consumption and therefore new previously unknown needs that have to be satisfied (de Tapia, 2007) and consequently influence the decision to migrate.

In addition, governance of human mobility lies at the very centre of the current production mode, based on wage differences at global level (Sassen, 1988). On the one hand, migration represents an effort to overcome this difference: immigrants seek, in the investors’ and multinationals’ countries of origin, pay and social mobility prospects which are higher than those in their own country. On the other, this can easily prove to be the opposite: immigrants, especially if they are undocumented or temporary, provide entrepreneurs with the opportunity to introduce *de facto* these wage differences in the developed countries themselves and contribute to social dumping. The mobility of capital taking place in relocations of production units in search of more competitive conditions works only insofar as workers tend to be constrained to immobility. If workers were able to follow the routes taken by world wealth, the global networked production model would soon be called into question. In sectors for which relocation is not possible – services provided “*in situ*”, as in the case of catering, building, farming, care provision, domestic and sexual services – migration offers an abundant labour force, which is both flexible and cheap (Düvell, 2005). For industrial production and services which are driven by the fluctuations of demand and which must remain competitive, migration offers the possibility of adjusting working time to the authorised period of residence: which explains the new success of temporary immigration systems.

While all this is true, it is increasingly unrealistic to try to govern migration flows without at the same time addressing the question of the movements and uses of capital. What is being produced, who is producing it, where is it being produced and in accordance with what rules and what rights? These are key questions for both global governance and migration. But these questions presuppose in-depth reflection by the societies of destination themselves, which are required to shoulder responsibility for their global economic policy and take a critical look at the factors they have established to encourage immigrants from the two extremes of the spectrum; on the one hand, there are overt attempts to attract certain professionals in high-tech sectors, such as engineers and IT specialists, or in prestigious sectors where there is a shortfall, such as doctors and higher education students;¹⁴ on the other, there are less overt efforts to attract a generic labour force to be employed in the vast array of dead-end jobs, those which nationals are unwilling to perform, to meet the demand for cheap consumer goods and services, and to cope with the growth in the underground and grey economies, extending far beyond the traditional shadowy areas of the labour market (Marie, 2004).

This dualism reproduces a highly stable and unequal model of growth which has become the norm in Western countries. In recent decades, the proportion of labour income in national income has been falling while profits

14. Between 1998 and 2004, the number of foreign students enrolled worldwide rose by 52% to 2.7 million, with the OECD countries hosting 85% of the total. The main causes of attraction are: the destination country’s immigration (or visa) policy for foreign students. Potential determinants are the ease of obtaining a visa, the possibility to work while studying or to remain in the country upon completion of studies. A host country will be more attractive if students can work there after completing their studies, or if their qualifications are highly regarded on the local job market when they return home. Recognition of skills and foreign qualifications in the country of origin and the host country: the frequent absence of any formal framework for such recognition partly explains the success of student mobility under joint university programmes or partnerships between establishments (IOM, 2008: 111).

Migrants and their descendants

have been increasing in many countries. In the six most industrialised countries, work remuneration (wages plus employer's social security contributions) fell between 1980 and 2004 from around 58% to 55% of the GDP (IMF, 2007). This reduction in the relative share of labour income reflects a change in the power struggle on the market, alongside (threats of) relocations, new enterprise governance geared to "creating value for shareholders" (Gallino, 2005), technological and management developments making it possible to save on manpower while extending operating hours and increasing productivity rates (Basso, 1998), reductions in funds and adjusting the conditions for access to social welfare (Wacquant, 2004). Ultimately, it is at this level that action needs to be taken if we wish to avoid a situation in which migration fuels a "war between the poor", or between those on the lowest rungs of society.

It remains to be seen whether we will be able to upgrade jobs in relation to capital and technologies and to offer new general prospects of social mobility. This would make it possible to address both unemployment and financial insecurity, particularly amongst the young, the working poor and the "brain waste" of immigrants, trapped in poorly paid jobs despite the fact that they are well educated. It is not in the interests of society as a whole to have a disadvantaged workforce with no prospect of advancement (Sassen, 2006).

d. Various types of mobility

Once we are no longer constrained by the purely mechanical econometric and demographic frameworks for understanding migration, and once we have adopted a multi-factor approach which encompasses the intrinsically political dimension of human mobility, we will be in a position to understand the internal links and diversities: in terms of trajectories, arrangements (de Tapia, 2007: 27), patterns, transnational relations with countries of departure (Salih, 2008), profiles, "success" in the countries of destination. We shall now give a number of examples demonstrating the plural nature of migration.

Trajectories – a study of the trajectories of migrants makes it possible to move on from the functionalist (economic or demographic) images of migration and to deconstruct the very idea of "migration" which encompasses very different situations, presenting us with an opportunity to think about the relations in which the behaviour and attitudes of specific groups of immigrants are built up and defined. The trajectories of migrants will need to be reconstituted in full if we wish to understand all the factors, both prior to immigration and, in a modified form, during immigration, which have led the immigrant to the position in which he or she is today. In other words, we need to cross-reference what might be termed "variables of origin", namely all the social characteristics and attitudes of the migrants before emigrating (group, social and geographical origin, local migration tradition, etc.) and "destination variables", namely, the differences which separate immigrants (in their working conditions, housing, etc.) in the host countries.

Looking at all these trajectories is one of the few ways of understanding the migration process and how this has developed. Within one and the same community, there are different ways in which migration comes about, there are different ages at which people migrate. For example, the *noria* (the migration of young men from rural areas in Algeria to France, for a limited time, then returning to their own country, and migrating once again in line with the needs of the community) occurred only during the years 1945 to 1950, whereas this image continues in many cases to colour perceptions of Algerian migration. The fact is that those prompted to migrate for other reasons may have completely different attitudes and behaviour.

Normally, we think about migration being for settlement purposes, but in reality there is a whole range of migration including circular migration, short-term migration the aim of which is not to settle in the new country. In the "street selling" sector, for example, movements are of very short duration – most are for just one day and are repeated sometimes several times a week. This is an activity which has its equivalents in Turkish (*bavul ticareti*),

Algerian (*trabendo*) and Russian (*chelnochny biznes*) and is carried out by tens of thousands of people you come across in the airports, ports and stations of Istanbul, Dubai, Marseille, Naples, Tripoli, Damascus and Alicante (Manry, 2006: 206), transporting various types of commodities which they will then reintroduce into both formal and informal retail circuits on both shores of the Mediterranean. For some of the migrants involved in this type of trade, it has been the only source of revenue. For others, it is an additional source to supplement their teachers' pay or their pensions. For yet others, these trips are a means of obtaining supplies for their own businesses.

This type of migration began to be less extensive in the late 1990s with the structuring of import markets, and the containers of entrepreneurs replacing the suitcases of these small-scale traders. Nevertheless, this cross-border migration was a first experience of movement, enabling the people involved to create networks, become experts in moving from place to place, become more familiar with the employment markets in the countries of destination, improve their language skills, etc. In some cases, these skills made it possible for a new type of migration to take place subsequently. Some of these short-term traders later became commuters, others settled more long-term as immigrants. (de Tapia, 2007). It should be noted that there is no strict separation between these two types of migration. A street trader may very well be offered a short-term job by a member of his network or an acquaintance and then later go back to cross-border trading. An immigrant, whether a commuter or established, will frequently engage in small-scale trading or transport of money during his or her movements. (Soultanova, 2005).

Profiles – as regards migrants' level of education and its impact on the labour market, numerous studies show that, by and large, "nationals of third countries" are concentrated in certain sectors and occupations, although this trend usually lessens over time; for all types of skills, the proportion of migrants in manual jobs is higher than for European Union nationals, and twice as high in the case of unskilled manual jobs. Migrants have a very different skills profile from the European population. The highly skilled and low skilled are over-represented, while the moderately skilled are under-represented. This is mainly a result of labour markets creating demand for high and low-skilled migrants. In the case of skilled workers, the difference between migrants' employment rate and that of EU citizens dropped by 5%, while increasing slightly among moderately and low-skilled workers. It may be concluded that skills are no guarantee of employment: the employment rate among highly skilled nationals of third countries remains significantly lower than among EU citizens (Stokkink, 2008: 230).

Gender – in the 1960s and early 1970s the phrase "migrants and their families" was a code for "male migrants and their wives and children". The women's movement, however, with its emphasis on the situation of women, caused some to question the near-invisibility of women as migrants, their presumed passivity in the migration process, and their assumed place in the home.

Generally speaking, the proportion of women immigrants, within broad regions of residence, increased only slightly between 1960 and 2000, rising, according to the United Nations Population Division from 46.6% in 1960 to 48.8% in 2000. However, in 2004, in the OECD zone, immigrant women accounted for a slightly higher proportion of all people born abroad than their male counterparts. This applies to most member states (with the highest being 53% in Japan, and with one notable exception, Portugal, with just 37%). A more refined analysis of recent immigration (based on the number of women immigrants living in OECD countries for less than five years) reveals a greater degree of feminisation. In 2004, such feminisation was particularly marked in Poland, Italy, the Netherlands, Portugal, Greece and Canada. A comparison between the number of women as a proportion of all immigrants having arrived less than 10 years previously, in 1994 and in 2004, confirms this trend towards the feminisation of immigration. In Austria, for example, in 2004, women accounted for 56% of arrivals recorded in the previous 10 years, compared with 48% in 1994. In Spain, the proportion of the total female immigrant population having arrived in the last 10 years was 86%; it was 74% in Italy and 58% in Greece. In the case of southern European countries, this trend may be attributed

to an increase in the number of arrivals as a result of a high demand for labour in traditionally female sectors (domestic services, child care and care for the elderly) (Stokkink, 2008).

Table 2: Comparative percentage of immigrant women in the world and in Europe (1960-2005)

Year	Women among all migrants in the world (%)	Women among all migrants in Europe (%)
1960	46.8	48.4
1965	47.1	47.9
1970	47.2	47.7
1975	47.4	47.7
1980	47.2	48.1
1985	47.2	48.9
1990	49.0	52.8
1995	49.3	52.7
2000	49.7	53.4
2005	49.6	53.4

Source: UN DESA (2009).

Success cases – as far as their country of origin is concerned, migrants can fairly obviously be divided into three population groups, particularly in terms of their chances of social and economic integration. Immigrants from western and southern Europe and other industrialised countries have a higher employment rate and lower unemployment rate than nationals. On the other hand, migrants from other parts of the world, particularly Turkey and the Maghreb, do less well on the labour market and face the greatest discrimination, which drastically reduces their chances of gaining entry to the labour market and climbing its rungs. The latest wave of immigration from central and eastern Europe makes up the bulk of illegal workers (Stokkink, 2008).

Migrant women generally lag behind in terms of access to the labour market, in relation to both men from the same group and women from the destination country. Their employment rate was 16.9% lower than that of Europeans in 2003, whereas the employment rate among male migrants was 11% lower. “Education facilitates foreign women’s access to the labour market, but significantly less than for nationals. In other words, the gap between foreign women and nationals tends to increase with their level of education” (OECD, 2005). There was a 23.2% difference between highly skilled migrant women and nationals. “For foreign women born abroad, this might suggest particular problems in relation to the recognition of qualifications.” It should be added that migrant women are concentrated in low-paid sectors and occupations. In France, young foreigners from countries outside Europe, and to a lesser extent those who have acquired French nationality, face the greatest instability and lack of job security. Young people of immigrant origin are more likely to experience unemployment or find themselves outside the labour force, and face discriminatory practices. The most skilled are also affected: young graduates of immigrant origin have twice the unemployment rate of young people born of French parents (Stokkink, 2008: 252).

Ethnic minority businesses (EMBs) are an emerging economic force. A recent report by Barclays Bank (2005) indicated that the growth in EMB start-ups was twice that of the wider small firm populations. EMBs represent almost 7% of the total business stock in the United Kingdom, but this is likely to increase over time since the ethnic population is expected to double over the next 25 years. In England alone, ethnic minority businesses made up 5.8% of SMEs in 2004. There is a great deal of growth in such businesses: they accounted for 11% of new business start-ups in 2004, which is an increase from 9% in 2000. Growth in ethnic minority business start-up is therefore double the growth rate in total business start-ups. The disparity between the circumstances

of different ethnic minority groups involved in small business activity is a key issue. This is clearly reflected in the patterns of self-employment among ethnic minority communities (Mascarenhas-Keyes, 2006). The highest self-employment rate is found among the Chinese (21.6%), followed by Pakistanis (17.2%), Indians (14.8%), other Asians (13.9%) and Bangladeshis (11.1%). The highest self-employment rate amongst Asians contrasts with the low rate among black groups. The lowest self-employment rates are to be found among black Caribbean (6.5%) and black African (6.8%) groups. Among mixed groups, the lowest self-employment rate is to be found among the white and black Caribbean group (6.9%). From a policy perspective, it is important to recognise the diversity that exists between ethnic minority groups and to guard against treating EMBs as a single category, from a finance and business support standpoint (Ram, 2008). An analysis of self-employment rates by gender reveals further complexity.

Studies (Mascarenhas-Keyes, 2006) show that ethnic minority males (11.2%) have a lower self-employment rate than white males (12.4%). However, Chinese (16.5%), Indian (14.3%) and Pakistani (14.2%) males have a much higher rate than whites, while Bangladeshi (9%), black Caribbean (7.3%) and black African (6.9%) males have much lower rates than white males. The lowest self-employment rate is among other black males (5.5%). These figures should be treated with some caution. It is unlikely that they capture the largely unacknowledged and invisible work that is undertaken by ethnic minority women, notably within the South Asian communities. It is almost certain that the low participation figures cited for Asian women mask the true extent to which women participate in the enterprise and often play pivotal roles in the management of the business.

As regards business entry motives, explanations tend to attribute labour market constraints, the importance of cultural attributes or similar motivations to the general small firm population. Powerful support for this view is provided by Clark and Drinkwater's 2000 study, conducted between November 1993 and December 1994, which comprised interviews with 5 196 individuals of Asian and Caribbean origin, aged 16 and over; 2 687 whites were also interviewed. The results suggest that discrimination against ethnic minorities in paid employment contributed to the over-representation of minority workers in self-employment (although there was a role for some pull factors). Four large-scale surveys of small firm populations further illustrate the prevalence of "necessity entrepreneurship" amongst EMB owners in the United Kingdom (Ram, 2008).

Lastly, although some ethnic groups have much higher than average levels of self-employment, this should not be seen as an unqualified indicator of upward mobility. For instance, evidence indicates that many Asian small business owners are stuck in highly competitive and precarious market niches (notably, lower-order retailing), are under capitalised, work longer hours, intensively utilising familial and co-ethnic labour, and are struggling to survive in hostile inner-city environments (Ram and Jones, 1998). Placing undue emphasis on self-employment as a route out of social exclusion negates the importance of material factors to small business ownership. In the specific case of ethnic minority business owners, "class" resources are arguably of more importance than so-called ethnic resources. Class resources refer to the possession of capital and educational qualifications, together with related intangibles such as self-confidence, articulacy and communication skills. These assets, rather than cultural traits, account for the differing experiences of ethnic minority communities in self-employment (Ram and Jones, 1998).

1.3. Foreigners, immigrants, descendants

Migration is a "total social fact", affecting different aspects of the societies involved, both the societies of origin and destination. Emigration and immigration are two inseparable sides of the same process, partly because the protagonists in this process, the migrants, are the same. This total aspect is poorly reflected in the legal, political and sociological categories used in an attempt to define migrants from the standpoint of the societies of destination. They generally break down the multiple and indivisible dimensions of people's lives,

and the different moments and spatial and temporal dimensions of migration: their abstract nature, of necessity, encapsulates human mobility. Accordingly, these categories need to be clarified, by regarding them not as an individual's essential characteristics or ways of being, but as the result of a political choice and a social use of words which in principle can be modified.

For example, "one and the same person may, through the different stages of life, whether or not in linear progression, be a migrant, an immigrant, an emigrant and a return migrant, taking advantage of (or having imposed on him or her) a fluctuating personal and legal status" (de Tapia, 2007). One also comes across disparities between individuals' social and legal status (Sassen, 2006). For example, it is often forgotten "that a large proportion of Europe's immigrants, including the best integrated who may have acquired the nationality of their new country of residence, are former clandestine migrants who only subsequently acquired lawful status", and that "large numbers of European citizens are direct descendants of displaced persons or refugees, not all of whom were sympathetically welcomed at the time ..." (de Tapia, 2007); and lastly that "today, 40% of Vienna's Viennese actually have a foreign parent, and one third of France's people have a foreign-born parent or grandparent. The "they" have become the "us" over our five centuries of intra-European migrations. These older immigrant groups, dating three or four generations back or centuries back, have given us many of today's citizens. They are not the issue in today's debates. But they were the issue in the past, at their time. However it took more than two generations, and, typically, it seems, it took three for them to cease to be 'the problem'" (Sassen, 2006).

a. Foreigners

The existence of a distinction between the "local" population and "foreigners" is one of the rules which define human societies. Having been practised since antiquity, this distinction has considerably structured modern European societies, where they have been built up around state institutions and national productive systems, in the context of trading and colonial relations with the rest of the world. This is the very idea of the national state as "a defined territory, occupied by a population which is also defined" presupposing, with "the legitimate monopoly of force", that of "borders" and "legitimate means of movement across boundaries" (Torpey, 1998). Lastly, according to this model, "if states were no longer able to make this distinction", between nationals and non-nationals, "they would cease being states in the sense of having a defined population". Individuals themselves would exist "on the international scene only as citizens of a nation and having a nationality" (Sayad, 2006: 145): the main characteristic of people, derived from identity cards and passports and certified by the state authorities, would typically be an allegiance to a national state.

It might be claimed, from the national point of view, that "the explicit definition of a foreigner is the negative of the implicit definition of oneself" (Sayad, 2006: 166). In national legislation dealing with this matter, there are the following definitions: for example, a "foreigner" is "the national of another state" (Russian Federation) or "a person who does not have the nationality of the country" or no nationality (France, Germany, Denmark, the Netherlands). The distinction between citizens and foreigners is, more than other similar distinctions, legal in nature: the word expresses, in a strict "them/us" view, a sense of coming from outside which in itself is a vehicle for harmful stereotypes. The Latin etymology of many of the European terms used in this connection confirms this: neo-Latin words such as *étrangers*, *estrangeiro*, *straniero*, etc. have clear links with the proposition "extra"; the same proposition is to be found in an expression used especially in Italy, which is *extracomunitari* to refer to foreigners from non-EU countries. In English, the legal term used is "alien", which obviously derives from the Latin word *alienus* meaning someone who does not belong here. The German word *Ausländer* expresses something very similar. Decades ago, the term *Ausländer* replaced the term *Fremder* (equating both to "foreigner" and "stranger"), which is still used in Austrian law. As defined in paragraph 2(1) of the Residence Act, an alien is a person who is not a German in the sense of Article 116 of the Basic Law. All non-German nationals and stateless persons are aliens, except for ethnic Germans living abroad and persons holding dual nationality of which German is one.

In the European Union member states, following the creation of a “European citizenship” by the Maastricht Treaty, a similar distinction to that between foreigners and citizens has emerged, namely between EU nationals and non-EU nationals. In European legal terminology, the latter are referred to as “nationals of third countries”. The national legislation of some countries has adopted this expression, henceforth referring to the latter as “genuine” foreigners. There is in fact quite a different legal status between the two, which is also reflected in terms of rights: to mobility, and therefore to entry, to residence and non-deportation, to employment, to family reunification, etc. This distinction was acknowledged by the European Court of Human Rights in the *Moustaquim v. Belgium* judgment of 18 February 1991, even before the introduction of European citizenship through the Maastricht Treaty in 1992.

Nevertheless, there is a tendency to “essentialise” national allegiance, making it a sort of “ethnic group” or even “race” free of untenable biological assumptions. “Our political understanding, the understanding we have of our socio-political world, a world founded on a national basis, is such that a foreign presence within the nation cannot be conceived of other than subject to essential characteristics” (Sayad, 2006: 164). Influenced by this mentality, it is believed that “succeeding generations over centuries in a more or less stable territory, referred to in generally unambiguous terms, have passed on and inherited an unvarying essence” (Sayad, 2006: 164).

These distinctions, which are both material and in the mind, regularly become more tense and need to be overtly renegotiated (Benhabib, 2004) when migration, which initially may appear to be temporary and reversible phenomena, prove to be permanent or bring about profound changes in the composition and organisation of societies, in both the countries of departure and arrival. Ideally, therefore, the distinction between citizens and foreigners should not be an absolute distinction, bearing in mind that it is the result of a historical process of building up national identity and, in general, that it is and remains a legal distinction, liable to be changed by laws on nationality.

b. Immigrants

Alongside the concept of foreigner, the category of immigrants is the main point of discussion in the public debate on immigration. The two concepts, strange as this might seem, do not necessarily refer to the same individuals.

Firstly, from a technical point of view, used primarily in statistics on migrant flows and stocks, the two categories have different parameters: one designates nationality as the stable allegiance of an individual to a national state, either through birth or acquisition (naturalisation, marriage, etc.); the other designates the fact of “being born abroad” in relation to the country in which one is currently residing (Simon, 2007) or the fact of having changed one’s habitual residence from one country to another for a period of no less than three months, or the fact of having, at least once in one’s life, crossed one or more international borders with the intention of living in another country for a sufficiently long period of time (UN, 1998). There are two typical cases where these concepts do not coincide, and of which statisticians complain:¹⁵ the case of long-term immigrants who have meanwhile acquired the nationality of the society of residence, and who are no longer foreigners; and the case of children of immigrants born in the country of destination who are not immigrants in the technical sense but who, in accordance with the nationality laws in force, are (still) foreigners.

15. The OECD (2003: 287) speaks of “non-existent groups” to refer to the children of immigrants who, in certain countries such as Germany which has long had a restrictive legislation in the field of nationality, are classified as “foreigners” even though they were born in the country (native-born foreign nationals). In the 1980s, an opposite concern led the French authorities to introduce the category of “immigrant” in its population statistics, to take into account those who, while being born abroad and therefore technically immigrant, had in the meantime acquired French nationality and were therefore no longer foreigners (Spire, 1999).

A further difficulty is that this concept of “immigrant” is not always used in a consistent way. While on the one hand, it ascribes “to a single situation or type ‘populations’ whose geographical origins, specific histories (and consequently cultures and styles of life), conditions of entry into the national space and legal statuses are wholly heterogeneous” (Balibar, 1997b: 294), on the other, it introduces a hierarchy and divisions in the apparently neutral group of people moving from one country to another. The technical use of the word is, in certain cases, overtaken by a political or sociological use of the term. This use of the word refers to immigrants as the nationals of a country or region occupying, from the point of view of the countries of destination, an inferior position in the world hierarchy of countries in terms of economic and cultural power and geopolitical prestige.

Viewed in this way, the term “immigrant” ceases to designate in a technical and apparently neutral way “people who leave their country of origin to exercise an activity in another country” and becomes a label which stigmatises the people and groups to which it applies. Although this prejudice may not always be conscious or explicit, immigrants remain associated with a socially inferior position whereas the other foreigners to which this label does not apply are imagined to be managers, businessmen or researchers having a high level of education or a high income. Within the category of immigrants, there is a whole hierarchy in terms of status, recognition and perception by the local population which may be favourable or less so. There is a genuine “civic stratification” corresponding to this differentiated perception and treatment, in terms of legally acknowledged rights or access to rights. These distinctions are made in immigration policies on the basis of the countries of origin, the languages spoken, the religions professed, the reference cultures, level of education, the sector of employment and profession, age and length of stay.

In this political sense, “immigrants” are neither foreigners in the legal sense of the term nor people who have moved from another country: rather they are people who “have no right to be here”, who are here even though they are not “one of us”, who are here but only temporarily and, most probably, unlawfully (Sayad, 2006). This is not a description of a life path: it is the normative expression of a distancing, of the fact of not belonging, of difficulty in communication and interaction, of an almost natural hostility. It is therefore a harmful stereotype in itself.

As a result we have a complex combination of non-coincidences, partial coincidences and complete coincidences between the concepts of immigrant and non-immigrant, in the technical and political sense of the term, and the concepts of foreigner and non-foreigner (Table 3). Four of these groups, which are also fairly disparate, warrant particular attention. They make it clear that:

- there are foreigners who are not technically immigrants;
- there are immigrants in the technical sense of the term who are not perceived and treated politically as such;
- there are people, either foreigners or nationals, who are treated as immigrants even though technically they are not immigrants.

Table 3: Mismatch between the concepts of “foreigners” and “immigrants”

Foreigners/immigrants		Foreigners	Non-foreigners (nationals)
Non-immigrants	In the technical sense	Tourists Those who die while travelling 2nd generation (without nationality acquired at birth)	2nd and 3rd generation (with nationality acquired at birth)
	In the political sense	Nationals of OECD countries “Highly skilled” migrants Long-term residents	Nationals of EU countries Ethnic migrants (speaking the language of the country)
Immigrants	In the technical sense		Naturalised immigrants (“born abroad”)
	In the political sense	New arrivals Temporary migrants Irregular migrants 2nd generation (without nationality acquired at birth)	New EU member states ethnic migrants (not speaking the language of the country) Naturalised immigrants 2nd/3rd generation (with nationality acquired at birth)

1.4. Identities, diversity, cultures

To immigrate means to immigrate together with one’s history, traditions, ways of living, feeling, acting and thinking, with one’s language, and all the social, political and mental structures of one’s society. In other words, the initial illusion of labour immigration which would apply only to workers and which would cause only employment-related problems does not hold up to analysis or experience (Sayad, 1999). And yet, the cultural dimension of migration often gives rise to facile statements and manipulation. The question of the “cultural identity” of groups of migrants is frequently raised in debates on the conflictual relations they have with their host societies. Focusing on, in turn, cultural irreducibility, the need to comply with and respect local standards and traditions, occasionally the need to respect the cultural diversity of migrants, contemporary debates always refer, whether explicitly or not, to a concept of “identity” loaded with many hidden assumptions. It is therefore necessary to look in greater depth at this concept, with particular attention being paid to the way it is used and to the associated policies (Oliveri, 2008a).

a. Identity as a contemporary political issue

Before addressing the question of identity in relation to migration, we must bear in mind that this is a problem which now concerns all of us structurally and which affects all European societies exposed to the harmful effects of neo-liberal globalisation (Habermas, 2001), the crisis of full employment (Laville, 2004), the increasing scarcity of public goods and the post-war welfare state, changes in reference points in the face of increased secularisation and the remarkable scientific and technological progress which is disturbing insofar as it challenges the very nature of humankind, making less obvious the answers to questions such as what is a human being? Where does human life begin and where does it end? (Rodotà, 2006).

In this context, it is not at all surprising that when faced with the permanent nature of the presence of foreign workers initially believed to be temporary guests, and the continuation and fragmentation of allegiances in terms of the countries of origin of the new migrants, the question has become a crucial one. Our need to identify culture and territory, in the absence of other means of physical affiliation and identification, is sorely

tested by the presence of migrants, by their mobility which is both spatial and cultural, by their ability to diversify and hybridise their own way of life. This is probably why some thinkers in the societies of destination categorise migrants as faithful components of their culture instead of seeing them simply as mobile and active individuals. By interpreting foreigners as “cultures”, European societies think they know them and feel reassured because they are frightened of their mobility much more than of their foreignness, especially if this is viewed as inferior and kept within clearly defined limits. Migrants inspire suspicion because, like it or not, they are the vehicles of hybridisation and show that there are no fixed cultures or allegiances (Dal Lago, 2004).

This image of identity, absolutely fixed, also contradicts with the reality of migration processes, for at least two reasons: migrants develop a variable identity; being between two worlds, they are perhaps less than others subject to the ways of living and the culture of the country of origin. Particularly in relation to this last point, “migration gives rise to processes of disintegration (and of course continuous recomposition and reactivation) of traditional systems of allegiance, which make untenable – analytically and politically – the image of the migrant and especially the migrant woman as a potential victim of the community of origin – traditionalist, patriarchal, authoritarian: an image which considers migrants as individuals totally embedded in family and community networks, incapable of criticism and of emancipation, in sharp contrast to ‘Westerners’ and their attachment to freedom and human rights” (Mezzadra, 2004). Seen in this way, migrants are regarded as members of “blocked cultures”, without history, subtle differences, or the possibility of development (Dal Lago, 2006). This somewhat recent position is different from the primitivism with which modernised and industrialised societies for a long time approached other civilisations. Evolution and modernisation are impossible: the allegedly immutable cultures are incompatible and at war with each other for supremacy, and cultural features assume the same deprecating and segregating role of genetic heritage in modern theories of race.

b. The many understandings of identity

There are many understandings of the term “identity” used in learned, media and political circles. The introduction of “identity” into social analysis and its initial diffusion in the social sciences and public discourse occurred in the United States in the 1960s. For a variety of reasons linked to the political and social emancipation of minority groups, the term identity proved highly resonant, diffusing quickly across disciplinary and national boundaries, establishing itself in the journalistic as well as the academic lexicon and permeating the language of social and political practice as well as that of social and political analysis (Brubaker and Cooper, 2000).

What do we mean when we speak of identity? The term is richly – indeed for an analytical concept, hopelessly – ambiguous. But it is possible to identify a few key uses. Understood as a specifically collective phenomenon, “identity” denotes a fundamental and consequential sameness among members of the group or category. This may be understood objectively (as a sameness “in itself”) or subjectively (as an experienced, felt, or perceived sameness). This sameness is expected to manifest itself in solidarity, in shared dispositions or consciousness, or in collective action. This usage is found especially in the literature on social movements, on gender, and on race. Understood as a core aspect of (individual or collective) “selfhood” or as a fundamental condition of social being, “identity” is invoked to point to something allegedly deep, basic, abiding, or foundational. This is distinguished from more superficial, accidental, fleeting or contingent aspects or attributes of the self, and is understood as something to be valued, cultivated, supported, recognised and preserved (Brubaker and Cooper, 2000).

Understood as the evanescent product of multiple and competing discourses, “identity” is invoked to highlight the unstable, multiple, fluctuating and fragmented nature of the contemporary “self”. This usage is found especially in the literature of post-structuralism and post-modernism (Brubaker and Cooper, 2000).

“Identity”, then, bears a multivalent, even contradictory theoretical burden. Do we really need this heavily burdened, deeply ambiguous term? If one wants to trace the process through which persons sharing some categorical attribute come to share definitions of their predicament, understandings of their interest, and a readiness to undertake collective action, it is best to do so in a manner that highlights the contingent and variable relationship between the categories and bounded, solidary groups (Brubaker and Cooper, 2000).

c. Strong and weak understandings of identity

Strong conceptions of collective identity imply strong notions of group boundedness and homogeneity. They imply a high degree of groupness, an “identity” or sameness among group members, a sharp distinctiveness from non-members, a clear boundary between inside and outside (Brubaker and Cooper, 2000).

These substantialist understandings of groups and essentialist understandings of identity have for a long time been challenged by the social sciences, which insist on the constructed nature of the latter. Nevertheless, they continue to inform important strands of the literature on gender, race, ethnicity and nationalism (Brubaker and Cooper, 2000). After 11 September 2001, the culturalist views of identity gained new vigour, with the return of the “clash of civilisations” (Huntington, 1996). There have been countless statements, articles and works, claiming a unified “Muslim cultural identity”, irreconcilable with Western culture, for which evidence is provided by every new attack, every act of violence (Said, 2005).

Weak understandings of “identity”, by contrast, break consciously with the everyday meaning of the term. It is such weak or “soft” conceptions that have been heavily favoured in theoretical discussions of “identity” in recent years. Weak or soft conceptions of identity are routinely packaged with standard qualifiers indicating that identity is multiple, unstable, in flux, contingent, fragmented, constructed, negotiated and so on. These qualifiers have become so familiar – indeed obligatory – in recent years that one reads (and writes) them virtually automatically. It is not clear why weak conceptions of “identity” are conceptions of identity. The everyday sense of “identity” strongly suggests at least some self-sameness over time, some persistence, something that remains identical, the same, while other things are changing. What is the point in using the term “identity” if this core meaning is expressly repudiated? (Brubaker and Cooper, 2000).

d. Autonomous and heteronymous identities

To obviate the stalemate reached with these two conceptions of identity, we could follow Norbert Elias, who considers individuals as a process (Elias, 1991). This implies adopting a dynamic approach to identity, which constantly becomes redefined in the interactions in which individuals partake. Accordingly, identity is not acquired once and for all, but is the product of a process which is likely to evolve depending on the context in which an individual finds himself or herself. As we saw in the previous chapter on migration, there is no lasting identity which could be assigned to groups of individuals. Changes in local conditions of existence and emigration may produce very different individual and collective identities within the same cultural space.

This raises a number of fundamental questions for understanding the identities of groups of migrants: how do they define for themselves a place in a given social system and how do they attempt to differentiate themselves or capitalise on their assets?

The preservation strategies of Chinese community networks, through the creation of geographical and social enclaves (Chinatowns), which provide both protection against discrimination and serve to limit exchanges with the host societies, are very different from the strategies of certain Portuguese immigrants to use the dominant culture to ensure social progress for themselves and their children (Camilleri et al., 2002). Similarly, the

avoidance strategies adopted by Spanish immigrants in the middle-class districts of Paris (and by the well-to-do residents of these districts) are very different from the gradual enhanced visibility approaches adopted by North African immigrants. And here again, in each of these cases, individuals may adopt very different forms of behaviour, ranging from internalising a negative identity, rejected by the host society to an attempt to assimilate the dominant culture, or militant claims to be different.

Constructing an identity is therefore deeply interactional. We must therefore look closely at these interactions, at identity as a socially produced relationship with oneself and with others.

As a term implying a process and an activity, the word “identification” lacks the reifying connotations of “identity”. It invites us to specify the agents that do the identifying especially with regard to culture. One may be called upon to identify oneself – to characterise oneself, to locate oneself vis-à-vis known others, to situate oneself in a narrative, to place oneself in a category – in any number of different contexts. In modern settings, which multiply interactions with others not personally known, such occasions for identification are particularly abundant. They include innumerable situations of everyday life as well as more formal and official contexts. How one identifies oneself – and how one is identified by others – may vary greatly from context to context; self- and other-identification are fundamentally situational and contextual (Brubaker and Cooper, 2000).

A clear distinction to be made is between relational and categorical modes of identification. One may identify oneself (or another person) by position in a relational web (a web of kinship, for example, or of friendship, patron-client ties, or teacher-student relations). On the other hand, one may identify oneself (or another person) by membership in a class of persons sharing some categorical attribute (such as race, ethnicity, language, nationality, citizenship, gender, sexual orientation, etc.). While relational modes of identification remain important in many contexts even today, categorical identification has assumed ever greater importance in modern settings (Brubaker and Cooper, 2000).

Another basic distinction is between self-identification and the identification and categorisation of oneself by others. Self-identification takes place in dialectical interplay with external identification, and the two need not converge. External identification is itself a varied process. In the ordinary ebb and flow of social life, people identify and categorise others, just as they identify and categorise themselves (Brubaker and Cooper, 2001). This identification may entail significant pragmatic, indeed strategic aspects. It has long been shown (Goffman, 1963 and 1967) that individuals constantly adapt their identity depending on the context in which they have to deploy them, with CVs being one of the most common and yet extreme forms of the way in which the biography of an individual is brought into line with the post he/she is applying for. Consequently, the same individual may portray successively several facets of an identity (or indeed portray a different identity) in line with the interactions in which he or she is involved.

But there is another key type of external identification that has no counterpart in the domain of self-identification: the formalised, codified, objectified systems of categorisation developed by powerful, authoritative institutions. The modern state has been one of the most important agents of identification and categorisation in this latter sense. The state monopolises, or seeks to monopolise, not only legitimate physical force but also legitimate symbolic force (Bourdieu, 1986). This includes the power to name, to identify, to categorise, to state what is what and who is who. There is a burgeoning sociological and historical literature on such subjects (Torpey 1998; Crettiez and Piazza 2006). Some scholars have looked at identification quite literally: as the attachment of definitive markers to an individual via passport, fingerprint, photograph and signature, and the amassing of such identifying documents in state repositories (Brubaker and Cooper, 2000).

The state is thus a powerful “identifier”, not because it can create “identities” in the strong sense – in general, it cannot – but because it has the material and symbolic resources to impose the categories, classificatory

schemes, and modes of social counting and accounting with which bureaucrats, judges, teachers, and doctors must work and to which non-state actors must refer (Brubaker and Cooper, 2000). This is particularly crucial for what is presented as “cultural differences”, since the latter are nothing other than the result of different forms and standards of classification adopted by states in accordance with their history (multiculturalism and United Kingdom versus French citizenship, for example). And yet the state is not the only “identifier” that matters. Categorisation does crucial “organisational work” in all kinds of social settings, including families, firms, schools, social movements and bureaucracies of all kinds (Brubaker and Cooper, 2000).

We have given a rapid overview of these dynamic processes of identification and self-identification as an introduction to this guide, in order to avoid the reification of concepts such as the cultural identity borne by individuals. Quite apart from the fact that this idea is a false one, it could carry the seeds of its own fulfilment. It is by systematically considering others as different that this difference can be brought into being. We therefore have to be vigilant and strike the right balance between the necessary respect for the customs of certain social groups, certain individuals’ wish for emancipation from the group and the standards of the host society, constantly taking a pragmatic and dynamic approach.



CHAPTER 2 – UNDERSTANDING THE THINKING BEHIND POLICIES AND THEIR EFFECTS

2.1. Introduction to policies on migrants and their descendants

a. Objectives

There are primarily three objectives to our consideration here of policies on migrants and their descendants:

- to clarify the main issues in this field of policies, the thinking behind them and their effects on the individuals and societies concerned;
- to explore the need for and the possibility of an alternative normative vision to that of current policies, able to address both the complexities of migration and the structural transformations affecting contemporary European society;
- to draw up guidelines enabling policy makers and all interested players to analyse, assess and review current policies in the light of the Council of Europe’s objective which is to bring about the well-being of all in a pluralist society.

b. Definition of policies and the need for a methodological approach

There is no single expression to refer to migration policies, be they those dealing with the decision to emigrate, the path followed by migrants and their descendants in the country of destination or between the latter and the countries of origin, or the economic, social and cultural transformations accompanying migration processes in all the countries concerned.

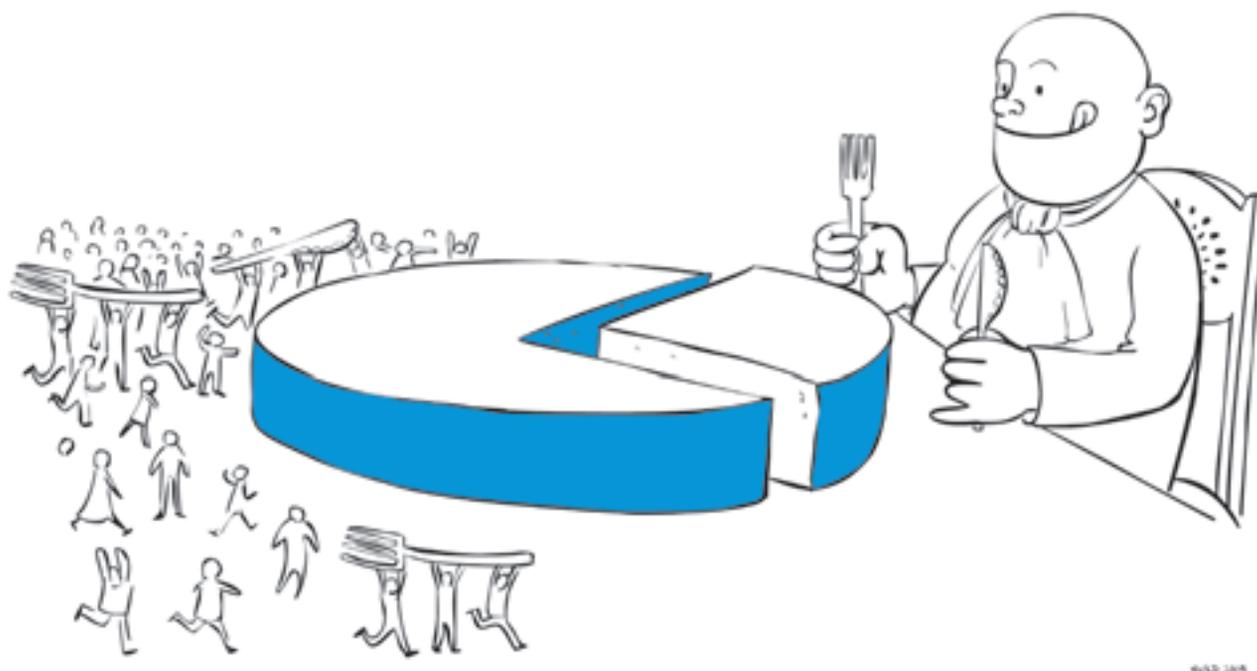
Accordingly, usually the term migration or immigration policies is used to denote the measures adopted by national governments or, where appropriate, the competent institutions of the European Union, regarding the departure, entry, residence or internal movement of the nationals of foreign or “third” countries. At the same time, the term integration or post-migration policies is used to denote the programmes which the public authorities and other players in the “third” and private sectors carry out to assist new migrants and help them to integrate into the economic, social, cultural and political life of the country of destination, and in general to ensure that foreigners and their descendants participate in society. This second strand, in turn, comprises different types of action: policies to provide information, vocational guidance, learning of the language and laws of the country, access by new arrivals to the labour market, housing, services, etc; anti-racism and anti-discrimination policies; nationality policies, setting out the rules for acquiring citizenship; general policies promoting social cohesion, interaction and mobility through access to employment, education, common goods, the media, public life, etc. Lastly, the term co-operation or co-development policies is used to denote a series of public measures taken jointly by the countries of destination and the countries of origin, but focused primarily on the latter. These are fairly diverse measures, which attempt to reduce the “risk of migration” through economic development and access to local education and social services, to reintegrate people into their original setting following a forced or voluntary “return”, to promote the transfer of occupational skills and resources towards the developing countries of origin, helping people to become “agents of development” by creating their own economic activity.

Quite apart from the extent of the phenomenon to be brought under control, all these definitions clearly stipulate one and the same point of view: that of the national territorial state, within the international system of formally equal states in terms of sovereignty, but which are in practice unequal in terms of influence and power. Guided by this “state-oriented thinking” (Sayad, 1999), national public authorities often find it difficult to

be innovative in their approaches. In contrast, they need to understand in the most appropriate, realistic and long-term way the transformations taking place in European societies as a result of migration, and also the changes in contemporary migrations themselves, which now more than ever before are showing greater signs of shifting towards diversification, diaspora and circularity.¹⁶

The correlations between the above policies highlight the difficulty in addressing the continuity of the emigration-immigration process and in clarifying the issues at stake which are specific to an immigration society: it is indeed possible to have a successful integration process without the right conditions for this migration process to be successful, that is, without leaving the country of origin lawfully and equally lawfully entering and residing in the country of destination? Is it indeed possible to return to one's country of origin and transfer one's own skills without previously having been able to develop freely in the country of destination? Lastly, is it possible to link the socio-economic challenges associated with exclusion, inequality and the crisis of citizenship experienced across the board in Europe to strictly migration issues? Are we in a position to consider the well-being of migrants and their descendants as a legitimate and feasible political objective, in the context of the well-being of all?

Moreover, the terms "immigration", "integration" and "return" policies are not neutral but have an ideological bias: they are geared to the view of "integrated members" of the society of destination, who consider themselves to be the "majority" and who, in the long term, are banking on the almost complete assimilation of the "minority" groups or on their departure. These conceptual and political perspectives warrant further analysis, particularly with regard to the objective of developing the well-being of all in a pluralist society, which means first of all thinking and acting above and beyond the conventional majority, nationalistic principle. If the future of Europe is reflected in certain of its major cities, where demographic projections render meaningless any distinction between indigenous majority populations and minority populations of foreign origin,¹⁷ then an in-depth methodological analysis can no longer be postponed.



16. Sassen (2006) emphasises this lack of political vision and its negative effects. On the importance of the transnational model to understand contemporary migration, see Salih (2008). These views have extended beyond the strictly academic sphere to the areas of political deliberation: for example, with regard to circular migration, the Global Commission on International Migration called on governments to "grasp the developmental opportunities that this important shift in migration patterns provides for countries of origin" (GCIM, 2005: 31).

17. This is the case of cities such as Rotterdam, where more than 50% of the under 24s are not of Dutch origin.

c. Importance of policies in migration processes

Contemporary migration processes would not take place as they do were it not for the political initiative of many players, in different capacities, in this field. It would be difficult to explain the dynamics of current human mobility and the accompanying effects and transformations in all the countries concerned, entirely by socio-economic push and pull mechanisms, social networks, the destination societies' in-take capacity, etc. An increasingly major role in the configuration of all these factors, and indeed in the material and symbolic infrastructure of migration, is played by legal and political principles and standards: first and foremost, those governing the crossing of borders, the residence of people on the national territory, the legal status and rights of migrants and their descendants (Massey et al., 1998).

It is essential to grasp this complexity if we are to have responsible policies, capable of taking into account and anticipating their own effects.¹⁸ The authorities and the political players in all sectors should bear in mind that the choices they make have retroactive effect on migration phenomena, constantly change them and to a large extent determine the course they take (Sassen, 2006), even if they “fail to meet their objectives, or indeed, even achieve the opposite” (Castles and Miller, 2003). A sustainable policy is also one which is aware of its limitations given the relative autonomy (or inevitability) in deciding whether or not to migrate. This “realism of complexity” does not necessarily give rise to abandonment or laxity: rather, it makes it possible to see migration as something which can, in principle, be approached in a “reasonable” way on the basis of its internal dynamics and those of the whole of world society (Sassen, 1999). In this context, it once again becomes possible to govern migration in relation to collective goals which are more wide-ranging than the mere “management of flows”, and in relation to a comprehensive and long-term political vision, committed to the well-being of all in an open and pluralist society.

The importance of policies on migrants or, at least, the importance which policy makers and European public opinion place on these policies, is clear at quantitative level. Over the last three decades, there has been remarkable activism, sometimes to the point of hyperactivity, by public stakeholders at all levels of the administration. There is virtually no state in Europe, in the west or in the east, which has not introduced a significant body of laws and regulations governing certain fundamental aspects of migration, depending on whether it is a country of departure, transit or arrival. On the one hand, as a result of the increasingly greater politicisation of the subject, countries with a long history of immigration and with a traditionally substantial foreign population, have on several occasions – in certain cases even several times in one legislative term – changed their policies on the admission, deportation and integration of migrants. On the other, countries where immigration is a more recent phenomenon have also introduced new rules in this field, followed very often by subsequent reform. Accordingly, even without going into detail on specific provisions, one notes that these efforts to introduce regulations have resulted in an overlay of different approaches, the loss or lack of a holistic vision, legal uncertainty, the risk of unequal and arbitrary treatment, “civic stratification” (Morris, 2002).

In the European Union member states, in addition to the action taken by the national states themselves, since the 1990s the Community institutions have taken increasing action in the field of free movement internally and control of external borders, and in promoting common principles for the integration of migrants and their descendants and rules prohibiting ethnic and racial discrimination (Guild, 2004). These initiatives have often exerted pressure to introduce new national legislation or reform existing legislation. Moreover, in the context of the so-called “neighbourhood” policies, many countries on the borders with the European

18. Usually a phenomenon is defined as complex simply because it appears complicated or difficult to equate to one's experience, just as one speaks of complexity in relation to the interdependence which exists between social phenomena. Here and subsequently, we refer to complexity more particularly in relation to the fact that there is involvement by experts, policy makers and practitioners who attempt to understand and manage migration: their action constantly modifies the phenomenon which they are attempting to isolate and bring under control “from the outside” (Zolo, 1992).

Union, particularly on the eastern side of the continent and on the southern shore of the Mediterranean, have introduced new regulations regarding the mobility of individuals, in line with Community regulations.

From a qualitative point of view, it would be wrong to underestimate the impact of these policies on migration flows, on the nature (stable, temporary or circular) and their composition (in terms of legal status, sex, age, origin, level of skills, etc.). The effects may be unanticipated and even run counter to those expected: for example, “the escalation of border controls has raised the risks and costs of illegal crossing, which in turn has changed a seasonal circulatory migration – with workers leaving their families behind – into a family migration and long-term stays” (Sassen, 2006). The various legal statuses, such as the distinctions between migrants in a regular situation and those in an irregular situation, temporary and permanent residents, nationals and foreigners are the results of deliberate political choices with decisive consequences on individuals and on their “right to have rights” (Arendt, 1967: 297). They directly regulate the access of migrants and their descendants to labour markets, social welfare services, housing and schooling; they determine their ability to engage in an independent economic activity, to form associations, to join a trade union or political party, to elect representatives and be elected, to become citizens of the country where they reside or in which they may even have been born.¹⁹

These “legal inequalities”, often acknowledged by the public authorities themselves as a “gap in rights” to be filled, are closely related to the prejudices affecting migrants and their descendants: “just as parity in rights evokes the sense of equality, based on respect for others as equals, inequality of rights evokes the image of others as people who are not equal, or even inferior from the anthropological point of view precisely because they are inferior from the legal point of view” (Ferrajoli, 2001: 26). In a circular way, once they are viewed and represented as “others”, migrants and their descendants are legitimately subject to “another system of rights” despite the universal nature claimed for human rights (Dal Lago, 1999). This has not only a decisive impact on the ability of people of foreign origin to interact on an equal footing with the rest of the population, but also and more generally, a long-term effect on the cohesion of European societies which are already fairly diversified and fragmented. The perceptions, attitudes, capacity for negotiation and empathy of the local population towards their new fellow citizens are generally influenced by the political and legal practices and discourse relating to migrants.

The assumption of a close link between legal status and legal discourse, inequalities and prejudices is endorsed by the high esteem in which our society holds the legal code and its key principle, legality, as a source of security and solidarity in a very competitive, individualised and plural environment which, consequently, carries the risk of social and ideological conflicts (Habermas, 1994). This acknowledged role of “major integrator” attributed to the principle of legality has increased in the current context, since the employment capacity and the ability of the welfare state to promote allegiance has diminished (Laville, 2004) and the processes of globalisation, of denationalisation and transnationalisation have undermined conventional state sovereignty (Sassen, 2006).

Policy makers therefore have a great responsibility, as they, via legislation and legal or para-legal discourse, can encourage or hold back fruitful interaction between nationals and non-nationals. It is also for this reason that we should look more closely at policies as “public messages”, producing sociocultural effects above and beyond their specific content. For example, the framing of policies suggesting the image of migrants as a threat for our level of well-being, our lifestyle or our security, exposes them to a lack of solidarity from the rest of the population and ultimately justifies the unequal treatment and living conditions from which they may suffer. Furthermore, this image makes them “suitable enemies” (Christie, 1986) from several angles: first, because they constitute an “available” pool of labour; second because they form a group in opposition to and

19. One of the most effective ways of demonstrating the impact of legislation on the different social experiences of migrants is to make transnational comparisons between homogenous or very similar groups from the sociocultural point of view (Wanner and Dronkers, 2005): the macroscopic diversity of behaviour and success is likely to reflect certain national legal frameworks. Todd (1990) offers an effective anthropological explanation of these differences.

excluding national societies; third, because they provide legitimacy for a security-based approach to social conflict (Wacquant, 1999). When one talks about the risk of “institutional racism” (Butterwegge, 2005) or “democratic racism” (Faso, 2008) it is first and foremost to mechanisms of this type that one is referring.

d. Specific features of policies concerning migrants

The impact of policies on migration and on the collective capacity to cope with transformation and pluralism is only the first of the many reasons why we need to look again at the methods used in addressing this issue. Policies towards migrants have a number of specific features which may be in conflict with the constitutional principles of democratic states prevailing throughout the whole of Europe.

Policies “targeting” migrants seem, by their very nature, to suffer from a “democratic deficit”. This deficit, rarely acknowledged by the public authorities themselves, is nevertheless evident if one takes a strict definition of democracy as a legal and political regime whose norms are legitimate if they are the product of direct or indirect participation by everyone concerned (Habermas, 1992). From an empirical point of view, it is fairly easy to observe that “in no European state is there an example of legislation pushed from below – in American civil rights fashion – by the mobilisation efforts of marginal or excluded groups. Insofar as mobilisation of such groups exists, it has always been pre-empted by the elite construction of the institutional structures within which these groups campaign” (Favell 2000); they have often been normalised or have not had lasting effects in terms of new policies or changing the underlying thinking of public action (Abdallah, 2001).

Similarly, the measures granting the different categories of migrants different classifications and degrees of rights are never totally shielded from subsequent decisions taken by the supervisory authorities on reductions or exceptions, which may prove to be quite far reaching (Morris, 2002); this derives in particular from the uncertain legal status of foreigners and the possibility, which for several years and, in certain cases also after naturalisation, is a very real one, that they will be deported from the country. “Deportability” is an internal structural limit to the understanding of migrants as “rights holders”, or indeed as fully-fledged individuals (De Genova, 2002). It could be claimed that here, we are faced with a historically out-of-date version of the democratic state, which has not yet fully defined in law the authority of the state and its officials responsible for implementing laws, and the margin of manoeuvre available to them. This is the area of negotiation and mediation between the rights of individuals and state sovereignty, an area which by definition is subject to the “margins of appreciation” of governments and which on occasion may be much broader when the courts or militant associations call for fundamental human rights to be complied with, regardless of an individual’s legal status.

The legal and existential insecurity of foreigners is in constant conflict with the requirement for certainty which everybody normally expects from a state governed by the rule of law. This key demand by our societies “presupposes that citizens are, without having to engage in insurmountable efforts, able to determine what is permitted and what is prohibited by the applicable law. To this end, the regulations laid down must be clear and intelligible, and must not be subject, over time, to variations which are too frequent or above all unpredictable” (Conseil d’Etat, 2006: 281). Far from corresponding systematically to these normative criteria, valid in practice exclusively for the “law pertaining to fully fledged citizens”, “aliens law” would appear to use legal uncertainty as a genuine political tool for the selection, stratification, supervision, inclusion and exclusion of groups of the population according to the national interest.

Policies on migrants show a third type of deficit in comparison with general policies. They lag behind as regards innovations concerning the “new rights”, the “rights of new generations” (Bobbio, 1990) and the new philosophies for implementing policies focused on individuals, their diverse needs and demands. These innovations tend to be reserved for nationals and, especially, those who have the information and ability to access

them: this is the old principle of “poor policies for the poor”, with the difference that impoverishment here concerns the human, communicative and relational dimension of policies.

For decades, for example, there have been major innovations in the field of health care, placing patients at the centre in terms of participation, informed consensus, respect for private life, consideration given for biographical diversity (Rodotà, 2006) and promoting, in parallel, among professionals and the organisations concerned the development of intercultural skills (Clarke, 2006). These innovations are not transposed to migrants and assimilated persons except in a marginal and experimental way and, it must be acknowledged, with a degree of reluctance; more often than not, they have no bearing on the organisation of social welfare services, structured according to cultural models and implicit ideal biographies, resulting in indirect but significant discrimination against users of foreign origin (Bommes, 2008).

These shortcomings in relation to the norm in democratic states governed by the rule of law are fuelled by the perception of migrants as “external to the national community”. As stated above, in a society such as ours which is based on a legal code, diversity in terms of rights very easily gives rise to an anthropological diversity or inferiority (Ferrajoli, 2001: 26). Here, in parallel with the racialisation and ethnicisation of social issues, policies in the field of migration and integration of new migrants end up by stigmatising all the “generations resulting from migration”. This is also why the following analysis attempts to link together all the various situations of migrants and their descendants.

e. Transformations in public policies in terms of form and substance

In order to highlight these critical aspects and reopen the debate on the contribution of migration policies to the well-being of all, the following analysis must take account of the general changes that have taken place in public action both in terms of policy-making procedures and the substantive political model followed. These are, in point of fact, two sides of the same coin.

Recent developments in political procedures suggest an analysis focused on:

- the normative vision, and the thinking behind policies and their apparently neutral and “technical” arrangements;
- the practical functioning of political systems (Howlett and Ramesh, 1995; Parsons, 1995) and the changes that have been made in terms of access (Daly, 2002) and the ability of various individuals to enjoy rights and commodities in terms of life opportunities (Sen, 1985).

These approaches are, moreover, consistent with the standard-setting and political approach adopted by the Council of Europe and based on social cohesion as “society’s ability to ensure the well-being of all” (Council of Europe, 2004). Indeed, it is important to take into account:

- the complete life cycle of policies, from framing to assessment, and covering the decision-making process, implementation and monitoring;
- the players and organisations which steer the life cycle of policies either by their decision taking and their actions, or by their discourse giving structure to the field of action itself;
- the transition from a politico-legal management model based on governmental and hierarchical authority and on the general and unitary nature of rules and regulations towards a more subtle way of governing, using encouragement or dissuasion, which takes account of diversity, and which develops in a more informal, horizontal and “bottom up” way, providing opportunities for deliberative and participatory processes by active citizens and local communities (Thirion, 2008);
- enlargement of the number of players involved, in different capacities, in the implementation of policies over and above the national government (Stoker, 1998; Scholte, 2004), to include local

- authorities such as municipal councils and regions, non-state bodies such as international institutions and agencies or partially state-administered bodies such as the European institutions, and private organisations which may be for profit (undertakings) or not-for-profit (associations, NGOs, social movements);
- the delivery of public action on several levels, from local to global including national and international with a considerable European dimension in this particular field;
 - internal co-ordination among political spaces, apparently unitary but made up in reality of several players and institutions, as in the case of national states (Sassen, 2006), the European Union (Héritier, 2001; Farrell and Héritier, 2004), the local sphere (Caponio, 2006), and the legal system (Santoro, 2004);
 - broad contribution from practitioners, bureaucrats and professionals offering their specific skills in the implementation of policies and who, with their discretionary power regarding the interpretation and application of rules, play the role of street-corner politicians;
 - coexistence within the same political and social space of several systems of legal and social rules (legal pluralism) and, in parallel, different loyalties;
 - greater opportunities for stakeholders to engage in law shopping and venue shopping for political debate so as to provide the most favourable context for the achievement of their own interests (Cassese, 2001; Guiraudon, 2000).

This “shift from government to governance” is not a mechanical reflection of a society which has quite simply become more complex, decentralised, interdependent, pluralist, as one is very often wont to describe the effects of “globalisation” (Zolo, 2004). These procedural transformations are closely related to the “second major transformation” affecting the social, economic and political model of developed countries since the mid-1970s which now appears to be in crisis (Artus and Virard, 2008). It is now an ambiguous transformation which ultimately has changed the very scale of political action. The relationship between individuals, employment and the state has become more flexible (Sassen, 2006), initially under the pressure of the anti-authoritarian and libertarian social movements of the 1960s and 1970s, and subsequently under the pressure of an anti-interventionist, free-market ideology which has exploited the criticism of the post-war welfare state to steer the political system towards an approach based solely on the economy. The technological transformations in the field of communications and automation have been exploited to this end, to fragment, delocalise and prolong working hours, in order to increase productivity while lowering costs. Economic competition is no longer simply a mechanism to satisfy private needs, in respect of which the government decides to limit its power, but a sort of tribunal which claims to assess individual and collective action by the yardstick of “profitability for owners”, without, however, taking into account the social and environmental effects of this model of growth. Being less and less concerned about the inclusion and socialisation of individuals, policies at all levels merely define and implement filters for selection or, where appropriate, rejection. In this context, irregular immigration, ineffective border controls, and the uncertain status of migrants take on their most profound meaning as an indirect means to “select the population”, halfway between shortage and excess, in order to satisfy the needs of competitiveness (Santoro, 2008).

f. Policy alternatives

The strength of these procedural and substantive transformations of public policies is such that, in the field of migration, the reconstruction of “national models” appears no longer relevant nor possible. It clearly gives way to the reconstruction of the thinking underlying policies, and the associated conflicts, incompatibilities, and convergences based on national histories and traditions. In turn, these policies do not arise in a vacuum: they are the historical product of a group of players, able to define a “political field” and to specify its dynamics. No

policy, particularly one dealing with migration, is the simple result of technical and neutral decisions. Such policies are the result of a prior and predisposed interpretation of the situation, provided by certain players who are particularly influential at cultural or political level (Bourdieu, 1981). These interpretations relate in particular to agenda setting, diagnostics and possible solution strategies, and the activation of accessible resources in a given social context.

When one talks of “political models” it is to mechanisms of this type that one is referring. They are conceptual and practical frameworks providing a consistent and complete representation of reality setting out for the different players concerned the types of “rational” action, or the action regarded as useful and legitimate for such players in order to deal with the actual situation. The description of the situation and the prescribing of rules and behaviour go together, making up a combination that is difficult to deconstruct. Nonetheless, this combination exists and is reproduced in accordance with certain basic rules tying in with certain historical requirements and social power relationships, forming the underlying rationale of the model itself.

In the field of migration, there is a two-fold link between the common perceptions of migration and migrants, and of their impact on the society of destination, and the policies which the public authorities adopt to govern these phenomena and regulate the presence of foreigners on state territory. On the one hand, the cognitive and emotional categories used to interpret the phenomenon of migration will to a large extent structure the way in which policy makers and practitioners address the issue. On the other, certain areas of public action will influence the day-to-day understanding and occurrence of migration processes. It is essential to understand and deconstruct these circular links between descriptive and normative dimensions in order to evaluate the impact of legislation on the cohesiveness of pluralist societies and, in cases where the dominant way of thinking is a source of conflict and is socially untenable, to envisage viable alternatives at systemic level and not merely at the level of micro-situations.

Bearing in mind the difficulty of addressing all immigration and integration policies in force in the member states, but nevertheless convinced of the urgent need for an in-depth consideration of the thinking that has, for decades, been behind the political choices and debates in this field, we suggest an approach focusing on a limited number of models:

- controls;
- integration;
- the well-being of all.

Our choice in singling out these three areas for exploration, how they are in competition and where they converge, is not an arbitrary one: these approaches derive from the European history of migration and its political management over the last 150 years. This history constitutes a fundamental source to explain the fate of certain political models and the functioning of their mechanisms. Resisting the vision which, in an attempt to justify dominant policies and reject any alternative, places an excessive emphasis on the new and innovative nature of contemporary migration (Palidda, 2008), we need to take a fresh look at long-term factors and on the cycles which permeate this history. We could, for example, highlight the return, after several decades and in different contexts, of certain types of policy which are obviously anything but innovative and modernising. We could also note the simultaneous presence of heterogeneous approaches in the field of migration and integration and therefore reconstruct a political field in which, alongside the stated efforts to achieve cohesiveness and efficiency, there are a number of tensions, conflicts and incompatibilities.

Insofar as migration has a “hidden and largely unexpressed history” in current public debate (Sassen, 1999: XIV), it must first of all be remembered that Europe is not simply a continent of “external migration”

but it has also experienced intense and continual “internal migration” of both labour force and refugees, throughout the modern age. For example, in the 18th century “when Amsterdam built its polders and cleared its bogs, it brought in northern German workers; when the French built up their vineyards, they brought in Spaniards; when Milan and Turin developed, they brought in workers from the Alps; when London built its infrastructure for water and sewerage, it brought in Irish; when Sweden decided to become a monarchy and needed some good-looking palaces, they brought in Italian stone workers; when Switzerland built the Gothard Tunnel, it brought in Italians; and when Germany built its railroads and steel mills, it brought in Italians and Poles” (Sassen, 2006b: 56). In the 19th century, at the same time as the political disappearance of Poland, industrialisation and growing urbanisation attracted thousands of immigrants from southern and eastern Europe heading for France and Germany (Sassen, 1999: 56). During and between the two world wars, the continent saw large movements of asylum seekers fleeing from the armed conflicts and nationalist pressures in the newly emerging states, people deprived of their nationality by the delimitation of new national borders or “those choosing exile to avoid military service and persecution by dictatorial regimes” (Palidda, 2008: 22). Alongside these internal movements in Europe, from the first part of the 20th century, there was wide-scale movement between the colonial empires and the homeland, particularly between North Africa and France: these were the first experiences of “regulated” flows of “migrant workers” coming from other continents.

This history clearly reveals the use, which at the beginning was neither systematic nor widespread, made of arrangements subsequently to be seen more and more frequently in contemporary migration policies. Obviously, these arrangements were made to satisfy socio-economic and political requirements which have since been transformed but which, in essence, have retained and adapted their underlying rationale. Looking at the historical cycles and consequences of policies on migration processes and on society as a whole, it is easy to distinguish the measures which have proved more lasting than those which were much shorter term or which produced unexpected negative effects, were ineffective or undermined human solidarity, democratic awareness and confidence in the rule of law and in the equitable achievement of human rights. On this basis, one may attempt to address migration policies in an innovative but at the same time serene and reasoned way, so that they may contribute to the cohesion of the pluralist societies in which we live. We may also attempt to go beyond certain feelings of insecurity, based on the perception of a “state crisis” in border control, or the fear of a “cultural alienation” of one’s own country, relating these feelings to persistent partially and occasionally totally unrealistic perceptions of migration processes and societal transformations.

g. Policy analysis table

In order to analyse policies which have as their prime objective migrants and their descendants, and their mobility, life paths and well-being, we suggest adopting Table 4, and below we attempt to put it into practice.

Table 4: Analysis of policies

Dimensions	Aspects of personal or social life concerned by the policies
Arrangements	Mechanisms and techniques for implementing the policies
Objectives	Explicit and implicit objectives of the policies
Approaches	Type of public action (originating, regulatory, remedial, facilitating) used in the policies
Target groups	Priority migrant population target groups
Effects	Impact of the policies on individuals and the whole of society

2.2. Controls

a. Definition of controls

Integrated regulation, containment and reduction of flows, suppression of abuse, fight against illicit entries and trafficking in human beings, prevention of the risk of migration, selection of talents and skilled people, exchange of information, preference for local workers, heightened identification checks at borders and within the country, sharing the burden between the countries of destination, the effectiveness of returns and deportation arrangements, etc: these are the main watchwords of the currently dominant model in Europe in the field of migration and of controls. More than the traditional distinctions, such as those between citizens and foreigners, immigrants and locals, etc., at present it is the distinction between persons subject or not to controls which really makes a difference.

As indicated by the extent of the areas by these expressions, the concept of controls is particularly vast and complex. As the Schengen Borders Code also points out: “Border control comprises not only checks on persons at border crossing-points and surveillance between these border crossing-points but also analysis of the risks for the internal security and analysis of the threats that may affect the security of external borders.”

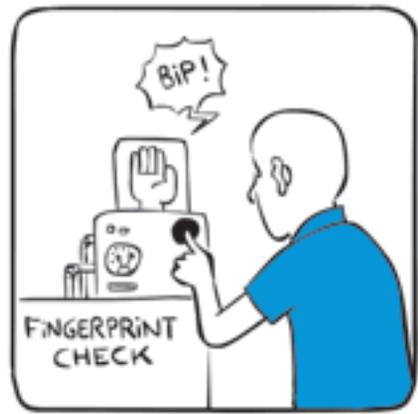
Notwithstanding this very dry and technically neutral definition, the whole question of borders is subject to significant political and ideological contention. All immigration countries have conflicts of priorities in this field: pressure from public opinion to reduce the number of admissions and strong border controls; pressure from the state seeking to assert its sovereignty on its borders and throughout its territory, a key symbol of its supreme authority particularly in a period of diminished power in the social and economic sphere; economic liberalism demanding greater flexibility to recruit the necessary labour force and the end of certain constraints such as the obligation to take the local employment situation into account; pressure from human rights activists and those advocating the abolition of border controls, associations of immigrants sensitive to the restrictions which controls have on their rights and on their social representation among the native population.

Table 5: Analysis of control policies

Dimensions	Physical mobility: departure; entry; residence; internal movement; return Status mobility: regularisation; passing through; naturalisation
Arrangements	Rights; eligibility; limitations; incentives; sponsorship; penalties; return
Objectives	Control; selection; discipline
Approaches	Originating; regulatory; remedial; facilitating
Target groups	Employees; self-employed; students; visitors; tourists; asylum seekers; applicants for family reunification; unaccompanied minors; refugees; reunified family members; undocumented individuals; descendants of migrants
Effects	Civic stratification; classification of individuals on the basis of controls and legal status; selective access to rights

b. History of controls

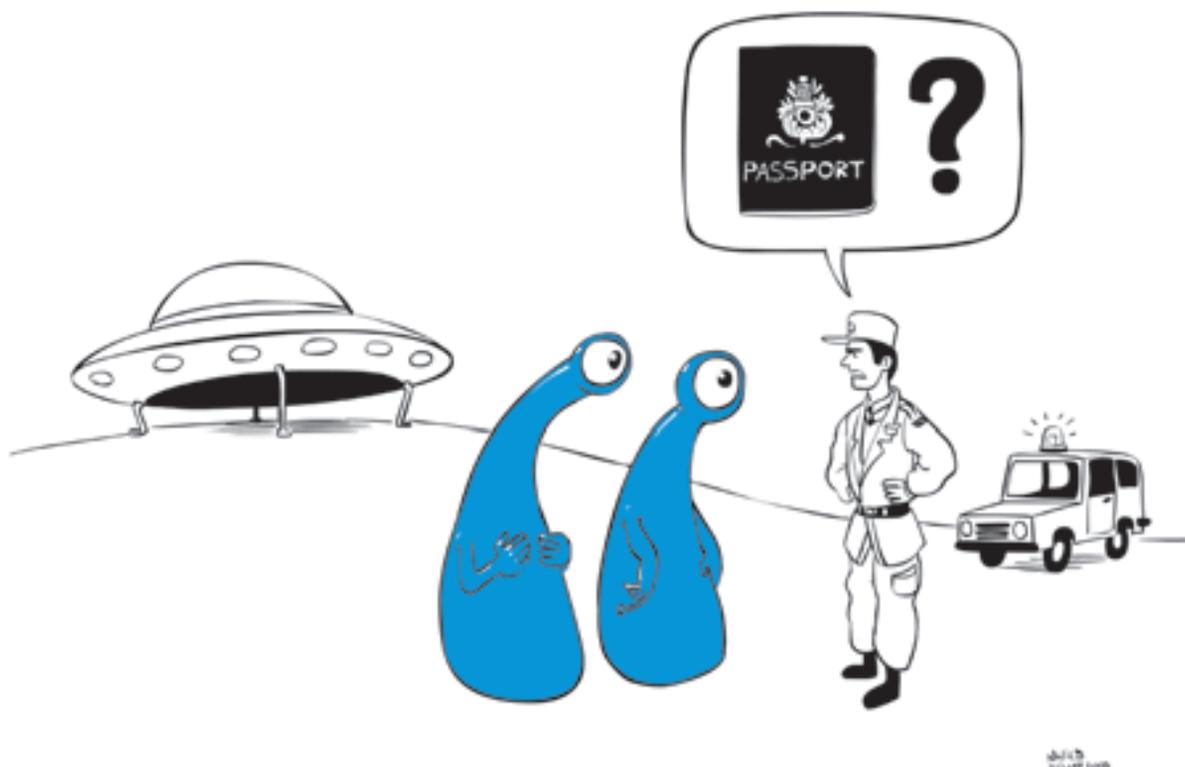
The history of border controls in different European countries and, following the creation of the Schengen area, within the European Union, offers up a vast repertoire of arrangements and mechanisms used to control, select, discipline, etc., migrants and their descendants in line with political objectives – of an economic, social and/or cultural nature – laid down by the public authorities. Going beyond and contextualising the idea of national models, one finds in the legislation currently in force the return of practices already tried out in the 20th century which countries have, in a manner of speaking, learned from each other.



Despite their widespread nature and the difficulty of contemplating alternatives, the focus on controls has not always monopolised the approach to migration. Indeed, controls are relatively recent in comparison with the long history of human mobility. Controls clearly began at the same time as the assertion in the 20th century of the power of the state to identify and categorise systematically people at borders. “It was with the First World War that modern European states strengthened their border control functions, and their sovereignty over their territories: all of a sudden, passports began to be checked” (Sassen, 1999: 77). Over and above the demand for security in times of war, a major role in the emergence of controls was played by the United States’ decision in 1921 to regulate much more strictly, and in fact to close its borders: this obliged Europe to develop its own system for “managing” immigrants and asylum seekers, particularly with regard to the thousands of people coming from eastern Europe and Russia, the majority of whom were Jews, and who could now no longer simply be helped make their way towards the New World. In this period of history, “the role of the state changed fundamentally, adopting full border control and control of a growing number of situations relating to their territory and their populations” (Sassen, 1999: 78). State sovereignty, in a global system of national states, centres around certain rights of the authorities: not to accept, not to expel, to send back, to limit the length of stay or mobility, etc. These “sovereign rights” are at the heart of the practice of controls which is still employed and which constitutes the principle limits to human rights (Lambert, 2007).

Prior to this crucial moment in the European history of migrations and their political management, Prussian Germany had introduced a pioneering system of immigration control, fairly complex and strict, through *Legitimationskarten* and *Legitimationszwang*. To prevent temporary migrant workers from becoming residents, the authorities implemented particular selection criteria: work and residence permits were granted only to men who were single, suited to farm work, located in the border areas, and these men were obliged to leave the country during the winter (Bade, 1987).

Such restrictions, which from time to time became more radical giving rise to mass deportations, reflecting the moods of the local population towards foreigners, the majority of whom were Polish, were not the sole prerogative of an authoritarian administration such as the Prussian administration: they were also continued under



the Weimar Republic, in the years of mass unemployment following the crippling war reparations. It was in this period that the German authorities introduced the *Genehmigungspflicht*, the obligation for a permit granted for one year to migrant workers only after verification that there were no national workers available to take the same post. In the same period, the UK Parliament decided that non-nationals residing for less than six months in the United Kingdom could not be offered a job by a job centre which had British nationals on its books. The contemporary parallel is labour market tests and the principle of community preference.²⁰

Among the other European states faced with “undesired” migration, the British Empire offers another remarkable area for experimenting sovereignty and state competences in the matter of border controls. While deportations had been practised since the modern age, particularly with regard to Jews and Muslims in the Spanish Empire who had not converted, the Aliens Act passed by the British Parliament in 1905 is one of the first examples of the exercise of the sovereign right to refuse entry onto national territory to specific categories of persons for equally specific reasons, such as the prevention of illness and the rejection of allegedly criminal behaviour. The targets of this act included different groups of undesirable aliens such as the poor, lunatics and prostitutes (Hayter, 2000). Since the two world wars, when it had become a fairly common practice in Europe, particularly with regard to individuals without a nationality (Arendt, 1967), the detention of foreigners appears in British law under the famous “power to detain” by means of the 1971 Immigration Act. It took almost six years, following the public revelation in 1975 of the scandal concerning the detention centre in Arcenc for France to introduce legislation on detention: the Bonnet Law of 10 January 1980 created the principle of the administrative holding of foreigners refused entry into the country. The Questiaux Law added to the Order of 2 November 1945, Article 35 bis, which still regulates the holding of foreigners in “premises not falling under the jurisdiction of the prison administration”.

The Adrianopolis Convention concluded in 1913 between Bulgaria and Turkey, the purpose of which was to enable genuine exchanges of national citizens of both countries (Schechtman, 1946) provides a very significant example of the growing power and competences of states in population management. This is the first example of a proactive policy to attract a specific type of population, with the aim of constructing a culturally and linguistically homogenous nation, in other words the first attempt at an “ethnically” oriented border policy. One can see a parallel with the present in the “return policies” such as those introduced for the *Spätaussiedler* or the Germans of the Volga.

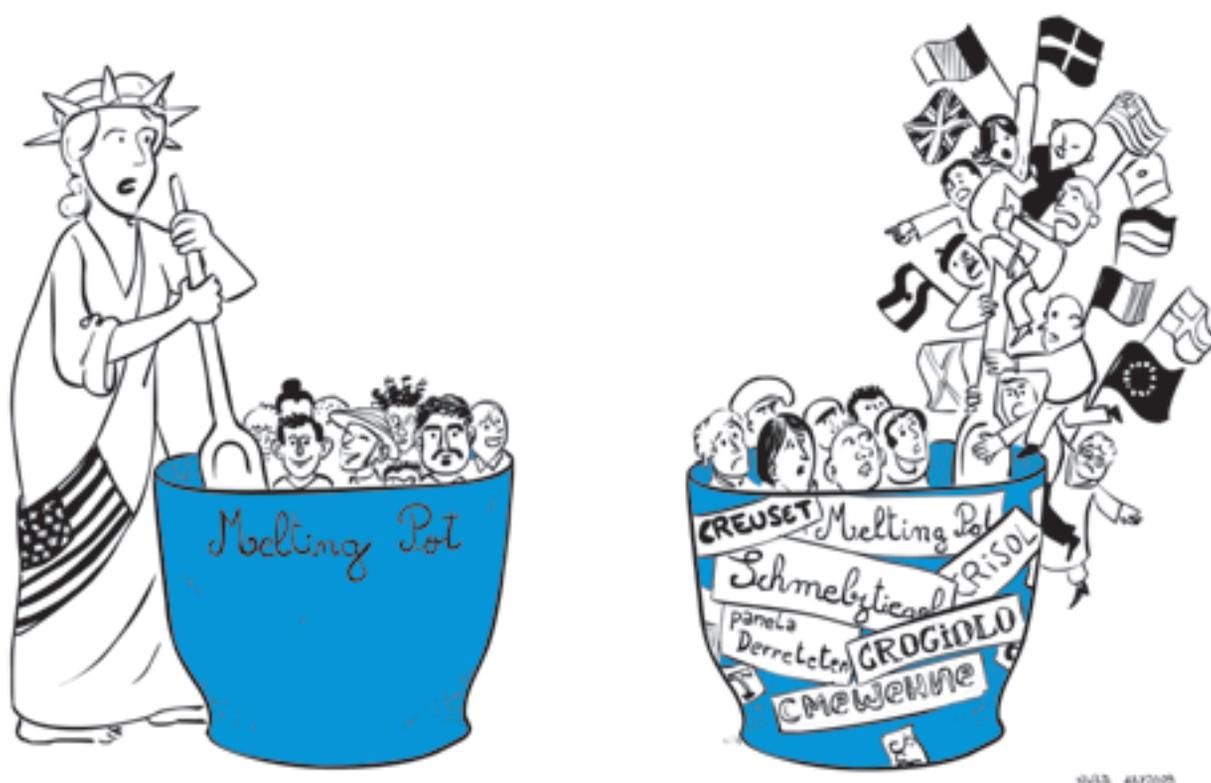
Other examples of proactive migration policies, this time inspired by the needs of the economy and demography, include those introduced by the French Empire which, after the First World War, began recruiting workers abroad and in its own colonies in North Africa. Similarly, we find the first bilateral agreements, particularly with the governments of Poland, Italy and Czechoslovakia, to “import manpower”, which continued up to the crisis of the 1930s. In France, control of emigration from Algeria had been stopped for reasons of war and reconstruction, and was re-established in 1924. New obligations were laid down, such as the existence of a work contract, a medical certificate attesting to the fact that the person was in good health and fit for work, and an identity document bearing the photograph of the individual concerned. Over the years, the requirements increased and became more stringent, such as after 1926 when a copy of the police record was requested and proof of sufficient resources to live in the country before finding a job and/or pay for one’s return journey. In the boom years following the Second World War, borders once again became more open between France and Algeria, as provided for in the Evian Accords and the subsequent protocol. In general, the legal status of the indigenous population was of major significance in terms of trialling controls on immigration and preparing for different legal statuses for immigrants (Abdelfettah, 2004).

20. “Member States will consider requests for admission to their territories for the purpose of employment only where vacancies in a Member State cannot be filled by national and Community manpower or by non-Community manpower resident on a permanent basis in that Member State and already forming part of that Member State’s regular labour market” (European Commission, 2005).

The French practice was fairly widespread in the most advanced countries, including Germany. At least, until the beginning of the 1970s, when the first economic crisis in the post-war period prompted the main industrialised countries which had relied on foreign labour to suspend all the programmes for taking on migrant workers and in practice therefore to block immigration, except subsequently for family reunification. Accordingly, although initially the number of arrivals fell and the number of departures increased, since the late 1970s, immigration charts once again showed a rising trend on account of family reunification.

Following the political choices made on the basis of the new unfavourable economic climate, migration went through a new phase of stable family formation (contrary to expectations and the “myth of return”), asylum and irregular flows. These receiving countries designed restrictive policies aimed at keeping unskilled migrants out, thus creating a large and growing gap between the number of people who seek entry and the limited number of visas offered to these persons. The closing of certain doors to a new wave of immigration encouraged potential migrants to explore other ways of entering, including as asylum seekers. The incoming migrants seem to hold quite a different view of the opportunities the restructuring of the European economy opens up to them, since, regardless of the general closing of the borders, they keep entering not only on family grounds, and as asylum seekers, but also as temporary migrants, as tourists overstaying their visas, or simply as undocumented migrants. In fact, the increase in irregular migration and the related migration industry (Castles and Miller, 2003) began in these years.

This approach to controls, inspired by the closing of borders, was practised or, at least politically exploited, long after the emergency measures of the economic crisis of the 1970s. Even in the 1990s, when the economic transition was well advanced and once again the demand for labour had increased, both the old and the new countries of immigration in practice maintained relatively restrictive migration policies in relation to the requirements of production and services and in relation to the reality of migration flows. In general, the new generation policies were very often designed on the general rule of closure and a series of mechanisms based on exceptions *ex ante* and remedial measures *ex post*. Admission seems to have been the exception, for which due reasons had to be given against the rule providing for the opposite.



c. Control arrangements

Rights, conflicts and balances – in a democratic state governed by the rule of law, control measures are in theory subject to fairly precise limitations, in accordance with their necessity and proportionality. Clearly, the necessity refers to the political aims of the controls. “Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States’ internal security, public policy, public health and international relations” (Schengen Borders Code). Other reasons, relating to economic and demographic development may on occasion, also find their way into a broadened concept of national security (Ivakhnyuk, 2008), or at any rate are among the legitimate interests which states may invoke to limit the rights of citizens and especially those of non-nationals (Lambert, 2007). Proportionality is determined in relation to respect for the individual: “Border checks should be carried out in such a way as to fully respect human dignity. Border controls should be carried out in a professional and respectful manner and be proportionate to the objectives pursued” (Schengen Borders Code). “Member States should ensure that control procedures at external borders do not constitute a major barrier to trade and social and cultural interchange. To that end, they should deploy appropriate numbers of staff and resources” (ibid.).

In recent years, “curtailment of social rights for irregular migrants in host countries have become essential components of restrictive immigration policies. By making life more difficult for those already present, these measures aim to deter potential candidates and prompt voluntary returns to countries of origin or third countries while protecting the public purse. The threat of destitution as a deterrent against irregular migration generates acute tensions within host states between immigration laws and policies and human rights protection” (Da Lomba, 2004: 363).

In reality, despite these utilitarian intentions, immigration cannot be totally a matter of “choice” from the economic point of view. There are two types of constraint which limit the scope of such freedom of choice, which at first sight reflect state sovereignty over questions relating to borders. “The first set of restrictions, reflecting the limits of state sovereignty, is expressed by the frequent distinction made between discretionary and non-discretionary immigration. Discretionary immigration corresponds to admission policies put in place by a state in line with its own wishes and its own needs. Alongside this ‘chosen’ component, there is non-discretionary immigration. This concerns people who, for humanitarian or family reasons, are acknowledged the right – with some exceptions – to enter, settle and work in the country. This is a form of immigration which is not exactly chosen but could not be categorised as forced. Clearly, by increasing or making more stringent conditions for entitlement to these rights, a state may reduce the volume of non-discretionary immigration to practically zero, by emptying it of its substance” (Dumitru and Rüegger, 2007). While on the one hand, family migration (and accompanying family or family reunification) still account for the bulk of long-term migration in the majority of OECD countries (OECD, 2007: 247), on the other, admission criteria are becoming more and more subtle and complex, influenced by the same approach as that to “economic migrants”, resources, language skills, age, dependence on sponsors, criminal background.

One should also not overlook the fact that protection against deportation is provided for by constitutions or national laws, and by the provisions of the European Convention on Human Rights regarding the right to life, protection against torture and the right to private and family life (Lambert, 2007). It should also be possible to appeal against deportation decisions. The convention also protects the rights of migrants in camps, which de facto are placed in the same category as prisons.

Eligibility criteria for entry and residence permits – arrangements for entering the country are crucial in determining the status of migrants, the attached rights and their duration. By entry arrangements we are referring to the combination of a range of factors, and two in particular: the reason for entry, in other words the legitimacy which on the basis of their own parameters, priorities, requirements, etc., the countries of destination attach to the different



reasons for migration such as seeking paid work, self-employment, studies, research, family reunification, asylum, medical care, etc; the types of historical, political, economic and cultural relations linking the states in question. The specific influence of these two factors is evident in the case of foreigners who are subject to or exempt from the visa requirement.²¹ The visa requirement may be regarded as the prime instrument in any contemporary immigration control policy. By making it obligatory for citizens of certain countries listed in accordance with geopolitical, political and economic criteria to obtain a visa, borders are anticipated not only in temporal terms before the actual attempt to cross, they are also delocalised spatially, since this obligation takes effect even while the foreigner is still in the country of origin or in the transit country: migrants “come face-to-face with a virtual border before crossing the physical border” (Bigo and Guild, 2003).

This type of “externalised border”, which also operates in the granting of refugee status or alternative protection by identification centres located in the country of departure, clearly has a preventive aim: to prevent or make more difficult the undesired access by foreigners to a given territory (Cuttitta, 2007). For example, the Schengen Borders Code includes amongst the conditions for lawfully entering and residing in one of the member states or in the whole of the free movement zone, the fact of being “in possession of a valid visa, if required pursuant to Council Regulation (EC) No. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement” (Article 5b).

The visa system could not prevent migration and the settlement of undesired individuals unless at the same time it had selection tools and specific criteria placing some at an advantage and others at a disadvantage. The main criteria of this type, which cut across all the different reasons for entry, relate to the requirements of the labour market, level of income, economic independence of migrants, their level of education, linguistic skills, etc.

21. For example, the fact of not being subject to a visa regime may be viewed as one of the factors encouraging good governance and fairly rapid inclusion in the Russian Federation of migrants from the countries of the former Soviet Union (Ivakhnyuk, 2008).

Migrants must “have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully” (Article 5c); “Means of subsistence shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed”.²² In some countries, if these maintenance and financial conditions are met, it is possible to request a visa to seek a job, for a varying length of time but which is nevertheless linked to available economic resources. These rules are often applied to foreign students who must show that they are able to finance the cost of their studies.

When these measures do not directly relate to pressures from the local population, feeling vulnerable given the overall reduction in the resources of the welfare state, they are prompted by a requirement to protect migrants: in the face of the dangers of poverty and exploitation, steps must be taken to ensure that they have the wherewithal to live, even if they have no job. In order that such measures do not operate as a sort of *de facto* selection filter discriminating against migrants from disadvantaged social classes, which is the case for the vast majority, it will be necessary to stipulate a reasonable amount of necessary economic resources which takes account of the different exchange rates and the average income levels in the countries of origin. Furthermore, there is a legitimate suspicion that the lack of any social assistance, as it is not an effective dissuading factor for people wishing to enter the country, heightens rather than reduces the risk that migrants will fall into situations of extreme need and genuine slavery (Cohen, 2008).

In other countries, access to visas for economic reasons, particularly for jobs requiring lower skills and a lower level of education, is subject to a further selective and particularly restrictive criterion: evidence, before entering the country, of an employment contract with a specific employer or a work permit for a particular post or particular sector. In both cases, the procedure may be successful only if, for the post in question, there is a shortage certified by a labour market test and especially the non-availability of local workers or workers from the European Union in accordance with the “Community preference” principle (European Commission, 2005). In the latter case, there has been discriminatory exclusion of workers of foreign origin but not of nationals of the countries of residence in accordance with preferential recruitment criteria (Carrera and Formisano, 2005). In the case of migrants requesting visas to become self-employed in the country of destination, selection criteria are also stringent. They relate in particular to the prospect of success in the enterprise, the resources regarded as necessary for the activity which are specified in advance, the contribution that this activity will make to local employment, particularly in terms of the recruitment of national workers, etc.

In order to be eligible for reunification, one should be member of the “nuclear family” of a national, an EU-citizen, a “third national lawfully residing or lawfully entering the country for employment purposes” (Italian legislative decree implementing EU Directive 2003/86/EC). Nevertheless, there is disagreement on the concept of family due to different cultural perceptions and living practices: it includes in any case the members of the nuclear family (spouse and minor children), it is for states to decide whether they authorise family reunification for relatives such as parents, unmarried adult children, unmarried or registered partners, including same-sex partners, minor children of other spouses in the case of polygamous marriages. Maximum age limits for children eligible for reunification have given rise to much concern and criticism among NGOs active in the field of migrants’ rights.

22. In the United Kingdom, those subject to control will be denied entry if it is considered they will have recourse to “public funds”. Public funds are themselves defined in the immigration rules. They encompass what may reasonably be described as the bedrock of the welfare state – a bedrock to be denied, by definition, to those denied entry to the state itself. This comprises income support, income-based jobseeker’s allowance, social fund payments, housing benefit, council tax benefit, state pension credit, child tax credit, working tax credit, child benefit, attendance allowance, carer’s allowance, severe disablement allowance and disability allowance. It also includes accommodation as a homeless person, or allocation of any social housing (Cohen, 2008).

Long-term residents applying for family reunification should hold a residence permit for a period of validity of a year or more and having “reasonable prospects of obtaining the right of permanent residence” (EU directive, Article 3); provide evidence of having stayed lawfully in the territory for a certain period (generally between two and five years); provide evidence of accommodation meeting certain standards in force in the state; be covered by health insurance; have access to stable and regular resources, “sufficient” to maintain himself and the members of the family without recourse to the social assistance system. Here the point at issue is the definition of what “sufficient” means and how states calculate this. Most relate it to the minimum income, as in the Netherlands, or the annual amount of a social benefit, as in Italy.

Economic, family and humanitarian criteria are not the only ones impacting on whether the application for a visa or residence permit is successful or not. Other factors relate to concerns regarding security and public order, and the expected ability of migrants and members of their families to integrate easily and successfully in the country of destination.

With regard to security concerns, the Schengen Borders Code provides, for example, that a visa may be legitimately refused to a migrant for whom an alert has been issued in the SIS or who is “considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States”. Under the Directive on common standards and procedures in member states for returning illegally staying third-country nationals, the criteria also include the fact of having already been subject to a removal order from a European Union country: this results in a five-year ban on readmission into Europe for the individuals concerned, a sort of banishment against which any appeal would be impossible in practice. “This measure is potentially disproportionate and counter-productive in that it will prevent returned people from re-entering Europe legally and will incite them to immigrate illegally” (FIDH, 2008).

The core feature of these mechanisms is the establishment of databases, and the introduction, where such do not exist, of biometric identification methods. In recent years, EU countries have begun to incorporate digital photographs, fingerprints and eye-scans – also called biometric data – into new passports and visas. This is part of a global trend: the International Civil Aviation Authority has recommended that all countries convert travel documents to this hugely expensive technology. Immigration officials in Europe, as well as the US, believe that switching to the new technology is vital to keep track of who is crossing their borders. By 2011, all EU passports and visas (including from non-Schengen countries) will carry biometric data technology.

Limitations – other control factors are quotas, economic costs and the limited duration of permits, difficult procedures for renewal and difficulties in any modification of the legal status of migrants, etc.

The number of visas, entries and residence permits granted each year is not unlimited but set down in advance by means of ceilings. In order to comply with the diverse and changing requirements of the economy in different countries, quotas are set in relation to other qualitative parameters setting out the objectives of a population policy: depending on the country, these objectives are implemented “by means of maxima not to be exceeded or target levels to be attained” (OECD, 2006b: 132). Accordingly, annual quotas set out first of all the maximum number of new migrants to be allowed in, a maximum number of residents or work permits to be granted, the maximum ratio of migrants in the total labour force in the country as a whole or one of its regions (OSCE, IOM and ILO, 2006). These numbers are then related to countries of origin, employment sectors, reasons for migration or type of visa requested

Laid down normally by the competent governmental authorities at national level, these limits are usually agreed with the economic stakeholders, trade unions and local authorities on the basis of social analyses and economic forecasts, or the anticipated labour needs of companies, the unemployment rate recorded in the various regions, etc. The choice may also be influenced by political factors, such as whether or not there are bilateral agreements regarding border controls and readmission of irregular migrants or rejected asylum seekers:

willingness to co-operate is generally rewarded by more generous quotas for the country in question (Cuttitta, 2007). The main problem is that these criteria do not necessarily correspond to the actual quantity and quality of flows and the structure is not easily modifiable. For example, and as numerous NGOs and experts have lamented, the quotas laid down are unrealistic as they are for some countries too low, thereby encouraging irregular migration, and ineffective as for others they are too high, and therefore remain unused.

It is often difficult if not impossible during a certain period of time to change job, sector or region, as the work permit issued by the authorities is specific to the post and area in question; the effects in terms of subordination to the employer and the ethnic isolation of workers in certain production and service areas have been widely commented on (Palidda, 2008). Lastly, in addition to the visa requirements for migrants from countries for which this is compulsory – and also for migrants who do not require a visa – many countries have set up particularly bureaucratic registration procedures and mechanisms; where such is not the case lawful access to the labour market and social rights, including certain services provided by local communities, is severely restricted.

These mechanisms include the now generally accepted principle that there should be a progression over time, an improvement in access to rights proportionate to the individual's length of stay: this is the "principle of differentiation of rights as a function of length of stay" (European Commission, 2005). Given the intentions of numerous governments, which advocate temporary or circular migration, it is difficult to understand the logic of this mechanism, which ultimately tends to encourage migrants to stay longer than they would do, in order to benefit from certain rights. These qualifying periods are all the less justifiable in cases of lawful residents and where the economic situation of the person involved is stable. This therefore would appear to be a deliberate choice of economising on migrants' rights in response to concerns of the local population about the reduction in the welfare state and fears of competition with migrants for static or reduced public resources.

Sponsorship – these restrictions which focus principally on the quality and skills of migrants as economic players, employees or the self-employed in relation to the requirements of the countries of destination, are not the only ones. First of all, the decisive role which the entrepreneur, as the migrant's "sponsor", plays in the procedures for employing a named foreign worker can easily give rise to considerable pressure on the worker in question when the time comes for renewal of the contract or negotiating working conditions and pay.²³ Second, in certain countries, sponsors or entrepreneurs recruiting migrant workers are subject to additional taxation (Ivakhnyuk, 2008) and in general to a particularly cumbersome bureaucratic procedure, regarding the *ex ante* definition of working conditions, skills required, etc. These measures run the risk of discouraging lawful employment of migrants and encouraging the underground economy.²⁴ Furthermore, where there are no effective and systematic controls and sanctions against exploitation, such measures do not ensure that certain social standards are complied with, nor do they guarantee the level and lawfulness of the wage and contributions.

In a similar way, the residence authorisation of family members is dependent upon the remaining period of validity of the residence permit of the resident who had applied for reunification. After a certain period (no later than after five years of residence, EU Directive; three years (Netherlands) provided they have sufficient

23. For another vision of the mechanism of selection by employers, see the OECD text: "there are some obvious advantages to delegating the selection process to employers. In the first place, it tends to ensure a close link between immigrant worker entries and labour market needs, provided it can be ensured that the entries are restricted to sectors and occupations where there are genuine shortages, a condition not always easy to determine. In addition, the immigrant worker is immediately employed upon arrival and thus imposes no immediate financial burden on the receiving state" (OECD, 2006b: 114).

24. For another vision, regarding the system used in the United Kingdom: "The certificate of sponsorship will act as an assurance that the migrant is able to do a particular job or course of study and intends to do so. The sponsor's rating, an expression of their track record or policies in sponsoring migrants, will determine whether applicants receive more or fewer points for their certificate. In order to sponsor migrants, employers and educational institutions will need to make an application to the Home Office, satisfy the requirements for the particular tier in which they wish to sponsor migrants, and accept certain responsibilities to help with immigration control" (OSCE, IOM and ILO, 2006).

Migrants and their descendants

resources to support themselves), persons who have entered under family reunification provisions are entitled to an autonomous residence permit, independent of that of the sponsor. Similar provisions might be available in the case of divorce, widowhood, etc.

Incentives – in principle, these restrictions target migration as a whole. In practice, they are qualified, reduced or replaced by other selection criteria in the case of highly skilled migrants, the so-called “talents”, or migrants with professional skills which are in particular demand in the country. These are two complementary aspects of migrant selection. The EU 2005 Economy Annual Review, entitled “Rising international economic integration: opportunities and challenges”, suggests the possibility of pursuing a policy of selecting the migrant population. The European Commission considers that immigration can help “grease the wheels of labour markets”. Immigrant workers “can play an important role in this area. They may ease labour shortages in areas in which nationals do not want to work and, as they are often more responsive than local workers to labour market conditions, they may smooth the adjustment to regional differences or shocks. Moreover, increasing human capital through immigration would contribute to long-term growth, in addition to the purely quantitative impact of increasing the labour force. Indeed, attracting foreign talent is likely to become an ever more important challenge, in particular for migration policy” (European Commission, 2005: 12).

On the one hand, “migrant workers”, primarily young people from North Africa, Turkey, the Middle East, China and Latin America can increase the available workforce for jobs which nationals do not want to do. Given that these migrants come from countries where the uncontrolled growth of a young population and high unemployment rates will provide an abundant labour force over the coming decades, they are ready to adapt to whatever conditions are offered on the labour market. Often these are young people who know, when they emigrate, that they are going to add to the underclass, that is, they are going to be irregular workers with temporary jobs in the illegal market of the agricultural sector or in small firms within the building, house removals, cleaning and domestic assistance sectors. On the other, the fact that the “foreign talents” can enrich the human capital of the receiving state is a major challenge for the competitiveness of the European system, as set out by the Lisbon Strategy, and the latter have to be attracted, in competition with other production countries and macro-regions by offering them a more substantial and comparatively richer package of citizenship rights.

One example of this highly selective approach is the points system in use in the United Kingdom. The Home Office defines five tiers of immigrants. Tier 1 is the highly skilled – including doctors, academics, scientists, entrepreneurs – who have to obtain 95 points in order to have the right to work in the United Kingdom. Next come skilled workers: teachers, nurses, plumbers, etc. They must have a total of 50 points and have a contract and a letter from their employer certifying that there is a shortage in their sector of activity. In third position are the low-skilled working primarily in the building, hotel and farming sector. They do not need any points. Applicants must just show a return ticket. Their wage may be paid in their own country as a guarantee that they will depart at the end of their stay. Gradually, employers will be allowed to take on workers from outside the European Union other than as an exceptional measure and the people concerned will have to provide biometric identity details. The fourth tier is for students. They will not need any points either but they will not be allowed to stay beyond the length of their course. They too must provide evidence of being enrolled in an establishment acknowledged by the public authorities. Lastly, in fifth place, “temporary workers” who have no need of points: sportsmen and women, voluntary workers, non-preaching clerics, aged between 18 and 30, authorised to stay in the country for a maximum of two years. Tier 3, applying to low-skilled migrants, is blocked for the time being. The programmes in place regarding seasonal and poorly skilled workers are exclusively reserved for Romanians and Bulgarians.

Assigning points to applications from highly skilled migrants is becoming increasingly common in other European countries, such as Germany, France and the Czech Republic, which are also attempting to attract

immigrants who are most likely to contribute to the national economy. In the United Kingdom, points are attributed depending on the level of skills – 30 to 50 points – previous earnings – 5 to 45 points, for wages between £16 000 and £40 000 respectively – and other criteria, such as knowledge and experience of the country – a maximum of 5 points – age if less than 32 – 5 to 20 points – language skills and available subsistence resources – between £800 and £2 800 respectively for those already in the country and those wishing to enter. To be allowed into the country, the person must obtain a minimum number of points in each section, in particular 75 points for personal attributes (qualifications, previous earnings, experience of the country, age), 10 points for language skills and 10 points for subsistence resources. As the proponents of this mechanism assert, this makes it easier to assess the extent to which a candidate is likely to succeed on the market. Furthermore, this enables candidates to assess more easily their chances of being accepted under the programme (Home Office, 2006).

A key dilemma facing governments is how to prevent their migration policies triggering a “brain drain” from poor countries. On the one hand, EU governments want skilled immigrants to plug gaps in their local labour market. On the other, a country that loses its best and brightest is less likely to develop its economy, which might trigger future migration flows of the unskilled and illegal kind. One way of addressing both issues is to encourage more “circular migration”. Put simply, this means helping migrants to move to and fro between their homelands and foreign places of work. Some EU and national officials think that the adaptation of national immigration and visa regimes to allow for circular migration could be a panacea for many migration challenges: labour shortages would be met and migrant workers would return regularly with money, skills and ideas. African countries would not lose doctors and other desperately needed skilled workers. And illegal immigration would drop as temporary workers go home willingly, confident they would be allowed to return if need be (OCSE, IOM and ILO, 2006).

Internal controls and penalties – where prevention via visas fails, and in all cases where selection on the basis of a high level of skills is not relevant, borders are internalised (Cuttitta, 2007). Identity controls following entry, carried out in the street and in the public services in certain countries often followed by detention are aimed at enabling, facilitating or accelerating the voluntary or forced removal of foreigners unlawfully present in the country. For example, in certain countries any attempt to obtain welfare benefits by people residing in the country without having full migrant status may result in deportation (Cohen, 2008). Similar provisions can be found in hospitals (Cholewinski, 2005). Being subject to these controls continues at least until one obtains permanent resident status, accessible under numerous conditions laid down by the European directive in this matter following at least five years of lawful residence in the country. Even after this stage, and after obtaining citizenship through birth or naturalisation, identity controls continue based on the colour of skin, name or neighbourhood.

In parallel to these restrictions on access to rights, all states in the European Union, in one form or another, remove foreigners found in their countries without a residence permit. Detaining foreigners in centres specially set aside for this purpose has the ultimate aim of enabling or facilitating the removal from the country of the individuals concerned.

In different countries, there is a particular type of detention structure where the legislation itself denies many of the fundamental rights which the foreigners detained in the centres should, at least in theory, enjoy. These are the transit zones, situated generally in international airports or crossing points between borders. The principle behind the centres seems to be that a portion of the territory of the state, subject to the effective authority of the latter, may be considered as foreign to the territory for everything regarding foreigners held there, as suggested by a proposal for a Community directive, whereby “Member States may decide not to apply this Directive to third-country nationals who have been refused entry in a transit zone of a Member State”.

Furthermore, transit zones would appear to introduce differentiations of status which paradoxically are not the result of the presence of certain individuals on a given territory but their non-presence on any territory (or “non-territories” represented by such spaces). The European Court of Human Rights has, moreover, extended its jurisdiction to these spaces also (Lambert, 2007).

“Foreigners camps” are not merely places of deprivation of liberty such as holding or detention centres and prisons. So as not to conceal the real consequences of migration policies in Europe, the concept of “camp” should be extended to all places of detention where foreigners are deprived of their rights – sometimes only partially. The term will therefore be used to refer to all facilities where foreigners are detained: for example, certain reception, transit or accommodation centres where foreigners are placed because they have nowhere else to go will be considered as camps. Informal centres housing foreigners in transit or those waiting to try and cross a border illegally, such as Sangatte some years ago or the camps in northern Morocco at present also fall into this category (Intrand and Perrouty, 2005).

These camps show a great diversity in terms of regime, functions and layout despite certain common aspects: the occupants – foreigners having committed no offence other than unlawful crossing of the border, the individual being subsumed into the group and the difficulty of ensuring that fundamental rights are upheld there. The first image evoked by the term “camp”, is that of a closed place, physically identifiable, the prime function of which is to keep undesirable individuals under control. There are many such camps in the European Union in a variety of forms: open camps, closed camps, ad hoc camps for holding with a view to deportation, old buildings reassigned on a long-term basis or requisitioned as a matter of urgency to deal with a crisis, prisons, and various other types of premises. These various forms can be seen in improvised camps on the Greek islands and in southern Italy, holding centres in France, closed centres in Belgium, German prisons and buffer-camps in the Spanish enclaves of Ceuta and Melilla in Morocco (Intrand and Perrouty, 2005).

Open facilities are designed first and foremost to register migrants, to monitor their activities and, above all, to be able to locate them easily if – as is often the case – a deportation order needs to be carried out: in other terms, to carry out administrative and social control over migrants. These facilities may be reception centres for asylum seekers where candidates for refugee status are fed and housed. But they may also take less visible forms such as the obligation to report regularly to the administration office responsible for processing the file.

Closed facilities are characterised by the role assigned to them. Generally speaking, there are three types, depending on the administrative situation of the individuals held there. First are the holding centres where individuals are detained pending identification, examination of their situation and possible admission into the country. Holding centres are located close to a border crossing point: airports, stations and ports. In the opinion of certain states, individuals held in these zones are not detained: they are free to go back to their country or to any other country willing to accept them. The second type includes detention centres: these are for individuals who have already entered the country. The detention centres in Great Britain fulfil this role, as do the internment centres of foreigners in Spain. These facilities are also designed to hold asylum seekers whose application is being processed who are suspected of intending to abscond before their procedure is completed. The third type includes the removal centres where individuals are held with a view to deportation. These are to be found in the detention centres in France, the closed centres in Belgium and the detention centres in Germany. It should be borne in mind that the majority of camps in Europe have at least two functions and therefore overlap. This is the case of the temporary residence centres in Italy, the Spanish camps, French detention centres (which are used for both detention and deportation), Belgian closed centres and the majority of centres in the UK, Italy and Poland (Intrand and Perrouty, 2005).

In any event, the legislation in the different countries is also aimed at guaranteeing a number of rights for those being held: the right to appeal against the decision turning down refugee status, against a deportation

order, against a decision on placement in detention; the possibility of the services of a lawyer or legal advice; assistance of an interpreter and a doctor; visiting rights and the right to communicate with the outside world, etc. But the practical exercise of these rights in closed centres is not at all certain, however regulated the systems may be. This is because of the lack of precision and the complexity of legislation leaving considerable margin of manoeuvre to the administration, and the lack of political will to recognise detainees as subjects of law. These facilities have a totally dehumanised vision of migrants. The latter are often given a registration number – foreign names are notoriously difficult to pronounce, although admittedly this approach is characteristic of detention facilities in general – placed in categories and identified with all those of the same nationality, regardless of their individual backgrounds (Intrand and Perrouty, 2005).

Other significant common features of these camps concern their (in)effectiveness and the clear disparity between stated and real objectives. By effectiveness of camps is meant the number of individuals actually deported in relation to the number of individuals held for deportation.²⁵ Primarily, it is a matter of being seen to be addressing the issue and of sending a dual signal. First, to potential migrants to show them that the policy to combat unlawful immigration (detention–deportation) will be resolutely pursued – this is the famous strong signal: “see what awaits you”; second, to domestic public opinion to show that the problem is being taken seriously: “we are dealing with it” (Intrand and Perrouty, 2005).

d. “Return”

This euphemism to some extent conceals its actual content, namely deportation measures, escorting to the border, removal, etc. It is now the keystone in the fight against irregular migration, and against undocumented migrants and their families, and one of the always available options for refugees and individuals with subsidiary protection or asylum seekers whose applications have been turned down: returning home once the living conditions in the country of origin have improved. It is significant that the stress is placed on the fact that “candidates for return are entitled to expect decent and acceptable conditions, consistent with respect for human rights”.

A worrying factor in recent years is that the work of numerous institutions in the field of co-development has focused on the return of irregular migrants and only (or especially) on those returns which are felt or could easily be felt to be a failure from the point of view of a collective or individual migration project.

2.3. Integration

a. Definitions of integration and related policies

For almost 30 years since Europe, despite some resistance, was obliged to recognise that it was an area of immigration and sociocultural mix, discourse on “integration” has been a topic of public debate in the countries of long-standing and recent immigration. This has led policy makers and practitioners to devise and implement inclusion measures for both new arrivals, long-term resident immigrants and their descendants, and occasionally for the whole population of certain areas. It has served as a framework for the life paths of these sections of the European population and their relations with the rest of society. It has generally presented itself as a challenge to be met, as a positive societal project, as an “optimal relationship between migrants and the host

25. In France, on the basis of statistics calculated over 10 years (1992–2002), Cimade notes that on average 50% of foreigners who are detained are actually deported, with a gradual reduction in the deportation rate from 61% in 1992–93 to 39.6% in 2002.

society” (Spencer, 2006: 14) to be developed and in relation to which to assess and transform situations, attitudes, institutional and personal practices, and the relevant political and regulatory frameworks.

More recently, the concept has become the focus of greater attention in a much more polemical context. It has been used as a reason to explain the difficulties, shortcomings or “failures” of migrants and their children, leading to calls for a radical overhaul of “national models” and policies supposed to ensure integration. The electoral successes of far-right parties, manifestations of xenophobia and racism, episodes of “tension between Islam and Western society”, riots in “disadvantaged neighbourhoods”, the spread of “feelings of insecurity”, instances of violence having an ethnic, fundamentalist or terrorist dimension²⁶ have all been generalised and portrayed as signs of a deep-rooted malaise linked to immigration as such and its impact on European society. This has generally gone hand in hand with political calls for “zero immigration”, the closure of borders or more stringent border management and stricter legal and social controls on populations having a direct or indirect experience of migration.

All the above is evidence, for some people, that integration is not at all possible or that it is only possible for certain groups having certain characteristics and under certain conditions, strictly laid down by the host society. For others, it is rather the development of social cohesion in the milieu of immigration and pluralism which has not been taken sufficiently seriously and systematically into account, neither by the political authorities at the various levels nor by the majority of civil society, neither now nor in the past. Furthermore, despite the media hype and “the ethnicisation of socio-economic conflicts” (Butterwegge, 2005), the current integration crisis affects not only immigrants and their children, but the whole of the European population faced with the contemporary political organisation which produces lawlessness, insecurity and social disaffiliation, offering no alternatives other than a retreat into private consumption and “invented communities” (Bauman, 2000), or the security-based response, whereby the excluded are dealt with via criminal law and prison, without any genuine prospect of reintegration (Bonelli, 2005). Accordingly, it is the functioning of society as a whole which would merit in-depth analysis as to its capacity to integrate, and create productive and satisfactory interactions between individuals, while at the same time ensuring the well-being of all.

In this context, it is less and less clear what everyone understands by integration and by “public policies to promote integration”. What idea of “living together” guides or should guide the day-to-day interactions between individuals of different origins and backgrounds? What idea of a future society inspires or should inspire the action of the public authorities, companies, civil society players, and public and private discourse on migration? Are current ideas and practices, despite the stated commitment of achieving the integration of migrants and their descendants, able to ensure the well-being of all in an immigration society? What ultimately is well-being in an immigration society, how can it be detected, achieved and promoted via public policies and relevant practices? The answer to these key questions presupposes rethinking the concept of integration and how it is implemented, becoming aware of the different approaches underlying public discourse and action in this field, and subsequently putting forward a renewed strategy for social cohesion acknowledging the right to the well-being of all and the need to reconcile, at the level of both ideas and policies, the well-being of migrants and their descendants and the well-being of society as a whole (Farrell and Oliveri, 2008).

Literally, the concept of integration refers to “the act of incorporating parts into a unified whole”. It did not start with migration, but rather with mechanisms to enable modern society to reproduce and let its members find their place in society, including by changing their original situation. By differentiating functions between the sphere of state and bureaucratic power, the economic and commercial sphere, and the sphere of social and cultural life, both

26. In France, the link between immigration, particularly from countries with a Muslim majority, and terrorism goes back to the attacks of 1995 (Deltombe and Rigouste, 2006: 199). In the United Kingdom, this type of discourse once again came to the fore following the attacks in the London underground in 2005. In Europe as a whole, clearly it was the attack on the Twin Towers in New York which established Islam, of course in its fundamentalist version, as the threat par excellence of the “West”.

domestic and public, modern societies effectively became exposed to the risks of disintegration: internal crises in different spheres, conflicts between the different groups to define the operating rules of the spheres or for access to resources, loss of reference points, exclusion of a part of the population from the collective benefits and channels of social recognition are the hidden price of the modernisation process (Habermas, 1981).

Very schematically, and focusing on social aspects, sociologists have identified four main dimensions of integration as the efforts that every individual in a modern society must make in order to be a fully-fledged member: acculturation, placement, interaction and identification (Esser, 2000). There is no guarantee, in principle, that these four dimensions will develop entirely or symmetrically in all aspects of individuals' lives. Acculturation or socialisation is the process whereby an individual acquires the knowledge, cultural standards and competencies needed to interact successfully in a society. Placement means an individual gaining a position in society – in the educational or economic systems, in the professions, or as a citizen. Placement also implies the acquisition of rights associated with particular positions and the opportunity to establish social relations and to win cultural, social and economic capital. Acculturation is a precondition for placement. Interaction is the formation of relationships and networks, by individuals who share a mutual orientation. These include friendships, romantic relationships or marriages, or more general membership of social groups. Identification refers to an individual's identification with a social system: the person sees him or herself as part of a collective body. Identification has both cognitive and emotional aspects, enabling individuals to consider themselves as acknowledged members of a group.

Integration of immigrants into a host society should be understood as a special case of social integration, to which the concepts of placement, acculturation, interaction and identification can be applied (Bosswick and Heckmann, 2006). In reality, applied to this group of the population, the concept usually undergoes subtle but significant changes. Often it results in a loss of the active, participatory dimension of the processes in question leading to a more paternalistic and authoritarian approach. Generally, it also results in a loss in terms of richness and complexity with respect to the multiple dimensions in which integration takes place, giving rise to an exclusive focus on certain aspects, the only ones regarded as important but ultimately meaningless once they are disconnected from the others. The most probable reason for this discrepancy is an ethnocentric interpretation of the social and cultural skills at play in the migration and post-migration process. The fact that most immigrants come from non-Western countries, which have developed differently from the secularisation and industrialisation of the countries of destination, suggests a need for an additional effort to integrate by migrants and the framing of special policies and measures by the host country.

The ideological assumptions, purposes and forms of integration policies and their cultural and social effects may vary considerably from one country to another, from one context to another, and from one individual to another. There are major differences in the "integration experiences" of migrants as individuals and as a group, following their arrival and during their residence just as there are significantly different specific national approaches to these questions, as a result of numerous historical factors such as the type, origin and scale of migration, the way the nation has been built up and sees itself, legal provisions regarding entry, residence and naturalisation, the social and productive structure of the country, etc.

Integration is therefore a convenient shorthand term, which evokes the issues related to migration and post-migration processes and those linked to societies in transformation as a result of migration (Esser, 2004), a dynamic process and a final result (Penninx and Martiniello, 2004), a political objective and the ways of getting there (Council of Europe, 1998). Moreover, it is always possible that there will be a discrepancy between the official stated philosophy of a country or institution in the field of integration and the actual measures adopted to implement it. To avoid any confusion, we should concentrate on the political implementation of the concept rather than its abstract definitions. The history of the social uses of integration shows more clearly

the reasons why this concept has become the key concept in contemporary post-migration processes and policies, together with “control of flows” and controls of migration policies.

Today, it would be difficult for anyone to deny the fact that integration is or should be a mutual and bilateral process of adaptation, in the social, economic, cultural and political spheres, in order to minimise any tension and achieve the personal, economic and social potential of migrants, while at the same time ensuring their fundamental rights and developing social cohesion. Definitions of this type can be found in the main European and international institutions such as the European Commission or the IOM. Reference should also be made to the vision of the Parliamentary Assembly of the Council of Europe, according to which “Integration policies should have the dual aim of providing immigrants with the means to function in the society where they live and develop their potential while preserving their cultural and ethnic identity, and familiarising the non-immigrant population with the rights of immigrants, their culture, traditions and needs. Council of Europe member states should highlight the value of cultural, social and religious differences, but under no circumstances should it be possible to justify violations of human rights on the grounds of cultural tradition or religion. The respect for cultural and religious differences must rest on the respect for human rights by all those who live in a country, immigrants and non-immigrants” (Recommendation 1625 (2003) on policies for the integration of immigrants in Council of Europe member states).

At the same time, it remains to be clarified among whom this process takes place and what consequences are envisaged for the whole of society. It is with regard to these questions that the different approaches to integration can be perceived. For some, integration is “a dynamic process of gradual adaptation to our society by foreigners intending to live amongst us, with differences being part and parcel of a common project and not, as in the case of assimilation, their suppression or, in contrast, the process of inclusion, the protective guarantee of their permanentisation” (Haut Conseil à l’Intégration, 1993: 8). Looking again a few years later at the definition of “integration”, it stated that it is “neither assimilation, as it does not seek to reduce all differences, nor inclusion, as it is not limited to helping individuals reach satisfactory socio-economic standards, if that means compartmentalising them and placing them where they can live without contact with the host society” (Haut Conseil à l’Intégration, 2006: 22). It should be noted that integration is an asymmetrical, albeit mutual, process, as the responsibilities are not the same for all the parties involved. For immigrants, integration means the process of learning a new culture, acquiring rights and obligations, gaining access to positions and social status, building personal relationships with members of the host society and forming a feeling of belonging to, and identification with, that society. For the host society, integration means opening up institutions and granting equal opportunities to immigrants. In this interaction, however, the host society has more power and more prestige (Spencer, 2006).

Furthermore, it remains to be seen whether the ultimate issue at stake in integration is that of respecting the integrity of the whole or whether it is possible, or indeed necessary, to change it over time (Habermas, 1993). Some claim that integration rests on a process of exchanges in which everyone accepts that they are part of the whole and are committed to respecting the integrity of all. For others, integration is not assimilating or absorbing but progressing together and harmonising: this makes it therefore a creative and open process, aimed at constructing their “new us” (Ramadan, 2008b). In this sense, we are referring rather to an integrated and cohesive society, a community in which “there is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country. There is a strong sense of an individual’s rights and responsibilities when living in a particular place – people know what everyone expects of them, and what they can expect in turn. Those from different backgrounds have similar life opportunities, access to services and treatment. There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny. There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in

common. There are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods” (CIC, 2007).

In the light of these considerations, it may be concluded that one of the factors contributing to the lack of clarity as regards the term integration and the related policies is the fact that it has de facto replaced other concepts, such as “absorption”, “incorporation” and especially “assimilation” (Heckmann, 1992), used at certain times to designate post-migration phenomena and the way of managing them.²⁷ The advantage in these terms was that they stated fairly directly the underlying assumptions, aimed in the majority of cases at a unidirectional and unilateral elimination of the diversities of immigrant populations, exerting pressure to adapt to the customs and values of the majority society, reflecting an indifference on the part of the authorities or even an active attempt to disregard the special needs, aspirations, histories and lifestyles of the new arrivals (Rudiger and Spencer, 2003).

The change in terminology has generally been a response to criticism, over the decades, from associations of migrants and activists, as well as from part of the academic and political world, in the context of a more complex vision of social transformations due to migration and increasing sensitivity towards diversity and pluralism. In some cases, the word assimilation has simply been replaced by integration for “pragmatic and communicative reasons” (Bosswick and Heckmann, 2006: 7), a superficial and media-oriented “politically correct” make-over, side-stepping public resistance and the objections referred to above. Nevertheless, as the vision of society and the practices implicit in the old term of assimilation remain the same, political discussion and innovation have become more complicated than before.

The ambiguity of integration and associated policies is also due to the fact that this concept is highly normative. What is meant by the integration of individuals and especially migrants reflects the diversity of views on the desired political results. Even the use of this term expresses confidence, occasionally over-confidence, in the power of politics and the public authorities to influence and shape this process (Sayad, 1999). Above all, it is useful for prescribing to immigrants what they should or should not do, what they can or cannot do if they want to be “accepted”. Obviously, these prescriptions express the dominant point of view of the society of destination; it implies a self-image of the society of destination as an already integrated society, giving rise to an abdication of responsibility and reduced internal pluralism.

Moreover, the concept of “integrating migrants” rests on the subjective idea of an already-integrated receiving society (Joppke and Morawska, 2003). In their view, any vision of unity or any discourse advocating integrated societies is inherently subjective and false. Today, any attempt to conceptualise national identity is open to subjective interpretations of “us” and “our” supposed identity and social values. Into what exactly are immigrants supposed to integrate or incorporate? Traditional stereotypes of how to be “national” are taken as the test model to evaluate if the “other” is, or can successfully be, well-integrated into a particular conception of community. These nationalistic claims also call for the necessity to “normalise”, “modernise”, “civilise” and “assimilate” into their societal vision of themselves those persons not holding their nationality. Looking back at our recent history, this is a very worrying political game, which on the one hand might put at risk liberty, liberal democracies and the rule of law, and on the other may foster the emergence of social exclusion. Our societies are increasingly experiencing a wide variety of lifestyles that profoundly enrich and diversify the very concept of “community”. They also call into question conservative claims of a “we” and a homogeneous society of shared cultural values, which needs to be defended against a supposed threat posed by those negatively labelled as “aliens”, “immigrants” and the “non-modern” who come from the outside (Carrera, 2006a).

27. These conventional categories also include the so-called “race relations cycle”, seeing interactions between migrants and the local population as a sequence of standard forms of behaviour, going from “contact” to “competition”, “accommodation” and finally “assimilation” (Park, 1957). This is clearly a rather static model, which has meanwhile been called into question as a result of the complexity of contemporary migratory phenomena and the many different trajectories that migrants follow between the countries of departure and the countries of destination.

The idea of “successful integration” is the product of this normative vision. It draws on the human, social and cultural profile which is closest to this model, to the idea that one has of the social position of immigrants. We need to ensure that the image of a “well integrated” immigrant is not that of a worker who accepts the jobs which nationals refuse without making any excessive claims in terms of rights, recognition and social mobility (Ambrosini, 2004). Host country nationals and migrants may perceive a lack of integration very differently. While the former may have concerns about migrant unemployment and its consequent burden on the state, about crime and security or the return of “pre-modern” values, immigrants may focus on the restrictions they experience in relation to family reunification, their lack of legal status, lack of access to social services, personal security, or loss of values (Zincone, 2000).

This normative concept is used to create hierarchies between migrants, either those currently present or who might wish to enter the country, or those belonging to history. Accordingly, the distinction may be made between migrants who can be integrated and those who cannot, between “good” and “bad” migrants on the basis of certain criteria: language, religion, lifestyles, national origin, etc. The result could be the widespread use of expressions such as “they are too different to be able to be integrated here” or “too much diversity makes integration impossible”. Moreover, this concept is used to distribute benefits or impose sanctions, making integration – according to the dominant idea – a precondition for access to rights or to the status of long-term resident. In this way, it is used directly in nationality policies and access policies. If one considers the rights of mobility, or of access to and residence in the national territory, as theoretically unlimited in connection with naturalisation, then ultimately it is migration policy as a whole which comes into play and uses the concept of integration as a further factor for selecting people on the basis of cultural similarity or socio-economic assimilation, to ensure that the person is a resource rather than a “burden” for society.

In this regard, using the definition of integration employed by the societies of destination, there are numerous risks: the aim of integration policies is not to achieve true equality in conditions between foreigners and nationals – neither at the initial stages nor in terms of outcomes – but a sort of acceptance of the order of things: a “subordinate integration”. We may quibble about the nature of situations and conflicts, using a single perspective, that of the society of destination. From its point of view, the fact of being concentrated in certain neighbourhoods of the town or city or using public spaces in a particular way may reflect a lack of integration, whereas for new arrivals, for example, and even afterwards, depending on the context, the fact of living in the same area or neighbourhood is a factor of integration, or even survival. The children of immigrants who refuse to accept the inferior jobs, sacrifices and self-denial which their parents have often accepted, do not necessarily, because of this, experience a lack of integration: in contrast, they “have assimilated certain of the aspirations, models of life, etc of the young indigenous population of their age” (Ambrosini, 2004: 20-21). These young people claim the same rights as other citizens; they demand respect (Palidda, 2008) and, as there are no appropriate outlets for their aspirations, they become disaffiliated. Consequently, the focus should be on addressing the danger of being culturally integrated but socially excluded.²⁸

Furthermore, “magnifying the history of past, already accomplished integrations” (Sayad, 1999) often equates to “tarnishing the history of present conflicts” and to assigning total responsibility for the process and its results, or failure, to migrants and their descendants. This gives rise to prejudices such as “they do not want to integrate” or “they make no effort to integrate”. What ultimately characterises the current situation is that the effort to integrate, responsibility for which should normally fall to the public authorities, is thrown onto immigrants and transformed into an obligation to integrate (Lochak, 2007), failing which they will maintain their uncertain

28. The concept of “segmented assimilation”, borrowed from the US integration literature, is illustrated by research showing that migrants can also be well integrated – but only into an excluded underclass. They may also be well integrated in one dimension (for example, inter-marriage) but excluded on another (for example, employment). Similarly, progress may be seen in one dimension, such as improvement in housing conditions, while disadvantage continues in other spheres (Özdemir et. al., 2004).

status. The image of the “successful immigrant” is a sort of exception which proves the rule: success is proof that it is possible if one is committed. Those who have not succeeded have not been sufficiently committed and therefore bear the responsibility, are considered as threats and are generally stigmatised (Deltombe and Rigouste, 2006).

b. Overview of the integration of migrants as a separate political field

In the older countries of immigration, integration became an explicit priority political issue once it no longer began to take place relatively mechanically. This was the case of migration in north-western Europe following the Second World War, when integration took place basically through a labour market able to absorb a large unskilled or low-skilled labour force under active recruitment policies undertaken abroad, at a time of full employment and when the welfare state was being reconstructed or expanded (Castles and Miller, 2003). This integration through work and through access to the social rights associated with work, on the basis of housing and social security, did not take place without suffering or effort on the part of immigrants: on the contrary, “it is the entire condition of immigrants, their whole existence which is the scene for an intense effort at integration, an effort which is totally anonymous, underground and almost invisible” (Sayad, 1999). Such experiences became less and less the rule from the mid-1970s, coinciding with the employment crisis, the end of the long economic cycle and the transition towards the current productive system, based on technological innovations in the field of automation and communications, the expansion of the service sector, flexibility and polarisation of the labour market, the growth of underground economies, relocations to countries with lower production costs (Castles and Miller, 2003).

These transformations, accompanied by new border controls systems, dispelled three illusions traditionally associated with migration to Europe from the less developed countries: the illusion that the presence of immigrants was totally justifiable by the fact of their being employed (Sayad, 2006: 23) and that over and above work, they had no “right to full existence” (ibid.: 35-36); the illusion that the presence of immigrants was temporary and that their return to their countries of origin was both desired and practicable; the illusion that the societies of destination could benefit from migration while at the same time removing its strictly political dimension, linked to the construction of political space and national identity (ibid.: 165-166).

This presumption was based on the idea that after accomplishing their own projects a significant proportion of the immigrants would return to their home countries, while another sizeable proportion would depart when the economy no longer needed foreign labour. Those remaining would thus be a kind of small residual group posing no serious social or cultural problems. In this framework, Germany developed a set of education policies that would today count as multiculturalist: the teaching of the language of the country of origin in order to facilitate the families’ return after the period of work (Baganha, 2005). The economic recession that followed the oil crisis of the 1970s and the subsequent restrictive labour migration policies belied this assumption. With return and circularity appearing to be more and more difficult, people often opted for residence and stabilisation (Sassen, 1999: 143). In fact, not only did relatively few immigrants return to their countries of origin, but, what proved to be more relevant for the present situation, numerically significant and highly concentrated immigrant communities had been established for good within the borders of the majority of the western European countries. Moreover, due to the deindustrialisation processes and the related socio-economic transformation, including a revival in discriminatory attitudes and hostility towards migrants and their descendants, in a substantial number of cases these groups showed evident signs of social and cultural exclusion (Baganha, 2005).

With the fallacies of the so-called “rotation system” western Europe also discovered that, independently of its own political representations, it had become a region of immigration. Furthermore, the recognition of this new situation came in a period of high unemployment among the domestic and the foreign resident population, of growing xenophobic attitudes towards ethnic minorities, and of increasing social and economic problems with

the so-called “second generation”. This new reality led governments to abandon their previous recruitment programmes and to subscribe to policies aimed at fostering the integration of those already established in the country, while blocking immigration and sponsoring the idea that only without new migrations could integration be successful (Baganha, 2005). For the countries of destination, integration policy is based on a simple idea: “we cannot take in any more foreigners, but we should do what we can to enable those already living here to integrate under the best possible conditions”. In this context, “the role of public authorities should be to promote the conditions for this integration without suppressing or giving special emphasis to the identity of the different immigrant communities”.

These were the years of the first anti-discrimination laws for improved racial relations in the UK. Since this time, non-discrimination and the end of lawful access channels have gone hand in hand. Faced with the negative effects of preceding policies, in terms of exclusion, discrimination, segregation, racism (Castles and Miller, 2003: 225 ff.) and the absence of any genuine social cohesion policies, integration focused also on the children of immigrants. The report of the High Council for Integration (1998) entitled “combating discrimination: enforcing the principle of equality” marks a sea-change in the discourse on integration by placing an emphasis on discrimination, and on discrimination based no longer on nationality but on origin, in other words racial discrimination. The existence of such discrimination shows the inadequacy of an integration policy which should no longer exclusively target the foreign population but take into account the situation of immigrants of the second or third generation.

In view of the continuation or resumption of migration inflows into countries, this approach soon proved to be insufficient: there was also a call for measures for new arrivals. Programmes were developed often with the idea that integration is all the more difficult given that the foreigners requesting entry or residence in the country come from very different countries compared with those from which they came in the past (Süssmuth, 2001). It might seem regrettable that there was a shift from European immigration which was culturally similar and therefore easily capable of assimilation to a form of immigration in which integration was much more difficult precisely because of major historical and cultural differences (Lochak, 2007). Consequently, increasing emphasis was placed on the cultural dimension of integration, an approach which, despite all the theoretical statements made, advocated assimilation to certain Western values which were considered to be universal and preconditions for the stability of the societies of destination.

The thinking behind integration discourse and policies regarding migrants is unfathomable if one disregards the deep-rooted processes of transformation in European societies over the last 30 years which have severely challenged the “working society” and the welfare state typical of the post-war period and also a particular culture of sociality, social conflict and joint negotiations, of common goods, of citizenship as a gradual and inclusive process (Marshall, 1950).

The emphasis placed on cultural, religious and “ethnic” elements (cf. above, chapter on identities, diversity, etc.) which influenced the life paths of migrants and their descendants can also be explained in this context: it is not something present from the beginning but rather the politically exploited sociocultural result of non-integration by a large part of the population through stable work and access to common goods and, in the case of migrants, also the pressures and destructuring experienced by their communities. This is therefore the area on which public policies should focus, taking account of differences whenever they are relevant in order to ensure substantive equal treatment. “Seen from this angle, differences are neither denied nor regarded as something to be overcome. Instead, they are considered as characteristics to be preserved or at least to be taken into account as relevant factors when establishing public standards and policies. Equality can be achieved only if the features that shape people’s identities, such as cultural, gender and religious differences, are taken into account.” “Equality of rights, which it is typical to sum up using the formula ‘everyone has the right to

the same fundamental rights', requires not only that everyone has access to these rights, but also that they are safeguarded in ways that are in keeping with the characteristics that shape individuals or may even be vital to their well-being. Only if this requirement is met is it possible to talk of genuine equality. Rights which result in equal measures for all are not necessarily immune to accusations of assimilationism or discrimination" (Facchi, 2006: 106-107).

c. Integration arrangements

The differences referred to in the use of the concept of integration are reflected in the extreme variety of policies: their targets are very variable populations, and they focus on different areas of peoples' lives, have different objectives, utilise different types of public action, and, in turn, implement different arrangements and approaches.

The field of phenomena and processes which integration policies set out to influence or regulate is the vast and multiple field of post-migration. There are three main dimensions of this potential field of public action, depending on its scope and interaction with other public policies: reception and integration policies, non-discrimination policies and social cohesion development policies. We should perhaps add a fourth dimension, linked to the use of the concept of integration in the field of controls and access to a particular legal status. This use can possibly be regarded as pre-migration.

The target groups change depending on the type of policies and the objectives of these actions. Should one, for example, concern oneself solely with migrants in a lawful situation because – from the point of view of the authorities – they “deserve” integration into the host society? Or should one take into account the extent to which they themselves consider their settlement in the country as final? Integration is often seen as an inappropriate objective in the case of irregular migrants or refugees who do not have the necessary documentation, and sometimes refugees as a whole.²⁹ The attitude of the public authorities is that these migrants should leave the country rather than seek to integrate into it even though, in practice, some irregular migrants, in particular those who have lived and worked in the country for a very long time, are fairly well integrated. This exclusion is at the very least paradoxical, because in this way one is denying integration support to those who have the greatest need for it.

Table 6: Analysis of policies directly or indirectly encompassing the concept of integration

Dimensions	Departure; entry; residents; mobility; education; housing; health; employment; private and public life
Arrangements	Controls: integration tests and contracts, nationality tests; non-discrimination; inter-community approaches; reasonable adjustment; development of social cohesion
Objectives	Control, selection, discipline; diversity management, recognition of diversity and internal pluralism; formal equality; substantive equality; well-being of all
Approaches	Originating; regulatory; remedial; facilitating
Targets	New arrivals; asylum seekers; refugees; family reunification applicants; family members having arrived under reunification arrangements; public welfare applicants; the undocumented; particular groups (women, minors, unaccompanied minors, the elderly); the whole population, organisations, institutions; descendants of migrants; ethnic minorities
Effects	Subordinate integration, segmented integration, selective integration, interactive integration

29. Although the Joint Programme proposes practical measures at EU and national level to implement each of the 11 “common basic principles on integration”, refugees are not identified as a group requiring particular attention (European Commission, 2005b). The UNHCR (2005) has, in this connection, asked the European Commission and member states to pay particular attention to the integration of refugees.

Integration controls – in nationality policies, the concept is used to test the degree of assimilation and loyalty of the person to the new national community. There has been substantial discussion on how citizenship should be acquired and under what conditions. Historical analysis shows the principles of *jus soli* (citizenship according to place of birth) and *jus sanguinis* (according to bloodline) in different European countries to be less immutable national models than often assumed, with France for instance combining both traditions over the centuries in response to changing political, economic and demographic conditions (Weil, 2002). In countries with stable borders, democracy and self-perception as countries of immigration, restrictions on access to citizenship for the second generation of foreign residents that impeded integration have progressively been overturned (Weil, 2001).

At the same time, another notable trend in modern citizenship policies is to institute mandatory citizenship tests (Carrera 2006a), a practice already established in North America, or require certain economic standards or check for the existence of a criminal record. Naturalisation eligibility rules now frequently require applicants to demonstrate a level of language ability and knowledge of the host society. Since 2003 the Netherlands has for instance required a four-hour test on the Dutch language and knowledge of the country, and the United Kingdom instituted its own test in 2005. Tests have even been proposed to target particular populations: the *Land* of Baden-Württemberg has designed a two-hour oral exam, taken on top of the general citizenship test, to gauge the loyalty of Muslim migrants to Germany, with questions on bigamy, homosexuality, and domestic violence (Spencer, 2006).

The link between nationality and integration is more complex than that. Even allegiance to a nation is more complex, because nations are increasingly more plural and citizenship is detached from the idea of national homogeneity, determined by historical, linguistic, cultural, religious factors, etc. (Facchi, 2006). Acquiring nationality status is sometimes seen as the end goal of the integration process; in other words, the migrant has achieved equal rights with the native born. It is assumed that immigrants who wish more than anything else to obtain citizenship will begin by seeking out and adopting methods of integrating into the societies in which they are living. For those who subscribe to this view, the wish to enter into the different spheres of the host country, and then to try to integrate into it is a necessary precondition for naturalisation. From this perspective, citizenship is seen as an outcome of integration, rather than a tool for empowering migrant groups in the integration process. This presents a dilemma: integration through citizenship versus integration for citizenship (Içduygu and Senay, 2008).

For others, nationality status is seen as (and empirically found to be) one means towards accelerating the integration process rather than an end in itself (Münz, 2004). Greater symbolic importance is now being attached to naturalisation as a means of strengthening the migrants' identification with the country. Forcing migrants to choose between their original nationality and that of their host country rather than allowing dual nationality has proved an obstacle to integration (Özdemir et al., 2004). This is particularly the case with the decoupling of citizenship from its traditional relationship with the nation state to an internationalist and multilayered global governance where rights are guaranteed at different levels from local through national to international bodies and the progress of transnational identities (Spencer, 2006). For example, dual or multiple citizenship, which is based more on the premise of membership of a state as a legal entity rather than as a nation-based identity, assumes that individuals with different ethnic and national origins can coexist in a single state under the meta-identity of citizenship. Therefore, the right to hold dual/multiple citizenship can help to secure the position of immigrants in both sending and receiving countries, without necessarily obliging them to have their former rights and freedoms withdrawn. It also has the potential to lessen the degree of moral disturbance that migrants might feel concerning their identities and their sense of belonging (Içduygu and Senay, 2008).

Similarly, the concept of integration recently made an appearance in legislation concerning the entry and residence of foreigners (Lochak, 2008) at national and European Union level (Carrera, 2006b). This new

development seems to be inspired by the wishes of countries to select migrants in relation to their “ability to integrate”³⁰ and to make access to rights, including those already acquired, conditional on fulfilling certain “integration conditions”, in concert with a symmetrical “integration capacity” on the part of the countries of destination. This introduces a relationship, in line with a “control rationale”, between admission and residence on the one hand and integration measures or conditions on the other. The latter is therefore used as a legal means available to states and the European Union to control migration (Carrera, 2008). Some states have introduced integration-related parameters into their selection criteria for skilled or semi-skilled candidates; recruitment is based on a points system, with points being attributed to variables such as level of skills, age, linguistic abilities and previous links with the host country. This approach sets out to prepare for long-term integration and to make it easier to move, if the labour market in the host country is favourable, from the status of temporary resident to a permanent status. The thinking behind this seems to confirm that successful integration depends on selection at entry of individuals having certain characteristics which make them, on the face of it, more likely to be integrated than others.

This is all the clearer when one considers the groups which are exempt from obligatory integration measures and the latter’s role as preconditions for access to certain social rights: “those who have not integrated do not deserve rights”. This mechanism, moreover, cuts across all ethnic affiliations and hits the poorest more generally (Wacquant, 2004). The groups of persons exempted include: EU and EEA citizens, asylum seekers and foreigners who have a time-bounded residence permit (three months or less), students, interns, researchers, academics, highly skilled workers who intend to stay for no more than four years, persons who work under international contracts, foreigners who have completed a Ph.D., persons who have a position of responsibility in the tourism department in their country, au pairs and employees with a foreign country employer. The linkage between integration and poverty is apparent (Guild, 2005). If immigrants do not claim state benefits in certain forms, such as income or family support, then they are not targeted by integration programmes or the consequences of failure to comply. The poor will always face far more obstacles to successful integration than all of the “others” who are better off financially and not dependent on the public policies of the receiving state (Carrera, 2006a).

Another form of integration control is provided by the so-called reception and integration contracts in France. Under these contracts, foreigners are obliged to follow training in civics and, if necessary, the French language. Civics training comprises a presentation of French institutions and values of the republic, in particular equality between men and women, and the secular nature of the state. Signing and fulfilling the contract are criteria whereby integration will be assessed for obtaining resident status: those who criticise the system the most claim that the confusion between integration and policing laws is now openly acknowledged (Lochak, 2006).

Other criticality factors concern target groups – individuals who are not migrants in the first sense of the term. These are primarily the children and grandchildren of immigrants. Even though members of this group have acquired, on application or at birth, the nationality of the country of immigration of their parents, they may experience difficulties related to their ethnic origins. The same is true even for naturalised adult foreigners, who, despite having a new passport, conserve their ethnic, cultural and religious roots and unchanged occupational qualifications and language skills. They may be of the first, second or even third generation and are already “integrated”: for these citizens, continuing to talk about “integration” is tantamount to projecting on them situations and fears which they have already put behind them and above all it encourages in society the idea that there is a “different population” which is not yet one of “us”. Those who must “integrate” are viewed as “internal foreigners”. This perception is not only false, it also displaces the nature of the problem. First of all,

30. The report by the German Commission on Migration, set up in 2000, clearly sets out this type of political objectives: “criteria providing information on the ability and willingness to integrate are crucial in the selection of immigrants” (Süssmuth, 2001: 87).

because integration has already taken place (or is in the process of very broadly taking place) and because the real success of integration – at a precise stage in the process – is to no longer talk about integration.

Another selection problem concerns immigrants who already have the citizenship of the host country or who have acquired it more or less automatically on arrival. These migrants, while they have a legal advantage over the others, must also adapt to a society with which they are poorly acquainted, and may therefore be included amongst the target groups for integration measures. These are mainly those termed ethnic migrants, descendants of migrants who left several generations previously to settle in eastern Europe. The ethnic Germans and Greeks from the former Soviet Union, despite their cultural roots and their legal privilege, experience enormous economic, cultural and social adaptation difficulties.

The fact of linking integration measures to the prospect of a long stay or the probability of permanent settlement clearly discounts temporary or circular migrants or undocumented migrants and raises a paradox: those in greatest need of special support measures to lead an independent life are excluded from them. In opting to focus on “foreigners authorised to settle long term in the country” and not the whole population, possibly in relation to actual and specific needs, would appear to be taking exactly the same approach that led to previous social crises, that is, not grasping the phenomenon as it really is but rather in relation to the expectations and often the illusions of the country of destination. Integration and the measures to bring it about in terms of access to rights on an equal footing cannot be approached solely from the national interest point of view: a sort of investment in talents, in the best people on the one hand and an exclusion mechanism for the others. Migration is too complex and varied to be subject to external imperatives of this type. If one wishes to avoid the symmetrical dangers of integration as a moral injunction and utilitarian selection, making the poorest and the most disadvantaged accept their dominated condition and offering the most skilled and the people most likely to be integrated the possibility of assimilating into the dominant model, it is essential to link the concept to the development of general social cohesion and the well-being of all.

Making their legal status, whether as resident or citizen, subject to certain “integration conditions” seems to turn upside down the substance of the problem, namely, the crucial importance of security and lawfulness of residence for social integration. Entry and residence conditions, in turn, influence employment conditions and access to fundamental rights: in this way, they reflect the actual ability of people to have a decent life in the country, to interact with the rest of the population on an equal footing to be acknowledged, to contribute to the social, economic and cultural development of the country in which they live. Accordingly, we need to invert one of the commonly stated aims of policies: “integration is the key to successful immigration” (European Commission, 2008a). The first element of a sustainable integration policy is a migration policy geared to human rights rather than controls. It will easily be conceded that “permits with greater security of residence encourage immigrants to invest more heavily into their own integration in society and working life” (European Commission, 2007: 52). Consequently, the legal framework for admission and residence should be examined under the angle of its impact on the social-economic integration of immigrants and the obstacles to integration resulting from the rules on immigration.

“Reception” and introduction to the new context – all member states should have an integration strategy with a coherent and consistent national introduction programme. A substantial increase in funding is necessary in most member states to increase the availability and quality of introduction programmes. The resources should be allocated effectively and strategically to facilitate the provision of the introduction programmes and language courses in both urban and rural areas. Member states should offer introduction programmes to all refugees and migrants, including asylum seekers and those with subsidiary forms of protection, and ideally not only to newcomers. In most countries, asylum seekers are excluded or have limited access to introduction programmes. This has a negative impact on their integration process and that of their children. Also, those

with subsidiary forms of protection are sometimes excluded from introduction programmes despite the fact that they have exactly the same needs as recognised refugees.

In general, introduction programmes should aim to achieve the dual objective of providing immigrants with the tools, information and skills enabling them to develop in the society in which they live, to understand the cultural and institutional operating mechanisms, develop their potential, while at the same time enabling them to preserve their desired level of cultural identity and to express it accordingly, familiarise the indigenous population with the fundamental rights of all immigrants, regardless of legal status, and, in a productive way, making them more aware of immigrants' culture, traditions, needs, particular backgrounds, their way of living, of using public spaces, of exploiting interpersonal networks, etc.

In particular, programmes for recently arrived immigrants should:

- be voluntary;
- be open to immigrants having a residence permit for at least one year;
- be designed in accordance with the particular needs of each beneficiary;
- include language classes, information on the life and customs of the host society, especially access to basic services such as health care, housing and legal advice in the event of discrimination or racial violence;
- provide vocational guidance and assistance to enter the labour market in the host country, and information on immigrants' rights;
- make provision for financial incentives to encourage participation, particularly via the setting up of associations or networks of immigrants.

However, many introductory approaches have today negative elements, with a focus on sanctions rather than incentives. Most courses contain a language component and information on the receiving countries' society and culture, including an increasing emphasis on "Western norms and values". In some countries, refugees and migrants (with some exceptions) are compelled to participate in such programmes and could be penalised (mainly through withdrawal of benefits) when they do not attend. In most countries, the courses are free of charge, but in some, refugees and migrants have to pay the costs themselves (for example, in the Netherlands). To ensure participation in the introduction/language programmes, the emphasis is mostly on sanctions (such as reductions in benefits). Introduction programmes should be free of charge and participation should be stimulated by positive incentives rather than sanctions. Integration requirements such as language skills or knowledge of the host countries' history, culture and values should not be a precondition for obtaining entry or residence permits.

Concerning introduction programmes, the number of hours is often insufficient to achieve a language level necessary to progress towards further training, education or suitable employment. The teaching methods used are sometimes not suitable and teachers are not always suitably qualified and/or sufficiently trained in methods for teaching a second language. In all member states, the quality of the teaching should be commensurate to the mainstream education service. The receiving country should ensure that the teaching of the language courses is delivered by professionals adequately trained in the instruction of the language as a second language.

Non-discrimination – many factors which impede the integration process in different spheres of life are perceived as discriminatory. These obstacles include legal restrictions on access to the labour market; lack of knowledge about and use of services by migrants; language barriers to accessing and using services; lack of specialised services in health or housing; failure to address the very differing needs of different ethnic groups; and weaknesses in policy co-ordination. These dimensions of explicit or implicit discrimination should be articulated with further structural factors (Oliveri, 2009) which impact migrants' well-being, such as conditions of exit from their own country (for instance, if the decision to leave was not voluntary); their means of entry (for example, if trafficked

or on a recognised labour migration scheme); their legal status and hence entitlements; the migrants' personal characteristics (for instance, their labour market qualifications); the characteristics of the migrant's community (whether there are community groups, for instance, or the community is fragmented and unable to provide support) and the conditions in the host society (such as the availability of jobs and public attitudes) (Castles and Miller, 2003).

Inter-community relations – this field includes numerous activities targeting migrants and their “integration”: known as “ethnic relations policies”, this action includes the funding of associations active in the field of immigration and cultural mediation, the provision of additional resources for services for immigrants, the organisation of campaigns targeting the whole population on migrants' living conditions and their “contributions” to society, training the media and public departments to improve the image of immigrants, etc.

Intercultural and inter-faith dialogue has for years been the focus of much political interest. The most attentive reflections in this area, such as the Council of Europe's Faro Declaration, have, moreover, called for this dialogue to also take into account other conflicts (social, economic or political) and not only cultural and religious matters. There has also been a call, as in the Council of Europe's White Paper on Intercultural Dialogue, to ensure that this dialogue does not conceal internal differences within communities such as age or sex. The different waves of migration, the internal differences in terms of subcultures or the great variety of traditions within an allegedly homogenous group should not be overlooked. One should remember that “cultures” do not exist independently of individuals: ultimately it is the individual who must be viewed as multicultural and be at the centre of dialogue and policies which cater for diversity of all types.

One should also be aware of the difficulties in setting up representative bodies of all groups and populations, especially if one wishes to avoid a situation in which it is only the political or religious elite who control such bodies, promoting their own interests and lifestyles. The approach of “inter- and intra-faith dialogue platforms between religious communities and/or between communities and policy-making authorities” (European Commission, 2005b: 10) should evolve towards the creation of platforms which, while reaching out to different groups and subgroups in an area, focus on finding solutions to specific problems and conflicts: the vast array of legal statuses, polarisations within the labour market, including the informal dimension, active awareness of cultural diversity in public departments and administrations, acknowledgement of the benefits to families from migrants, etc. In these areas, it is a culture of collective well-being, a transcultural public sense of ethics which can and must develop.

A cross-sectoral implementation of intercultural matters would appear to be the most suited to the practical needs of individuals and the concerns of justice and general legitimacy. The accessibility and effectiveness of the services provided, especially by the health-care sector and by schools, consequently require the development and systematic integration of “intercultural competencies”, enabling the relevant professionals to be able to interact with users and students of foreign origin, while at the same time promoting their active identification with these institutions. Moreover, utilising competencies of this type makes public services more attentive to the diversity of all and therefore contributes also to the collective well-being. Public recognition of the value of diversity and the ability to “travel among cultures” should go so far as to include an assessment of intercultural competencies in recruitment and training policies (European Commission, 2005b: 9) in both the public and private sector.

This diffuse intercultural approach also demands a radical change in the attitude of the media to ensure that efforts “to project accurate information about immigrants' cultures, religions and social and economic contributions” (European Commission, 2005b: 5) is not limited to isolated campaigns or events that help bring about a lasting change to the image of immigrants. Access by persons of foreign origin to professions in the information, communication and cultural industry, alongside enhanced general training on integration themes, is one of the key strategies which the public authorities should promote to ensure that this change is successful.

Adjustment and enhancement of diversity – there is fairly broad international consensus that the diversity of cultural expressions demands respect, recognition and active protection in all political fields, insofar as it reflects the life of the community and guarantees individual affiliations. This diversity is recognised by the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) as a “defining characteristic of humanity”, “a common heritage” and something which creates “a rich and varied world, which increases the range of choices and nurtures human capacities and values”.

For its part, the European Union includes in its Charter of Fundamental Rights, under the heading “Equality” respect of “cultural, religious and linguistic diversity” (Article 22) in general, whereas in the treaty, it formally undertakes to respect and promote “the diversity of its cultures”. In addressing migration issues, the European Commission includes amongst the elements of successful integration “the right to maintain his or her own cultural identity” (European Commission, 2003: 45). Apart from the Council of Europe’s conventions and charters in the field of non-discrimination, cultural heritage and linguistic diversity, it should be pointed out that the Revised Strategy for Social Cohesion considers respect for “the diversity of cultures, opinions and religious beliefs” as the context for ensuring “the dignity of each person and the recognition of their abilities”, two key elements of well-being and therefore of social cohesion.

Nonetheless, what is problematical in the field of diversity, particularly cultural diversity, is not its recognition (abstract) but institutionalisation and implementation (practical). In order to overcome these difficulties, we could have recourse to “the indivisibility of rights” as a precondition for uniting individual well-being and social cohesion. Suggesting a case-by-case assessment of the effect which a cultural demand has on the effectiveness of other rights and the rights of others, this criterion is a way of avoiding cultural rights being used by majorities against minorities (or assumed to be such) to assert an absolute claim to their existence and deny an individual’s right “not to be in agreement”. These conditions are especially important to ensure the well-being of migrants, and particularly women: in view of the fact that women now make up half of the migrant population in Europe, and, depending on the country of origin, even more than that, gender mainstreaming should be part of all migration policies (legal status and employability) and integration policies (access to education and services).

More generally, one could speak of a right to feel like and be recognised as a person, including everything that guarantees integrity of life and makes “voluntary self-ascription” possible. This, moreover, would ward off the risk of failure to recognise, only in abstract terms, the right to non-discrimination on racial or cultural grounds and not to develop policies (economic, social or other policies) enabling that right to be fully exercised. On the one hand, integrity of life cannot ignore general conditions in a given society, such as those safeguarded by traditional civil, political and social rights. On the other, the practical exercise of these rights makes it necessary to take account of the cultural differences of each individual. So the aim must be to provide, in the broadest possible base, the same opportunities and the same entitlements in terms of rights – in full awareness that, in order to be effective, these opportunities and entitlements must be compatible with individuals’ own characteristics, and indeed with the differences of culture, religion, gender, age, ability, etc., which people themselves regard as essential features of their personality (Oliveri, 2008: 36).

Combating exclusion and segregation – the most systemic strand of integration policies is to be found in the measures relating to the organisation of the municipality and services in order to meet the needs of the population which is being transformed as a result of migration and the new generations coming from an immigration background. One of the most iconic of these measures is the introduction in France of “priority education zones” (ZEP), intended to combat academic underachievement by providing additional resources to schools with a large proportion of children of foreign origin. Action of this type, in principle, has to go hand in hand with special investment, in terms of both human and financial resources.

Migrants and their descendants

In fact, early school dropout strongly correlates with low job opportunities: 25% of people who hold no diploma are unemployed, as compared with the 5% unemployment rate among people with a university degree. As such, school-sponsored guidance should start as early as possible. Special policy attention should be given to the early years of education, especially in cases where immigrant parents choose not to send their children to kindergarten due to its high costs. These circumstances can have serious long-term consequences; attending kindergarten is a crucial early step in pursuing an education, which may prevent later unemployment.

Under these approaches, the two main problems for people who live in these areas seem to be unemployment – in fact, many youngsters go directly from school to a state of unemployment – and language difficulties. To reach their target groups, in Germany many city councils started working with so-called “neighbourhood mothers” (*Stadtteilmütter*) and helped to build Neighbourhood Management Areas (NMA). These neighbourhood mothers live in the neighbourhood, have experience with children, speak German along with their native language (mainly Turkish), and they must be unemployed. They receive a six-month education, which includes a language course in Turkish and German. The NM holds regular meetings with the neighbourhood. Neighbourhood Management Areas are specific areas where a range of different problems may be occurring simultaneously. In these areas, a Neighbourhood Management Team establishes a small office to work together with groups such as the neighbourhood inhabitants, local entrepreneurs, housing companies and the local city department. Their aim is to collectively strengthen the area’s social networks and to improve the neighbourhood’s quality of life (DIU, 2003).

In these cases, integration policy is intentionally part and parcel of urban policy which, while it may not focus specifically on immigrant populations, is nonetheless one of the main aspects of government action to combat the latter’s difficulties with integration.

d. Conclusions

Today, we need to draw up a public discourse and a “post-integration” approach to cohesion policies in a pluralist society. If these are to be successful, two main conditions have to be met: the first is being open to the pluralism in our societies and the second is acknowledging the socio-economic problems for what they are and having the relevant policy tools. All citizens must be involved in this, given that they belong to the same society and for the sake of their hopes for its future, in order to combat “the real problems which are first and foremost social and economic exclusion, marginalisation, symbolic and territorial segregation and the structural and institutional discrimination experienced in schools, on the labour market, in housing, and in access to the media and public life, etc” (Ramadan, 2008a).

There is a danger of the ethnicisation and cultural isolation of a challenge which concerns all advanced industrial societies, making it difficult to detect the deep-rooted causes and the long-term solutions of the crisis of the “labour society”. In response, it is essential to frame global policies, while at the same time acknowledging the specific needs of migrants and their descendants without placing on them the responsibility for failed social integration, or for feeling “drained” from having to adapt or react to this situation of exclusion. An integration policy should be a global policy. It should encompass all the stages of the integration process, from arrival in the country to the acquisition of nationality and beyond, and should encompass all areas (housing, employment, training, health care, culture, etc.) and all citizens. One must no longer fall into the trap of ascribing cultural, religious or Islamic causes to socio-economic problems. It is for the sake of our common citizenship, fully aware of our shared responsibilities and our equal rights, that together we must fight against the shortcomings and internal contradictions in the functioning of our institutions and against any disparity between democratic ideals and the actual situation on the ground.

2.4. Well-being of all

a. Definition of the well-being of all

The Council of Europe's Revised Strategy for Social Cohesion and the *Concerted development of social cohesion indicators – Methodological guide*, which suggests policies to implement the principles of the strategy, defines social cohesion as “the capacity of a society to ensure well-being for all its members” (Council of Europe, 2005: 23). What distinguishes it from other approaches in this field, and which moreover has significant consequences for policies on migrants and their descendants, is the resolutely “universalist” approach put forward: only if it is shared, if it is defined and achieved collectively and not individually is well-being real and will help to develop cohesion in a society which otherwise is fragmented, unequal, plural, conflictual, etc., “even though well-being is essentially experienced individually, when it is considered jointly it becomes a social objective. The Council of Europe therefore believes that discussing well-being for all is an essential element of living in a community” (Farrell, 2008: 15).

The result of extending well-being to everyone is that the reference area, and the range and types of “goods” for achieving it, become universal and include interactions beyond purely local ones. The concept of well-being for all has to be a properly thought out construct, subject to constraints, consultations and mutual concessions. If the concept of well-being for all is to be expressed in policy terms, it must apply within a defined area, such as a region, establishment, place of work, neighbourhood, or town. Nevertheless, in determining its components and the conditions that make it possible, account must be taken of the division of responsibilities (Farrell, 2008: 16) between different decision-making levels and the structural and global conditions regulating the life of individuals, on the basis of the production and allocation of different types of “goods”.

The well-being for all approach does not deny those aspects that apply to individual well-being but simply shifts the focus of how it is perceived from the satisfaction of individual preferences to the formulation of agreed preferences. This approach also leads to the conclusion that individual well-being is a consequence not just of satisfaction and possession but also of sharing and, as such, is the product of interactions in response to the question as to how to “be well” in society. Reaching this goal does not depend on an innate feeling of solidarity and goodness, nor a sort of moral obligation, but rather on understanding the independence between individual well-being and satisfactory standards of living accessible to all (Farrell, 2008: 16-17).

Unlike this utilitarian view, which considers well-being as the broadest and most sustainable possible fulfilment of one's own individual preferences, and the common good as the sum of the different realities of individual well-being, the view of the good life focuses on people's attainments in terms of living conditions, on their behaviour and on the achievements that may result. What is important is not so much the satisfaction obtained as people's capability to act, that is their capability to perform a number of facts (or functionings) which enable them to reach a goal that is not necessarily the pursuit of their own well-being, but reflects a degree of personal achievement (Sen, 1985). This “capability approach” moves beyond a society based solely on the management of resources, particularly goods and services consumed; it devises a form of society that focuses on people's potential and functionings so that they will be more capable of making the life choices they want for themselves and with others (Dubois, 2008: 85).

The specific nature of well-being and its universal accessibility, the subject of this approach, has major consequences for the political expression of this concept. First of all, with regard to its definition, the well-being of all is impossible to grasp completely other than through a two-dimensional reasoned approach that is both individual and interactive between different individuals. If well-being is analysed by means of statistical, sociological or purely individual psychological approaches, only one aspect of well-being can be dealt with,

giving results which are partial or indeed misleading. In other words, well-being is a subjective concept able to be defined only by the individual himself or herself, but not in an absolute, irrational and incommunicable way, but in relation to reasons which can be shared and to arguments which can be debated and discussed publicly. Which is why the concept cannot be grasped or achieved by each individual alone but only by all the members of a group (living in a given territory, working in a given firm, etc.) experiencing the same social conditions. In this way, “the definition of well-being for all is thus fundamentally democratic in nature. It must be possible for citizens to play their part in the definition process” (Thirion, 2008), or indeed for all those who live in the same political space.

Attainment of this concept of well-being for all involves “knowledge needs” of primarily two types. On the one hand, we need to establish the extent to which society is capable of engaging in (and effectively engages in) activities (in terms of production, consumption, leisure activities, etc.) which ensure well-being for all, while generating and preserving the necessary goods. On the other, we must ascertain what needs to be done, in a given situation, so that society effectively engages in activities which ensure well-being for all, while generating and preserving the requisite goods (Thirion, 2008: 41). Account must be taken of the two levels at which these questions are asked: at the level of each human activity and at the level of all social dynamics.

In order to tie the definition of the well-being of individuals (including their variables and possible developments) to constants, the *Concerted development of social cohesion indicators – Methodological guide* (Council of Europe, 2005) suggests that the cohesion of modern societies be viewed as relating to four key dimensions: equity in access to the resources required for personal fulfilment, individual and collective autonomy, personal and group recognition, participation in social and public life (Council of Europe, 2005). Each of these four dimensions has a visible element (living conditions, conduct of public and private stakeholders, knowledge), in parallel to the tangible and intangible factors of well-being.

It is in relation to these four dimensions that one can attempt to assess and further develop policies and the conduct of the players concerned so as to bring about the well-being of all, by focusing the analysis simultaneously on:

- the different types of goods and relevant resources;
- the full cycle of public policies and the actual levels of participation;
- the network of players and their interactions.

Without this initial simultaneous analysis, there is a danger that the criteria of well-being could be abstract in relation to the actual decision-making arrangements and, therefore, ultimately ineffective.

Table 7: Level of citizen participation in the different policy stages (from the policy-making point of view)

Policy stages/ level of participation	Vision and analysis	Solution strategies	Action planning	Implementation	Monitoring and assessment
Lack of relations					
Manipulation					
Information					
Consultation					
Co-management					
Transformation					

Table 8: Relations between public and private players (including the third sector)

Lack of relations	Delegation	Monopolisation	Collaboration	Complementarity	Learning

b. The “well-being of all approach” vis-à-vis inclusion/exclusion of migrants

There is a danger that the well-being of all approach, as described in broad terms above, will remain purely conceptual and therefore ineffective once extended to migrants and their descendants, if it fails to take into account the structural obstacles to their well-being as commonly understood. The very expression “migrants’ well-being” sounds strange to our ears: it assumes that there is a general and widespread perception of a divergence between the rights and interests of nationals, “European citizens”, and those of non-nationals, “third country citizens”. This perception becomes all the more explicit and unequivocal in the context of diminishing resources, heightened commercial competition and the crises in the productive, consumption and financial system which periodically affect our economies. Accordingly, instead of reconciling the well-being of migrants with the well-being of all, considering it as an increasingly negligible part of the collective interest from the demographic point of view, there is a tendency to ignore the demands made by individuals of foreign origin or to categorise them as “excessive”, as a threat to the rights and living standards of the national population.

This attitude is more common in Europe than one would imagine: the results of a survey carried out in 2003 confirms the view that “immigrants should not have the same rights as we have” (EUMC, 2005). This, however, conflicts with another survey, carried out the same year, showing widespread disapproval of Europeans to ethnic and racial discrimination (Eurobarometer, 2003). Reference has been made in this connection to “welfare chauvinism” (Habermas, 1991) deeper than conscious moral convictions. It is not enough to challenge this from a normative point of view: rather one must attempt to deconstruct it by focusing on the way it is commonly expressed and the reasons for this, and to suggest a new and more relevant description of “we Europeans”, redrawing the boundaries of our solidarity and broadening our ability to identify ourselves with the life and specific features of others (Rorty, 1989).

“They are not from here.” “They shouldn’t even be here.” “There are too many of them here.” These expressions illustrate in an extreme way the difficulty in contemplating coexistence between nationals and non-nationals, Europeans and non-Europeans: they also show an ideal, common core, that of a “here”, a “native” community of belonging, whether at the level of an apartment building, neighbourhood, village, town, country, continent, in relation to which those who come (or are suspected of coming) from “elsewhere” tend to remain external and fundamentally transitory elements. This fact of being outside the “community”, conceived as being integral and homogenous, self-sufficient and with clearly defined boundaries (Bauman, 2000), may go some way to explain the resistance to extending solidarity to migrants or to redistributing and sharing the costs and benefits of living together, which one is generally willing to offer to other disadvantaged members of society. A survey carried out in western Europe shows fairly clearly that there is a “hierarchy of solidarity” towards the “weakest” groups in society, such as the unemployed, the sick, the disabled and the elderly, and migrants regularly receive the least solidarity amongst these groups (van Oorschot, 2005).

In the light of these fixed perceptions of “us”, discourse on human rights making access to well-being available to everyone is still too recent and politically too weak to become generally accepted. The strategy proposed here consists of approaching the concept of the “well-being of all” on the basis of an idea and practice of citizenship separate from nationality. This will have beneficial effects on public policies in so far as policy makers, practitioners, migrants themselves and every individual concerned would undertake to:

- reformulate the problems of immigrants or “the problems which immigrants pose for destination societies” (Sayad, 1999) in terms of collective problems, bearing in mind that there is virtually no social or political challenge affecting migrants and their descendants which does not also affect, even if only indirectly, the rest of the population;
- seek out, in each area of life, points of interaction and convergence between the needs and legitimate expectations of each and every one, bearing in mind that the current phase requires joint action by all groups in society who are all less secure because of the transformations and the present crisis;
- increase the opportunities for exchanging views and taking part in the decision-making process (Bobbio, 2004), clarifying the real issues at stake, the conflicts and responsibilities in the field of well-being, accommodating diversity, creatively reconstructing identities, transforming terminology, and the day-to-day practices and functioning of institutions.

c. Definition and dimensions of “citizenship”

The key theoretical and practical central point in the field of citizenship is its identification with nationality, as an individual’s exclusive affiliation to a national state or possibly two states, if the latter authorise dual nationality. This identification is the effect of a state-oriented logic, of the dominant political and administrative culture in modern Europe which went hand-in-hand with the birth of a legal system focused on national, sovereign and independent states, mutually recognising each other in the network of inter-state relations. The construction of borders, both internal and external, between everything viewed as “national” and everything which, in contrast, was set aside as being “non-national”, is at the heart of this political and social order which ultimately, following the Second World War and decolonisation, took on a virtually worldwide dimension and which at present, in the age of globalisation, is undergoing radical change (Sassen, 2006a).

The movement and presence of migrants constitute a head-on challenge for this system of norms and thought, questioning the very construction of national political space, or political space full stop. “It is the state which, when turning its thoughts to immigration (or emigration), creates its own vision of itself” (Sayad, 2006: 161), and develops its principles and its values, the underlying reasons for its social cohesion, the extent of its obligations to its own citizens and to other states.

Without wishing to abandon the idea of belonging and the access to rights which this provides, but seeking to go beyond the nationalist perspective, we need to use the concept not in a legal sense, coinciding with nationality, but rather in a sociological and political sense. Citizenship will therefore be defined as “an individual’s full affiliation to a living community”, an affiliation entitling access to fundamental rights and requiring a commitment of co-responsibility and solidarity towards all fellow citizens. Viewed in this way, citizenship is no longer a given status or one acquired through “naturalisation”, rather it is “a matter of consultation, negotiation, compromise” (Bacelli, 1994: 144) between social groups, the results of which constitute the material and symbolic basis of social cohesion. Citizenship of this type, fully deployed, coincides with the well-being of all.

Similarly, “advances in citizenship” in terms of persons having rights and the material extension of rights, are neither linear nor given once and for all: there may, for example, be an extension of certain rights in certain areas of life, for certain categories of the population, etc., coexisting with the contraction of rights in other categories, in other sectors of society. Furthermore, while respect of rights is one of the foundations of the legitimacy of public authorities and one of the factors which holds society together (Habermas, 1992), violations or regressions may be (and very often are) absolutely implicit: they coexist therefore with statements regarding equal treatment, inclusion, recognition, democracy, etc. (Morris, 2002) and denouncing them is a particularly demanding undertaking. In order to gauge and support advances in citizenship, and

therefore in the well-being of all, politically we need to combine the two concepts on the basis of their respective fundamental dimensions.

The first dimension of citizenship concerns the “construction of the reference community” (Anthias and Yuval-Davis, 1992). Being citizens means first and foremost recognising oneself and being recognised as part of a living community. This community, for more than a century, was the nation. However, this is not synonymous with citizenship, but the result of a long process of nation building (Hobsbawm, 1992): the correlation between affiliation and nationality had a beginning and could also have an end.³¹ Without overlooking the predominant role played by state institutions and national areas of negotiation and participation in achieving citizenship rights and representative democracy, it is nonetheless possible and perhaps necessary to consider that the national community is no longer the only or the main reference community for citizens of today and those of the future, not only from the cultural and psychological point of view, but also as a vehicle for the attribution of fundamental rights.

This dimension recognises the crucial importance of belonging to a politically structured group as a precondition for the exercise of rights: “citizenship, as recognised and legitimate inclusion in a given social and political order is the exclusive precondition for social personality, and not vice versa”, despite the fact that human rights declarations sometimes envisage man in the abstract, outside any society (Dal Lago, 2004: 217). In relation to this fundamental dimension, there is a genuine right to political membership, and the “state of permanent alienage” should also be considered as a violation of fundamental rights (Benhabib, 2004: 3). For any full members of advanced societies, possession of legal personality goes without saying. Likewise, as the history of the 20th century has tragically shown, “it is not the fact of having a human face ... which forms the specific basis of a relationship between ourselves and others. It is rather that this same relationship, in terms of a shared legal and political space, exclusively enables us to recognise the face of others” (Dal Lago, 2004: 220), and enables others to recognise our own “right to have rights” (Arendt, 1967: 297). This is ultimately the result of a political decision sanctioned by law, as it is through the law that one attributes certain rights to certain categories of people (Ferrajoli, 1994: 273). By virtue of this type of decision “anyone who expects to exist socially is frustrated in this expectation, and ceases to exist” (Dal Lago, 2004: 221) in the public arena, and is made invisible. The case of undocumented migrants is the typical result of such arrangements.

In order to establish itself, the community of citizens does not necessarily need strong consensus on fixed values, practices and living conditions, the same language, the same religion, as is the case in a substantialist vision of the nation. On the contrary, citizen-based communities should take pluralism into account as this affects the forms and styles of life; they must accept that their members may quite reasonably not be in agreement on a number of questions, they are therefore obliged to integrate not on a “basis of shared values” but on “the practices of citizens who exercise their rights and freedoms” (Habermas, 1996). In the interests of substantive fairness, it has become clear that it is discriminatory, even indirectly, to consider citizens as neutral subjects and to treat in an equal way individuals who are in different situations. Age, sex, “race”, origin, life history, sexual orientation, disability, etc., are dimensions of actual individuals to be taken into account in citizenship policies, in two directions: focusing particular attention on the implementation of rights and, where appropriate, developing specific rights. Awareness of this diversity which is internal to every human community suggests that the idea of the community itself and the boundaries be regularly subject to revision (Benhabib, 2004).

31. Regarding the beginning and the completely political production of the concept of nation and national identity, a telling episode is mentioned by Bauman (2004), concerning the census ordered at the beginning of the 20th century in Poland. In almost one million cases no reply was received regarding nationality. When people were asked to state their nationality they replied simply that they did not understand the question and said “we are from here ... the administrators of the census had to surrender in the end and add ‘the locals’ to the official list of nations”.

In the light of these considerations, there is nothing to prevent one considering as the basis of citizenship the local community and to link fundamental rights to residence or to mere presence in the territory. This latter mechanism is, moreover, already in operation in the Council of Europe's main legal instrument, the European Convention on Human Rights, the rights enshrined in which are recognised without discrimination as applying to all those under the jurisdiction of member states. Local citizenship and cosmopolitan citizenship therefore adopt the same universalist approach, seeking to exclude no one from the enjoyment of fundamental rights. Where citizenship has on occasion been challenged as a factor of discrimination and exclusion (Ferrajoli, 1994), this has been in its nationalistic version. The idea of local citizenship, moreover, picks up on a particular tendency in modern times, namely to extend the number of rightholders (Bobbio, 1990) and a willingness to reach out to actual people, in all their diversity, rather than abstract man generalising the characteristics of dominant groups (Bacelli, 1994).

The second dimension of citizenship concerns the typology and extent of rights which are, or should or could be recognised by the authorities to members of the political community. More particularly, what is crucial for the material substance of citizenship is the intersection, "the link between enjoyment of a series of rights and affiliation to a specific political community" (Bacelli, 1994: 130).

There is a multitude of different rights which have emerged at different points in history, thanks to a particular level of economic development and following instances of political claims, until formalised in the course of the 20th century in the national democratic constitutions and international conventions. Despite the underlying claims of the indivisibility of different types of rights (de Schutter, 1997), which clearly would be the optimum situation, they do not all have the same legal or political recognition, some being considered *de facto* more fundamental than others. While rights are the result of the collective fight by citizens or aspirants against tyrannical and arbitrary public authorities, and against exploitative and polluting economic powers, in other words the fruit of a process of challenge and new distribution of power, the substance of rights may change and evolve as well. The general categories continually give rise to new formulations, in response to advances in the technical capacities of society, scientific discoveries, progress in medicine, the dangers of technology, changing outlooks, lifestyles, the ideas of well-being disseminated in society, etc. (Bobbio, 1990). It is because of all these simultaneous pressures that there is no universal consensus on the substance of rights and on the reasons for their validity. It is also because rights derive from different areas of life and are occasionally in response to the demands of certain groups more than others.

The third and fourth dimensions of citizenship concern the effectiveness of the status itself and the attached rights. In this respect, it is a question of criticising the policies and initiatives implemented whenever the legitimate claims of citizens in respect of the well-being of all are given no guarantees or practical effect. This is the case of shortcomings in legislation, in implementation, in access to justice, etc. and any other situation which weakens rights and claims to such rights and which, for example, reduces formal equality of opportunity without attending to equality of results.

There are two main strands to this concern for effectiveness: the capacities of the people concerned themselves and the quality, or good governance, of policies and practices. On the one hand, the question of effective citizenship can be approached from the point of view of the information, competencies and abilities which the holders of these rights have in order to be able to enjoy them; on the other, it can be approached from the point of view of normative attitudes, institutional culture, professional ethics, in short the capacity of the authorities and the practitioners responsible to ensure the well-being of all and secure visible consequences in terms of the quality of policies.

The two dimensions are closely linked, as there is a range of interactions between citizens and institutions, citizens and operators on the ground, which is crucial for the innovation of policies and the thinking underlying them. This is the field of “democratic iterations”, which are “complex processes of public argument, deliberation and learning through which universalist right claims are contested and contextualised, invoked and revoked, throughout legal and political institutions as well as in the public sphere” (Benhabib, 2004: 19). In this way, it becomes possible, for example, to contest the exclusion or partial application of rights, making stakeholders reflect on their responsibilities, the legal system on its rules, practitioners on their code of ethics, and everyone on his or her democratic convictions, etc.

Table 9: Dimensions of “citizenship”

I	Status (“right to have rights”)
II	Rights
III	Capacities
IV	Governance

d. Guiding principles for citizen well-being

Table 10 shows the principles which, at the intersection of the dimensions of well-being and citizenship, make it possible to evaluate for the purposes of social cohesion the policies for migrants, and in particular the effects of these policies on each aspect of their life and the conduct of the different individuals and institutions concerned.

Table 10: Principles for progress in well-being in the light of the dimensions of citizenship

Well-being/ citizenship	Status	Rights	Capacities	Governance
Autonomy	uncertainty/ stability	fragmentation/ indivisibility	subordination/ empowerment	dispersion/ coherence
Equity	individuality/ universality	arbitrariness/ certainty	disaffiliation/ opportunity	special focus/ globality
Recognition	rigidity/ multiplicity	fundamentalism/ pluralism	silence/ speaking out	standardisation/ differentiation
Participation	unilateralism/ negotiability	concession/ claim	passivity/ interaction	paternalism/ co-responsibility

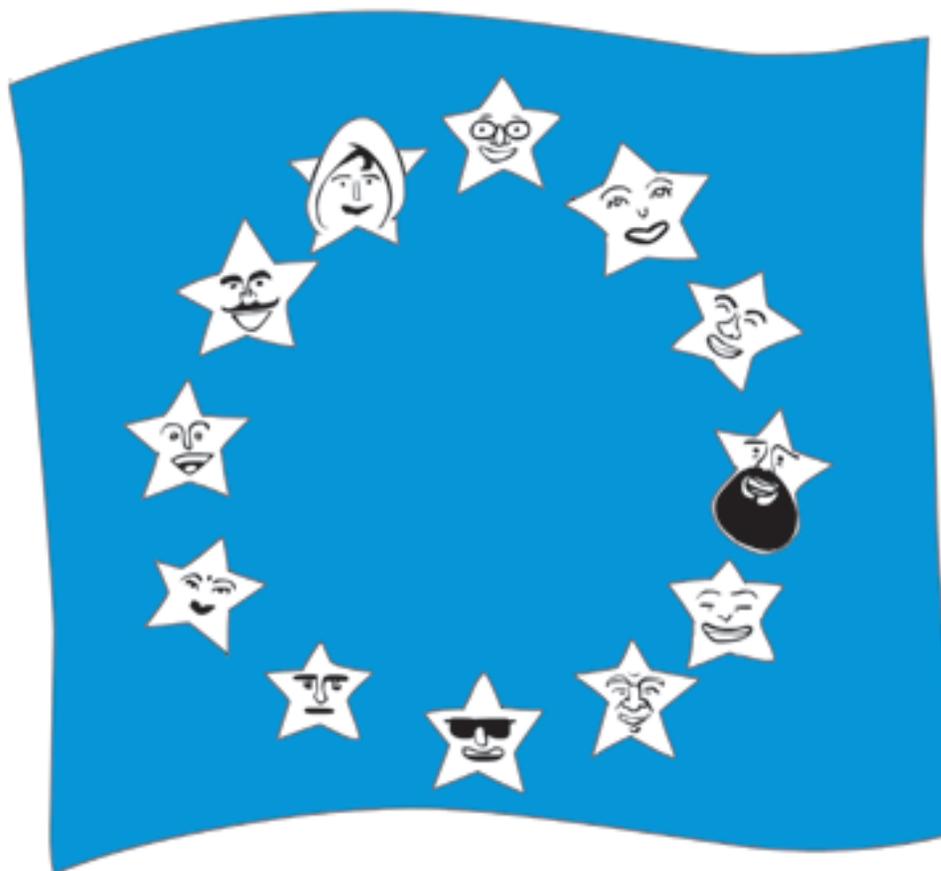
It also offers a possible approach to promote and verify “progress in well-being” (Thirion, 2008) or better still, improvement in the quality of policies to bring about the second, more positive, turn in each pairing. The aspects of life of migrants and their descendants in relation to which it would be worthwhile adopting this table are the following: mobility; economic and professional life; housing and living environment; health and social welfare; private and family life; education and cultural life; information and communication; public and political life (Council of Europe, 2005).

e. Deliberative methods in the field of the well-being of all

Well-being criteria can be defined in conjunction with citizens in a three-hour session with a large number of citizens (at least 60) using a group-based methodology based on the world cafes used in the *Future Search* approach, adapting this method to reflection on well-being. To begin with, citizens are asked to divide up into small groups of 8 to 10 people of similar age, sex, ethnic origin and/or occupational categories (for example, a group of young people, a group of immigrants, a group of people with disabilities, a group of elderly people, a group of housewives or an ethnic minority group). Each of these groups defines its own well-being criteria on the basis of four questions (the questions may be slightly different depending on the case, but care should be taken never to predefine the categories of well-being):

- What does well-being mean for you?
- What does ill-being mean for you?
- What needs to be done for the well-being of all?
- What do you do, can you do or are you willing to do to change the situation?

Within each group, members first of all think about these questions on their own, writing down their criteria on post-it stickers. A group reflection phase follows with all the individual stickers put on a large sheet or display board visible by all, and then a group summary is produced. In all, this should take about an hour. Then “multi-profile” groups are formed with one person from each of the single-profile groups. Supposing one had single-profile groups of eight people, it would be possible to form eight multi-profile groups, which will attempt to define the criteria of well-being for all, summarising in an inclusive way the criteria identified in the single-profile groups, ensuring that diversity is taken into account. In this way, it should be possible to reconcile different points of view, with creative and innovative solutions, or solutions that accommodate diverse demands (Thirion, 2008: 78-79).



CHAPTER 3 – REDRAWING THE MAP OF STAKEHOLDERS AND SHARED RESPONSIBILITIES

3.1. Introduction to stakeholders' responsibilities in migration processes

a. Policy implementation, motivations and stakeholders' responsibilities

It is not easy to implement policies on immigration and interaction in a pluralist society in order to guarantee the well-being of migrants and the well-being of all. The difficulty of transforming ideas into effective action does not only stem from lack of political will on the part of governments and business people and resistance from public opinion fuelled by fears and harmful stereotypes about migrants and their descendants. The institutional environment in which all policies are now carried out, which is complex, fragmented and lacking in transparency, is also a factor. Governments and the various ministries do not have a monopoly on decision-making powers and influence in the migration field. A great many governmental and non-governmental organisations both national and international, as well as various social stakeholders, have the ability to influence migration processes in Europe, from the political agenda to decision making and the implementation of policy monitoring (Zincone and Caponio, 2006).

Therefore, in order to encourage the desired change, it is not enough to propose categories and practices as alternatives to the dominant ones, ensuring that they are more appropriate to a social project that is both cohesive and pluralistic. What is essential is to indicate clearly who is going to devise and implement this new political framework (Bauman, 1999), under what general conditions and in what relation to the various stakeholders, and on the basis of what standard-setting arguments and developing what collective capacities.

Firstly, the map of political, social and economic stakeholders responsible in various ways for contemporary migration processes in Europe has to be redrawn. Without a clear understanding of the different spaces – public, private and public-private – the different types of stakeholders – institutions, organisations, associations, communities, families, professionals, business people – and the different levels of action – global, European, national, regional, municipal – the best ideas and political programmes will remain vague or will run the risk of failure. At the same time, it is important to try to clarify what the motivations are – control, integration or the well-being of all – of the different stakeholders, or at least the underlying paradigms.

This two-fold clarification – of who does what in the migration field and of the prevailing political paradigm – would be to the advantage of both the policy makers and migrants. The former would have a better idea of the complex territory in which they were working, and of the “network of policies” and the co-operative or conflictual interactions between the levels and institutions in which their initiative was deployed: in effect, each policy maker tends to operate with his or her own categories and perspectives, which does not make it easy to construct coherent and integrated policies. Migrants could minimise their frustration at the lack of transparency of institutions and normative frameworks, which sometimes compete with or contradict each other because they are inspired by different paradigms: they would be able to overcome their fear of being “trapped by bureaucracies”, even where these are badly organised or organised for a “national public” whose expectations and values they embody, thus involuntarily producing discrimination against migrant populations and “minorities” (Bommes, 2008).



b. Multiplication of stakeholders and reallocation of responsibilities

For a long time it was believed that migration was essentially the result of interactions between two main, clearly asymmetric, stakeholders: migrants on the one hand and the national state on the other (Sassen, 2006b). Nowadays, while the state continues to play the most important role in migration policy making and implementation, the state itself has been transformed by the development of a global economic and financial market, the growth of communications between countries and other transnational processes, such as the development of an international system of human rights (Benhabib, 2004). Generally speaking, the stakeholders who take part in public debates and the development and implementation of policies on migrants are far more numerous and varied than they were twenty years ago. The field of contemporary migration is in fact governed by a “multi-stakeholder governance”, except that the stakeholders do not have the same political weight or the same visions of the present and future.

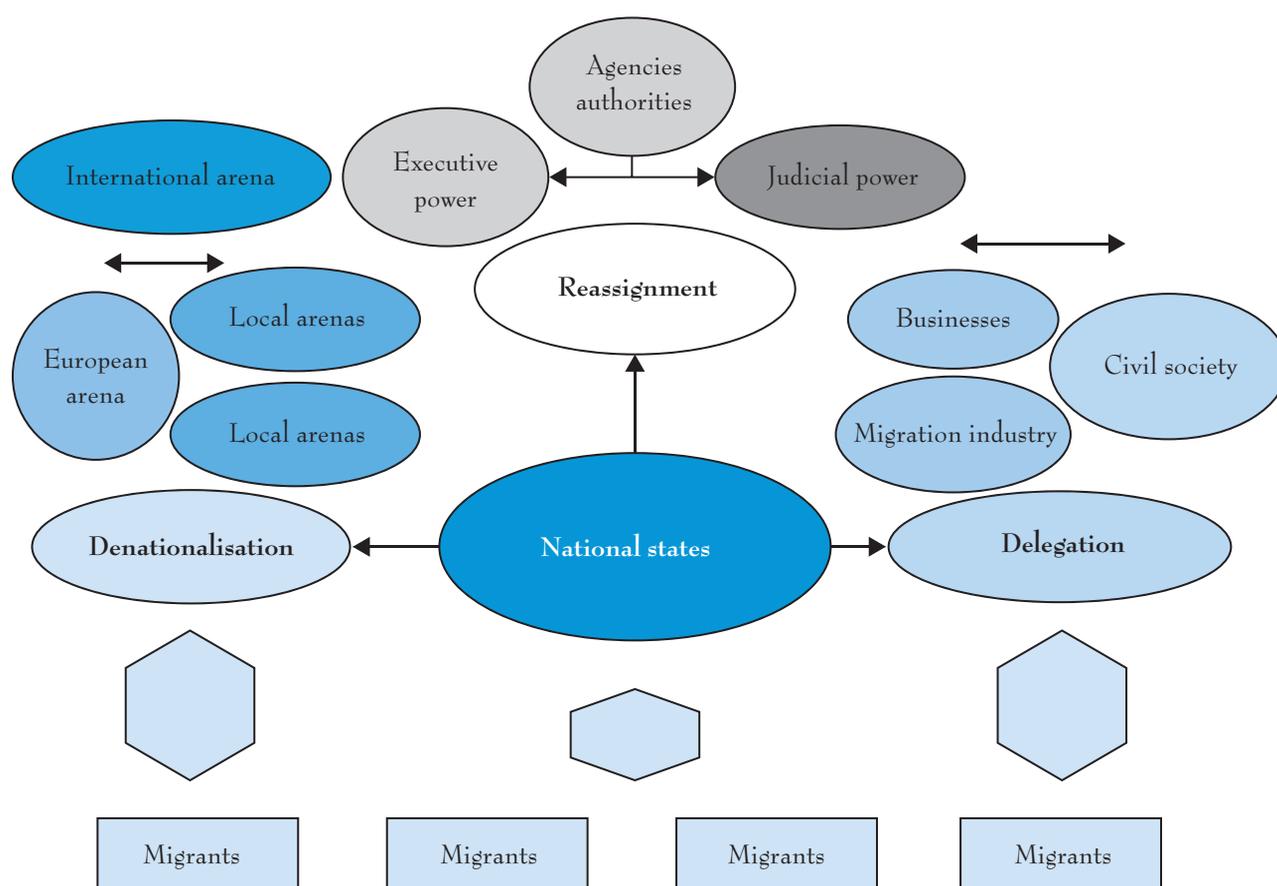
It is also important to include among those responsible for migration processes certain players who are not generally recognised as having a role in international migration because their action is primarily directed at other fields, but which, one way or another, drive the poor and the not-so-poor to migrate. Examples of this are multinational corporations through their role in internationalising production, with the associated displacement effects of local small-scale producers and firms, and the establishment of linkages between the capital-receiving and capital-sending countries involved; governments through their military operations, with the associated displacements of people and ensuing flows of refugees and migrants; IMF and World Bank austerity measures and structural adjustment programmes through their role in opening up poor countries to foreign firms which tend to devastate traditional, often labour-intensive, economic sectors, and through their role in forcing indebted governments to allocate enormous shares of revenue to paying debt service rather

than to health, education and other components of development; the EU and the US through their excessive agricultural protection programmes (Sassen, 2006b).

The mapping proposed here is a requirement born of this multiplication of stakeholders and levels of action involved in the migration process. Particular stress is placed on the reallocation of responsibilities among stakeholders and levels of action on:

- the denationalisation of conventional state powers (Cassese, 2002) in the political, legal and social and economic fields, towards the international and global arena, with the very particular importance of the European macro-regional dimension, and “local arenas”, with the importance of the regional, communal and neighbourhood dimensions (Caponio, 2006);
- the reassignment of state powers, generally at the expense of elected assemblies and in favour of the executive (Sassen, 2006a) and the judiciary (Ferrarese, 2002), as well as special administrative or judicial agencies;
- the delegation of public powers in terms of socialisation to public-private spaces formed by the media and the multitude of “civil society” stakeholders, and in terms of privatisation to traditional businesses, a new “migration industry” (Castles and Miller, 1993) and families.

Figure 4: Dynamics of the reallocation of responsibilities in the migration field



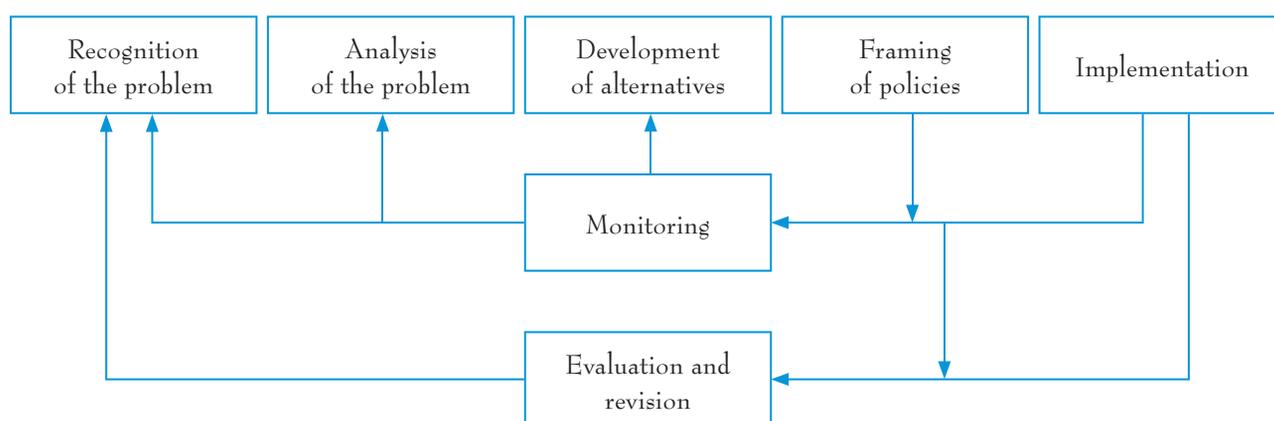
To put it plainly, each arena contains a plurality of different subjects, including from the point of view of the main underlying rationale for its action (public, private, public-private), forms of organisation and governance (institutions, agencies, organisations, establishments, networks, businesses, etc.) or function (media, civil society). The dynamics of responsibilities needs to be supplemented by a more traditional table of the stakeholders involved in migration policies (Table 11).

Table 11: Stakeholders by type and category – Examples

Public	Institutions	State powers (legislative, executive, judicial), ministries, ad hoc committees, statistics offices, consulates, regional and local authorities, etc.
	Agencies authorities	Border, immigration, human rights, anti-discrimination agencies/ authorities, etc.
	Establishments	Hospitals, schools, police, public services, social services, universities, research centres, etc.
Public-private	Networks	Public-private consultative bodies; forums; platforms for dialogue
	Media	TV, radio, press, Internet
	Civil society	Associations, NGOs, think tanks, social movements, trade unions, employers, political parties, active citizens
Private	Businesses for migrants	Transport companies, gang-masters, people smugglers, visa issuing agencies, employment, housing and financial remittance agencies, economic initiative support agencies
	Businesses with migrants	Sectors of production and services in which the manpower and economic initiative of migrants and their descendants are concentrated
	Families and other networks	Members of the nuclear family, family networks (including transnational), friends, colleagues, neighbours

In order to complete the analysis, it is essential to take into account the contribution of each and every one of the stakeholders at the different phases of the “life cycle” (Andersen, 1975; Fischer, Miller and Sydney, 2007) of policies. It is in particular in relation to these phases and their general coherence (Figure 5) that the existing and desirable degrees of responsibility shared by the various stakeholders can be evaluated in detail. It often happens that there is an unreasonable “division of effort” between those responsible for the process which fails to take into account their different capacities, visions and interests and consequently increases the risk of unilateral and contradictory actions.

Figure 5: “Life cycle” of policies



3.2. Denationalisation of state powers

a. Internationalisation

In a political context dominated by “state thinking” (Sayad, 1999), there is a tendency to obscure or trivialise the contribution that international organisations and initiatives can make to the governance of migration. While it is true that in the past stakeholders in the supranational space generally had a limited impact on the development and implementation of national policies in this field, it is nonetheless the case that their influence began to increase in the 1990s. International institutions are thus exercising growing soft power on countries of destination, requiring the human rights of migrants to be upheld. In relation to countries of departure their role is more that of a transmitter of information and expertise in order to facilitate responsible management of flows and to put to good use migrants’ skills and remittances in the context of local development.

Since its foundation in 1945, the United Nations has produced a great many legal instruments protecting human beings as such, regardless of the nation to which they may belong. These therefore constitute a key reference for a governance of migration inspired by the well-being of all and particularly migrants’ fundamental rights. Despite the existence within the United Nations of bodies and ad hoc committees responsible for monitoring and “imposing sanctions” for violations by countries (Kedzia, 2003), the International Convention on the Elimination of all Forms of Racial Discrimination (1965), the International Covenant on Economic, Social and Cultural Rights (1966), the International Covenant on Civil and Political Rights (1966) and the Convention on the Rights of the Child (1989) too often remain at the level of moral and political pressure. National courts can, nonetheless, invoke these conventions in order to strengthen their arguments on human rights, even against member states. Only the Convention relating to the Status of Refugees (1951) enjoys a fairly major force, particularly since it is specifically mentioned in the Charter of Fundamental Rights of the European Union (Article 18). In any case, these international instruments offer an important source of legitimisation and a basis for complaints to non-governmental organisations and the social movements that defend migrants’ rights (Wiseberg, 2003).

Having said that, the right to human mobility is still only inadequately recognised by international law: while, on the one hand, the fundamental right to leave a country, including one’s own, is asserted (Article 13.2), on the other, except for potential refugees, there is no right to be admitted to the country in which one wishes to reside. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which entered into force on 1 July 2003, should now be added to these United Nations instruments. It regulates most aspects of international migration but has not been signed by any member state of the Council of Europe, apart from Bosnia and Turkey. “The ILO and United Nations instruments specifically concerned with migrant workers have similar overall aims: to further the rights and protections of persons migrating for employment and to discourage and eventually eliminate irregular migration. The United Nations Convention’s definition of ‘migrant worker’ is broader than that of the ILO Conventions (the United Nations Convention covers frontier workers, seafarers and the self-employed), and the definition of ‘family’ in the United Nations Convention is also broader than the definition in the ILO Conventions. In terms of substantive coverage, Part III of the United Nations Convention enumerates the civil, political, economic, social and cultural rights applicable to *all* migrant workers and members of their families irrespective of whether they are documented or non-documented” (ILO, 2004: 85). In principle, responsibility for applying the convention lies with states, but Article 72 of the convention establishes a committee to review its application – the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families – composed of 10 experts elected by the states parties and sitting in a personal capacity (OHCHR, 2005).

With regard in particular to the rights of migrant workers, international standards are set and supervised by the International Labour Organization. All member states have a duty, simply by virtue of their membership of the organisation, to respect, promote and put into practice four categories of principles and rights at work, even if they have not ratified the specific conventions on migrants: freedom of association and effective recognition of the right to collective bargaining; elimination of all forms of forced and compulsory labour; effective abolition of child labour; elimination of discrimination in respect of employment and occupation. Further obligations are contained in the two specific conventions, Nos. 97 and 143, and in the accompanying recommendations. The former is the Migration for Employment Convention (1949), which regulates the movement of migrant workers between labour market of origin and host labour market, emphasising the principle of equal treatment and non-discrimination with regard to migrant workers. The latter is the Migrant Workers (Supplementary Provisions Convention) (1975), the first time migration in irregular conditions was dealt with by international law. The ILO also has a soft law instrument – the Multilateral Framework on Labour Migration – which deals particularly with questions of governance, including the competencies and responsibilities of all stakeholders – public, private and public-private – involved in the migration process, in the country of origin, destination and during the journey.

There is also an international intergovernmental organisation whose sole remit is to deal with migration: the International Organization for Migration (IOM). Founded in 1951 as a counterpart to the United Nations refugee agency (the UNHCR), the IOM's role is to support states in the development of policies and programmes guaranteeing successful migration for all. For this purpose, the organisation advocates the concept of humane and orderly management of migration, strives to promote international co-operation in the migration field, provides legal and practical solutions to migratory problems, develops a pre-departure information and training system aimed at “preventing” migration, and provides some humanitarian assistance to migrants in need, including asylum seekers and internally displaced persons, particularly in the sense of “voluntary return” to the country of origin. In the past, some IOM programmes deployed in these last sectors, which are particularly sensitive from the human rights standpoint, have been criticised by non-governmental organisations and social movements more committed to the protection of rights and the promotion of a genuine right to international mobility (Düvell, 2003; De Fabel, 2004).

The supranational space has also been occupied by a great many platforms for dialogue of varying degrees of stability and formality dealing with migration and trying to promote mutual understanding between countries of departure, transit and destination. There are at present more than a dozen such platforms in the world, most of them having been established in the last 10 years. They have a wide variety of activities, first and foremost sharing information, experiences and best practices among countries, as well as developing political and legal co-operation on migration and the effects migration may have on the economic development of countries of origin. These platforms are macro-regional, inter-regional and global.

In some cases, regional consultation processes take the form of stable committees, such as the Council of Europe's European Committee on Migration (CDMG). The CDMG held its first meeting in Strasbourg from 3 to 5 December 1979. It was initially called the Steering Committee for Intra-European Migration. The current title, the European Committee on Migration, was introduced in 1987. It works on the basis of terms of reference adopted by the Committee of Ministers of the Council of Europe. Its main task is to develop European co-operation on migration, the situation and social integration of populations of migrant origin and refugees, and community relations. Through its work the committee aims to influence government policy and practice in the member states of the Council of Europe. It therefore essentially targets government policy makers and public officials responsible for delivering services to migrants at both national and local level. Parliamentarians and academics interested in migration issues, non-governmental and voluntary organisations working with migrants and migrants themselves will also find the work of the committee relevant.

The committee recently established a broader consultation body, the Political Platform of the Council of Europe on Migration, a formal structure aimed at establishing regular regional dialogue on the construction of a governance of migrations that complies with human rights. It brings together Council of Europe member states and interested countries from Africa and Asia with a view to promoting dialogue and partnership between countries of origin, transit and destination. Under its terms of reference, the Political Platform initiates dialogue and explores the possibilities for improved co-operation at different levels, depending on the issues under discussion between government structures and ministries, parliamentary assemblies, local authorities and non-governmental organisations from the participating countries; identifies migration challenges and explores the possibilities for pursuing appropriate action and follow-up; explores the possibilities for follow-up action to be undertaken by CDMG or other structures of the Council of Europe. The Political Platform therefore provides a forum within which representatives of governments, parliaments, local authorities and NGOs, as well as other international organisations, can discuss policy development and set standards on migration that respect human rights.

Moreover, since the 1990s, in view of the new geography of migration, many platforms for dialogue on migration focusing on border control issues have emerged in Europe. For example, the Budapest Process was established in 1991 to manage migration from the former socialist countries of eastern Europe. The Dialogue on Mediterranean Transit Migration has, among other things, sought to minimise and prevent illegal migration (Simon, 2006). The Forum for Dialogue in the Western Mediterranean, also known as the 5 + 5 Dialogue, launched in 1990 and last held in Rabat in 2008, focuses among other things on bilateral agreements between European and African countries on admission, return and development aid. The Bern Initiative, which began in 2001 at the instigation of the Swiss Government, seeks to organise migration in terms of foreseeability and inter-state co-operation and partnership, as well as striking a balance between controls and migrants' rights. The Global Migration Group (GMG) was established in Geneva in 2004 and brings together the heads of the main United Nations agencies working directly or indirectly on migration with the aim of promoting the adoption of coherent political and legal frameworks in line with the principles of international law.

Lastly, the body of this kind that is most widely known, despite its limited mandate, was the Global Commission on International Migration, composed of independent experts, which was inaugurated by the Secretary-General of the United Nations in Geneva in December 2003 and terminated in December 2005 with the publication of its final report. This report emphasised the need for enhanced co-ordination between the different multilateral international organisations and the various public and private stakeholders active in the migration field.

In order to formulate comprehensive, coherent and effective migration policies, the commission set out the following principles for action: people should be able to migrate out of choice, rather than necessity, in a safe and authorised manner; the role that migrants play in promoting development and poverty reduction should be recognised and reinforced; migration should become an integral part of global strategies for economic growth; states, exercising their sovereign right to determine who enters and remains on their territory, should co-operate with one another to stem irregular migration, respecting the rights of migrants and refugees and readmitting citizens returning to their country of origin; migrants who have been settled for a long time and authorised migrants should be effectively integrated into the societies in which they settle in order to accommodate cultural diversity and foster social cohesion; migrants should be informed of their rights and respect their legal obligations; the legal and normative framework affecting international migrants should be implemented more effectively so as to protect the labour standards of migrants; the governance of international migration should be enhanced by improved coherence and strengthened capacity at national level, greater co-operation at regional level, and more effective dialogue and consultation among governments and between international organisations (GCIM, 2005).

b. Europeanisation

The term “Europeanisation” is usually used to refer to the processes of change that have been implemented for several decades in national and local political arenas through the introduction of principles, policies and programmes that are European in origin. This is, of course, a two-way process as national, regional and local stakeholders interact with European institutions at every phase of policy implementation. Moreover, the European Union plays a key role in this process but does not have an absolute monopoly: the European political and legal space also includes other organisations, such as the Council of Europe and the OSCE (the Organization for Security and Co-operation in Europe) and does not amount to any “harmonisation” or “convergence” between the countries as the legal and political injunctions of the European institutions leave remarkable room for manoeuvre for states (Delanty and Rumford, 2005). While a “European public space” is taking shape with the support of the media, whether European or national, it will necessarily be open to the contributions of a plurality of stakeholders, based on civil society associations and organisations with a European dimension or viewpoint.

A detailed analysis of European legislation in the broad sense, including the European Convention on Human Rights and the case law of the Strasbourg Court (Guild, 2004; Lambert, 2007), concerning people of foreign origin is far beyond the scope of this work. In the case of the European Union, there is a fairly disparate corpus of mechanisms on “third country nationals”, ranging from border control, conditions of entry and residence to internal mobility measures and combating racial discrimination and xenophobia. Comprising legal norms that have been or are currently being transposed into the domestic law of the 27 member countries, and agreements establishing forms of co-operation between member states and specialised agencies in the field of migration and discrimination, this corpus has become increasingly vast and complex over the last 15 years (Peers and Rogers, 2006; Papagianni, 2007). It has led to the rapid development of a strong process of Europeanisation specific to the migration field (Favell, 1998).

And yet the existence of a true European Community migration policy has been debated for years. While it is true that the Amsterdam Treaty (1995) made provision for migration as an issue of Community interest and, following this extension of Community powers to migration, the Tampere European Council decided in 1999 to formulate a common policy on the subject and The Hague Council in 2004 drafted an action plan with five priorities (asylum, irregular migration, integration, regular migration, judicial co-operation), the impression so far is that member states have essentially remained sovereign on this issue. Indeed, “for all that, the Community does not have exclusive powers in this area. Its initiatives have to be justified in the light of the principle of subsidiarity. But in actual fact some of these initiatives may be based on the observation that, if there is not at least some harmonisation between member states, differences between the protection they offer may result in distortions, so that the choices each state makes necessarily have repercussions on all the other states with which it shares the same space” (De Schutter, 2004).

The new Lisbon Treaty (2009) affirms the complete “communitarisation” of the migration field, particularly in its section on the area of freedom, security and justice. It states that “The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings” (Article 63a). It establishes the principle of solidarity and fair sharing of responsibility, including its financial implications, between the member states, which must be applied to all these areas. It also provides that the European Parliament and Council may “establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States”. The increasing use of joint decision making by the EU Parliament and Council in this field could increase the opportunities for receiving contributions

from organisations and individuals with real knowledge, rather than leaving this task to governments alone. At the same time, states maintain the ability to determine the numbers of third-country nationals admitted for employment purposes.

These European Union powers on immigration should be seen in the light of the mechanisms driving the integration of policies on the subject, and the abolition of internal controls decided by the Schengen Agreement. This is because all the signatory states to the agreement are committed to removal of checks on persons at internal borders and transfer of such checks to external borders; a common set of rules applying to people crossing external borders and the application of uniform regulations and control procedures; separation at air terminals of people travelling within the Schengen area from those arriving from countries outside it; harmonisation of the rules regarding conditions of entry and visas for short stays; co-ordination between governments on border surveillance; definition of the role of carriers in the fight against illegal immigration; the duty for third-country nationals travelling from one country to another to make a declaration; introduction of rights of cross-border surveillance and hot pursuit for police officers of states belonging to the Schengen area; stronger judicial co-operation through a faster extradition system and improved transfer of enforcement of criminal judgments; establishment and development of the Schengen Information System (SIS).

Similarly, these control mechanisms will increasingly need to be balanced and made consistent with the fundamental principles and values of the Union supervised by the European Court of Justice (Jacobson and Ruffer, 2006). Indeed, under the new Article 1a of the treaty, “The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail”. This complexity is addressed by increasing co-operation between the two directorates-general of the Commission that deal with immigration: Justice, Freedom and Security, and Employment, Social Affairs and Equal Opportunity.

Furthermore, along with the treaty, the Charter of Fundamental Rights has become legally binding and its provisions potentially apply to every individual resident in Europe. This universalist approach to rights, regardless of an individual’s origin and legal status, is strengthened by the fact that the Lisbon Treaty provides that the European Union will, as a Union, accede to the European Convention on Human Rights (ECHR). The treaty provides the legal basis for such accession, which would enable the European Court of Human Rights to review the conformity of Union action with the Convention, and this would mean, in particular, conformity with the articles on the right to life, prohibition of torture and forced labour, due process, the right to respect of family life, the right to education and the right to property, which are often invoked and applied by the European judges in Strasbourg to protect the rights of migrants, including those in an irregular situation (Lambert, 2007).

It remains to be seen to what extent the arguments and case law on human rights will be able to influence the practices of the very many specialist border-control agencies, such as FRONTEX, and the networks of players partially specialised in security and migration, such as EUROSUR, EURODAC and SIS, which are an important part of the Europeanisation of the governance of flows, in particular from the point of view of public order concerns. Since 2004, the European Agency for the Management of Operational Co-operation at the External Borders of the Member States of the European Union, or FRONTEX (the acronym being taken from the French *frontières extérieures*), has been helping member states with the training of national border guards, including with the establishment of common training standards, carrying out risk analyses, following the development of research relevant for the control and surveillance of external borders, assisting member states in circumstances requiring increased technical and operational assistance at external borders and providing them with the necessary support in organising joint return operations.

In order to carry out its duties, FRONTEX works in close co-operation with other partners of the Community and EU responsible for security at external borders, such as EUROPOL. The many cases of disputes between states concerning the reception of migrants trying to enter Europe without documents via the Mediterranean would seem to be an indication that the establishment of FRONTEX has not eliminated the disagreements on how to proceed once people have been given assistance, while states have not always honoured their commitment to provide the agency with resources.

Perhaps in order to overcome these limitations, FRONTEX will soon be backed by a European Border Surveillance System (EUROSUR), which should support member states in reaching full situational awareness at their external borders. "Full situational awareness" measures the ability of the authorities to detect cross-border movements and justify control measures. It also enables the reaction capability of their law enforcement agencies to be increased. "Reaction capability" measures the time needed to check a cross-border movement and the time and resources needed to react appropriately to unusual circumstances. EUROSUR should, in particular, provide the common technical framework for "streamlining the daily co-operation and communication between Member States' authorities and facilitate the use of state-of-the-art technology for border surveillance purposes". An essential objective of the system is sharing information, excluding personal data, between national and European systems.

Lastly, the action of these agencies and networks of stakeholders which are experts in border control and combating illegal immigration, would appear to be counterbalanced, as it were, by the establishment of the Agency for Fundamental Rights. One of the specific tasks of this agency, which has its headquarters in Vienna, is to publish an annual report on fundamental rights in the European Union in the fields covered by its terms of reference. The agency continues the work of the European Monitoring Centre for Racism and Xenophobia on racism, xenophobia and the intolerance that results from them. It will collaborate closely with civil society on these matters through a special body, the Fundamental Rights Platform. The agency's terms of reference do not cover police and judicial co-operation, although the Council, the European Parliament and the Commission, as well as member states, may use the agency's expertise on a voluntary basis. The Council has also made a commitment to re-examine the agency's terms of reference in these areas by the end of 2009. Candidate countries and potential candidates (the western Balkan countries) may, however, participate in its work as observers if the association councils concerned so decide.

Also in the interests of control, the Schengen Information System (SIS) authorises the competent authorities of the Schengen countries to exchange information on certain categories of person and property. The SIS is at the heart of the Schengen mechanism and has developed an information system enabling the national authorities responsible for conducting border controls and other police and customs controls carried out in their country and for the co-ordination of these controls, along with the judicial authorities of these countries, to obtain information on persons and objects, including vehicles. The information initially concerned people for whom arrest warrants had been issued and objects of which all trace had been lost, but since December 2006 it has included biometric information and information on non-admission and prohibition on residence.

Alongside these "physical" border control systems are two other information-gathering systems. Since 2000, the EURODAC system has compared the fingerprints of asylum seekers in Europe for the purposes of the effective application of the Dublin Convention. By comparing fingerprints stored on a centralised database, this system enables member states to determine whether an asylum seeker or a foreign national found illegally present in its territory has previously claimed asylum in another member state or whether an asylum seeker has entered Union territory unlawfully. With regard to personal data protection, the member state of origin must guarantee that the fingerprints were taken lawfully and that all operations involving the use, transmission, conservation or erasure of the data themselves are carried out in full compliance with the law. In particular,

data are to be immediately erased, before the normal expiry period of two years, if the foreigner has obtained a residence permit, left the territory of the member states or acquired the citizenship of a member state.

c. Devolution

Except in the case of internal mobility, migration is by definition an international phenomenon. Nonetheless, it is at local level that the daily life of individuals takes place and it is therefore at this level that migration produces its major and most visible effects in terms of composition of the population and situations involving actual interactions between individuals and groups of different origin. This situation may lead to a paradox regarding public policies aimed at the well-being of all, including migrants and their descendants. The local level is the setting most directly concerned by societal challenges connected with international mobility, but this level is not the one at which key decisions are taken on regulating flows and the attribution of legal statuses and the related rights, as this area is generally a matter for central government powers exercised within European and international parameters. Local authorities are also encouraged to develop key powers, in particular in the provision of public services and access to social rights such as housing, health and education, although central government does not put them in a financial situation enabling them to perform those tasks.

In order to move beyond this relatively unsustainable allocation of responsibilities among the different levels of action and produce coherent initiatives to secure the well-being of all, it is absolutely essential for governments and other national and supranational authorities to take more account of the viewpoints of local communities when setting priorities and implementing action strategies and to share their powers on migration with them. The most successful initiatives are those that are developed at the closest possible level to citizens and which incorporate as much as possible the points of view and aspirations of the people concerned.

Local authorities in their turn are composed of a plurality of different stakeholders. The preferred method of achieving this goal should therefore be equal partnerships between regional and local authorities, particularly those of the major cities where a great many migrants settle, people working in key services such as education, public health and social security, and the immigrants themselves as individuals and as members of associations. Each of these stakeholders has a role to play in the development and implementation of programmes to foster interaction within our pluralist communities, programmes to which adequate powers and resources will have to be allocated. Such a “horizontal approach” requires either co-ordination at regional and national levels or a contribution by the European institutions, which could put in place an “educational approach” promoting the exchange of information and best practices, including by networking local authorities and in general the stakeholders interested in the initiative. One example is the European Network of Cities for Local Integration Policies. In any case, guidelines and common methodological principles applicable, with creative variations, to the different contexts have to be developed.

The Congress of Local and Regional Authorities of the Council of Europe, for example, took this line in Resolution 218 (2006) on effective access to social rights for immigrants. This recommendation states, among other things, that “towns, cities and regions really can take steps to facilitate access by immigrants to employment, which is a key vector for integration and opens up access to other basic rights, by co-operating with chambers of commerce, trade unions, employers’ federations and training organisations, while also fostering the employment of immigrants in local and regional authorities. Likewise, in view of the responsibilities they often exercise in the field of education, local and regional authorities cannot only promote intercultural dialogue in schools but also develop educational tools vital to the more effective integration of immigrants, such as literacy”.

Such redeployment is part of the devolution of policies common to almost all European countries. The “local arena” in its multiple forms, be they institutional – municipalities, departments, regions – or non-institutional

– civil society, associations, enterprises, services – has been increasingly recognised as the most relevant space for discussion and action against exclusion and for the promotion of well-being. The institutional changes formalised by the legislation on devolution of the early 1980s and 1990s and then the implementation of European social programmes have opened the way and provided the opportunity for legitimate action by local authorities and more particularly by municipalities. This change in the scale of public action on social matters has among other things placed devolved authorities at the centre of the political stage, which has meant that municipalities are legitimately able to intervene in a field that is not within their jurisdiction, such as that of the formal and material recognition of rights.

In this area there are often “productive tensions” between governmental approaches directed towards control and local approaches directed towards the well-being of all. An example of this is *empadronamiento*, an administrative initiative introduced in Spain that enables foreigners, regardless of administrative situation and age, to benefit from access to basic social rights, first and foremost health and education. Enrolment is compulsory and concerns the whole Spanish state. In addition to the rights it confers, enrolment is also official proof of residence in the country, which is useful for regularisation purposes (three years at present). Nevertheless, some municipalities encourage enrolment more than others: while all newly arrived foreigners in Barcelona are informed of their rights, some municipalities in Andalusia do everything in their power to limit them (Bonelli, 2008a).

Such measures are profoundly realistic, rather than subversive: they are inspired by a concept of “local citizenship” or residence which implies the idea of pluralism and diversity in relation to a fixed idea of nation, but which expresses a new social identity in the context of a supportive sharing of resources. “On the basis of targeted projects, in schools, in the interests of good neighbourliness, projects should be developed that make it possible to reach out to others, nurturing improved understanding, then trust. Giving everyone the possibility to express in daily life the richness of their identity and the value of their potential contribution (cultural, artistic, culinary, sporting, etc.) to the national imagination and collective psychology ... can only be done gradually, over the long term, at local level” (Ramadan, 2008a).

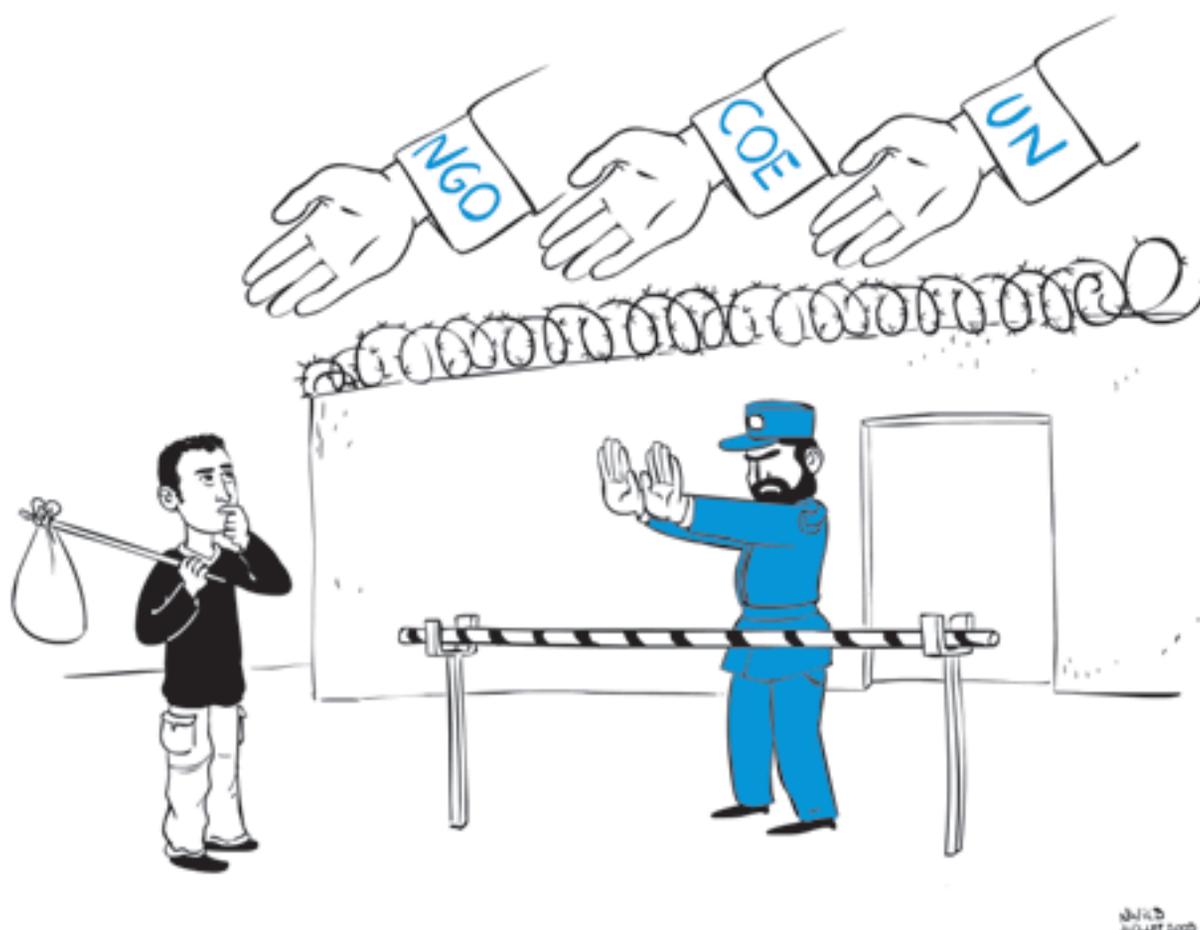
In this context, many other initiatives are also open to local authorities that want to improve migrants’ well-being and interaction with the rest of the population: information and guidance services for new arrivals – but not only for them – particularly on access to public services; access to employment and self-employment programmes; the establishment of consultative bodies in municipal departments and “municipal consultation tables” with other political stakeholders in the local arena; policies and services fostering migrants’ access to low-rent housing, avoiding “concentrating” those communities in the same neighbourhoods; policies enabling migrants’ children to enrol in schools even if they are far from their homes in order to avoid any “educational segregation”; financial and political support for migrants’ associations and NGOs active in the sector; training courses on human rights and cultural skills for public servants, NGO, hospital and school staff and the police.

There are of course also tensions at local level among stakeholders with different visions and practices regarding migration. For example, to return to the Spanish case, there is a “security counterweight” to the universal rights policy carried out by *empadronamiento*. Since 2006 a civic order has been in force in Barcelona, the objective of which is “to prevent any conduct liable to disturb community life and to curb any anti-social behaviour there may be in public”. It applies to all the city’s public spaces (streets, squares, parks, beaches, etc.), as well as to public transport, municipal offices and businesses performing a public service function. Without prejudice to any criminal prosecution for certain acts, it introduces minor offences including “aggressive” begging, cleaning windcreens at traffic lights, street vending, street prostitution and sleeping on public benches. While this order does not exclusively target migrants, it is of direct relevance to them, particularly those whose situation is irregular because their status makes it impossible to enter the legal employment market and often condemns them to the sort of “survival strategies” covered by the order (Bonelli, 2008a).

3.3. Redistribution of state powers

The internal reorganisation, namely the breaking up and reassembling, of state powers in the migration field essentially consists of six types of transformation: (1) the growing role of the executive as compared with the legislative; (2) pronounced fragmentation of ministerial powers on migration, which are scattered among several different ministries and authorities, at the same time as the fragmentation of legislation on the subject involving dozens of different normative sources (ILO, 2004: 146-147); (3) the relative primacy of ministries concerned with internal security, flow management and national culture over other ministries also concerned by the presence of migrants and their descendants, such as employment, the family and social solidarity; (4) the active role of judges in the various courts, primarily constitutional and European, but also ordinary and administrative, regarding migrants' rights and anti-discrimination legislation; (5) the establishment of a great many "agencies" or "high national authorities", each responsible for a specific aspect of the migration field, from fighting discrimination to border control; (6) the de facto transnational organisation of ministries and border authorities with the multiplication of visa offices abroad.³²

These transformations are ambiguous from the point of view of the well-being of all, including migrants. While they are not part of a conscious process or any coherent and transparent strategy, they may stifle the responsibilities or obligations of democratic states governed by the rule of law. In such a dense and opaque network of stakeholders there is a stronger possibility of setting aside constitutional guarantees on immigration control



32. Moreover, such phenomena are not confined to the migration field but concern the whole state apparatus (Sassen, 2006a). They are the subject of much debate from the standpoint of the "crisis of the Rule of Law" (Zolo, 2002) or "abuse of power" by the judiciary, in conflict with the political power (Pizzorno, 1998; Habermas, 1992). These transformations have in part been encouraged by the processes of Europeanisation and globalisation that have weakened both the sovereignty and political aims of nation states (Anderson, 2002; Cassese, 2002).

and a greater temptation to shift responsibility to European or local arenas (Guiraudon and Lahav, 2000) in order to legitimise the decisions taken (“It’s the European Union that makes us act in this way”) and manage their effects (“It’s up to municipalities to respond to citizens’ demands for services, rights, security, etc.”).

Only two of these developments will be examined here: the active role of the courts and the establishment of public agencies devoted, at least in part, to immigration questions from the point of view of combating discrimination and promoting individual equality. Both these cases seem the most innovative from the point of view of helping to reconcile migrants’ well-being with the well-being of all and the collective interest.

The courts, be they national or European, have for some time been recognised as key players in the definition of normative frameworks for immigration and integration, with particular attention paid to the question of migrants’ rights and guaranteeing such rights (Joppke and Marzal, 2004). They typically intervene when there is a need to balance the sovereign power of the state regarding immigration and, in particular, border control and the deportation of people of foreign origin unlawfully present on its territory, and the fundamental rights – especially, civil, social and cultural – of those same people.

There are structural reasons that explain the assertion of this role. Being, as it were, a third party, judges are bound to exercise their power neutrally while interpreting and weighing up the constitutional rights involved in a particular case (Zagrebelsky, 1992). Unlike elected parliaments and assemblies, they are more protected from the pressure of public opinion and, in particular, democratic majorities. They are, lastly, less determined by and more sheltered from immediate political interests and the struggles in progress in any particular state sector (Guiraudon, 1998: 301). At a time in history characterised by the populist and xenophobic temptation of “majorities”, be they social or political, judges are in the end structurally more open than other state powers to recognising migrants’ legitimate demands for rights.

Similarly, the acquisition and exercise of these constitutional powers by judges has been neither simple nor linear: it has often been the result of confrontation with the other state powers – executive, administrative and legislative. Encouraging the courts to take a more active role was the intention behind the introduction in most west European states of a restrictive system of immigration from the 1970s onwards. Since then, the courts have constantly delivered judgments on migrants’ rights and the principles of a pluralist society, often provoking the impatience of governments and parliamentary majorities.

For the background to this, reference may be made to the *Gisti* judgment of the French Conseil d’Etat of 8 December 1978 which established a subjective right to family reunification as a question falling under general principles of law, thereby limiting the government’s draft law which had the effect of blocking family migration to France. In 1997 the same case law led to another decisive ruling by the Conseil d’Etat, this time against the Debré Law, which facilitated deportation procedures against undocumented immigrants. The courts ruled that the right to a normal family life, and therefore the right of undocumented foreigners to remain in the country, prevailed over “public order” issues: a threat to public order alone could not remove the right of residence acquired by a person who had lived in the country for several years, developing strong links with the local society in the process.

Obviously, court decisions are not all favourable to migrants and do not necessarily extend their rights. One example of this is a judgment of the German Constitutional Court which stated that the “people” referred to in the Basic Law as the single source of public power consisted only of people with German nationality. Consequently, the courts considered as inadmissible regional electoral laws that gave the right to vote and stand for election to residents of foreign origin who had not been naturalised (Benhabib, 2004).

Alongside the active role of the courts, which is developing in the strictly legal area, there is that of national bodies to promote equality and combat discrimination on racial, national, real or supposed religious affiliation

and other grounds in fields including employment, education, health services, social security, housing, and access to goods and services. After a period during which such bodies tended to have a single theme, like the British Commission for Racial Equality, most now have a multisectoral approach to discrimination and equality issues. This makes it easier both to respond to the phenomenon of multiple discrimination based simultaneously on origin, gender, age, sexual orientation, disability, etc., and to avoid the accusation of protecting only “minorities”.

Provided for by Article 12 of Directive 2004/113/EC, which leaves it to the discretion of member states to “designate and make the necessary arrangements for a body or bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex”, the powers of such bodies are primarily of a protective and facilitating nature. Their role is to monitor and exert pressure on political, social and economic stakeholders for the implementation and reform of anti-discrimination legislation, by means of reports and public recommendations, but they also have a role in assisting and protecting victims of discrimination, helping them to compile evidence and take their cases to court in the best conditions.

This role can be played effectively only if such bodies have the resources to perform it outside any governmental structure and completely independently of any of the different types of power, including elected power (Huber and Shipan, 2002). This independence is multiple: it is first legal, financial and structural (Christensen, 2001), and at the level of strategy and intervention capability and management (Verhoest et al., 2004). In practical terms, this means operating without state, and particularly government, interference; free definition of tasks; enjoying clear legal mandates and terms of reference; pluralist representation of commissions and/or management boards; allocation of appropriate operational resources; free selection of staff; use of their own premises; and the capacity to communicate freely with the broadest possible public (Yesilkagit and Snijders, 2008).

In order to maintain their legitimacy, these bodies are also required to have transparent and equitable relations with civil society, maintaining neutrality in relation to NGOs, even when they share the same cause. They may, however, work within strategic partnerships since NGOs are key sources of information and best practices for anti-discrimination bodies.

3.4. Delegation of state powers

a. Privatisation and “migration industries”

The “privatisation” of migration processes refers to the growing role played by certain for-profit private sector stakeholders in the life paths of migrants and their descendants, including in fields such as mobility, legal assistance and promotion of economic activity, which are in principle matters for the public authorities.

Entrepreneurs and individuals who make recruitment applications for foreign workers with the competent authorities play a key role in the immigration legislation of many European countries. In this way they help to determine, if not the scale of annual quotas, at least their composition in terms of skills required and also, if the application includes names, in terms of nationalities of origin. In this sense, these private stakeholders sponsor immigrants’ entry and stay in the country.

This type of relationship is only one side of the privatisation of migration processes, which has to do with migrants as workers. The other side consists of migrants as consumers of services which have to be paid for. The expression “migration industry” (Castles and Miller, 2003) refers to all those who earn their living

by organising and supporting migration movements, such as recruitment agencies, travel agents and international carriers, people smugglers, legal visa services, financial remittance services, support services for immigrants' economic initiatives, specialised research centres and rental agencies. What is new is not the existence of such services, but their number and geographical, indeed transnational extent and their "just in time" means of working thanks to the new communications technologies. In this sense, migrants and their descendants are fully integrated in the service economy typical of contemporary European and Western societies which is engaged in transforming every moment of human life into a possible source of profit and everyone into a potential client or customer.

There are serious concerns about recruitment agencies, particularly abroad, in terms of their transparency and respect for the rights of the people involved. In 2007 the ILO published a *Guide to private employment agencies: regulation, monitoring and enforcement* on this subject, calling for international legal standards in this area to be complied with. One of the first conditions to be satisfied is the registration of agencies with local chambers of commerce or similar authorities: this would make it possible to subject such businesses to fiscal and general controls, with particular attention paid to the use of sensitive information about workers' health, the undue costs imposed on jobseekers and the recruitment of undocumented individuals.

In addition to the private stakeholders directly concerned by migration in economic terms are the so-called "carriers", namely, the transport companies. Their increasingly active role is explained by a more general framework of privatisation of border control powers, accelerated by the adoption of the Schengen Borders Code. Following its adoption, all the European countries in the Schengen area – but not only them – imposed a requirement on airlines, shipping lines and land transport operators to check, before departure or before crossing the border, that every passenger is in possession of the documents required by the laws in force in the destination country. Carriers that allow people without the required documents to enter the country (or simply to arrive at the border) are fined and responsible for the removal of the transported persons from state territory (Cuttitta, 2007). Transport company staff are thus forced to acquire the skills of border guards and are involved in a process which, among other things, weakens the rights of asylum seekers who are thus pushed towards the transport offered by smugglers and criminal organisations.

More generally, the increased difficulty of entering Europe legally is producing a vast market of consultancies and legal assistance to obtain a valid visa, in co-operation with consulates. This system of externalised legal services has several advantages for the consulates that use it. First of all, it guarantees a regular flow of visa applicants, it frees officers from the task of organising appointments and eliminates the queues on the pavement which are harmful to the consulate's image. Above all, however, the use of such services is financially advantageous because all the costs are borne by visa applicants through the fees charged by service providers (Beaudu, 2007). This type of service is increasingly accessible via the Internet, with facilities that include all legal procedures relating to residence permits and citizenship applications.

Lastly, in the service economy, migrants and their descendants have become a source of profit as economic and financial micro-operators involved in the creation of small businesses and the management of a large flow of funds across the world.

As for business start-up assistance, such services have developed to such an extent in the United Kingdom in particular that, since 2000, there has been a body to network and put them in contact with the relevant institutions: the Ethnic Minority Business Forum (EMBF) was established to advise ministers on the issues facing ethnic minority business communities. Launched to strengthen dialogue between government and those communities, the forum is a sounding-board for the interests of all parties. Its remit is to give independent advice to government in relation to SME policy and practice as it relates to ethnic minority

business. The EMBF has two main functions: to engage with government departments and offer strategic advice on matters relating to ethnic minority enterprises, and to listen to minority business communities and take note of their views. The forum brings together business owners from different ethnic communities and an academic specialising in the field of ethnic minority entrepreneurship. The board meetings, which take place roughly every two months, are an opportunity to meet government representatives and ministers and to contribute to consultation processes and policy reviews. These events enable the forum to engage directly with business support organisations and ethnic minority business (Ram, 2008).

Remittances are a very significant phenomenon in both quantitative and qualitative terms. In 2008, such financial movements at global level reached the record figure of US \$444 billion, before falling by 5.3% in 2009 because of the global financial crisis (World Bank, 2009) and, on average, they contribute between 2% and 20% of the GDP of some migrants' countries of origin (World Bank, 2006). As they are for the most part remittances between individuals within family networks, they involve a series of intermediaries: banks, specialised companies, informal and friendly transactions. The charges for transferring money are generally high, and proportionately higher for small amounts, and are not transparent, reaching as much as 20% of the amount. Conversion charges are even less transparent and arbitrary, with zero charges for dollar-based economies and as much as 6% in other countries. In fact, if remittance costs fell by five percentage points of the amounts sent, the beneficiaries of these remittances in developing countries would receive US \$16 billion more than they do at present. This extra income would make those receiving remittances better able to consume, save and invest in local development.

The high level of remittance costs is the result of several factors, in particular the inadequate development of the financial infrastructure in some countries, limited competition, regulatory obstacles, lack of access to the banking sector by those sending and receiving money, and the difficulties migrants have in obtaining the identification documents needed for participation in the traditional financial sector. The factor that increases remittance costs most, however, is the lack of transparency of the market. It is difficult for consumers to compare prices because several variables are involved in calculating the cost of remittances. There are, however, other Internet-based services which compare the different prices of remittance services independently and free of charge.

b. Civil society: media, NGOs and social movements

The media are key actors in migration processes. They bear considerable responsibility insofar as they help to form the image that the majority society has of others, including migrants and their descendants. Teun A. van Dijk (1993) concludes after conducting discourse-analytical surveys in the United Kingdom and the Netherlands that racism is induced or strengthened by the media discourse: the strategies, structures and procedures of reporting, the choice of themes, the perspective, the transfer of opinions, style and rhetoric are directed at presenting "us" in positive terms and "them" in negative terms. This is why political education should strengthen the key competences of native-born users, such as their critical faculty, intercultural attitudes and empathy, through contributions to critical media education in childhood. Children should be taught at primary school that they must not take claims by the mass media at face value, that, rather, there is a "truth gap" between the various types of media, and that there are manipulative tendencies, especially in the area of immigration. By providing further suitable training measures, political education should enable journalists to report on immigration and integration as objectively as possible, that is, from a position in which they are better or more comprehensively informed (Butterwegge, 2005).

Among other reasons that make the media vehicles of stereotypes about migrants and their descendants, mention should be made here of the way in which information and communication societies, whether public or private, are organised. First of all, under the competitive conditions of a media market dominated by private companies, journalists have fewer and fewer opportunities to continue their vocational training, conduct in-depth research or become fully conversant with a subject. That is why they have an increasing tendency to simplify things, repeat stereotypes and dogmas and, in the final analysis, support counterproductive feelings and points of view.

Secondly, minorities have little access to the press and are considered less credible. The media, which, like the advertising industry, largely ignore immigrants and hardly ever make room for problems that arise in their world, contribute to the exclusion of millions of human beings, although journalists and those they address are unaware of this fact. Instead of speaking about foreigners, people should speak to them more, including on radio and television. The media should, on the contrary, see them as a huge and important audience and enable them to use media resources in a way that corresponds to their own specific needs and interests. That would lead many media to cease “their usual negative routine and be induced to provide a more differentiated and more balanced picture of immigrants” (Geißler, 2000).

Lastly, positive integration will not be a reality or even a possibility if immigrants do not have access to the domestic media and if they make use of the offerings of their countries of origin available on satellite or cable, running the risk of “mass communicative isolation” (Eckhardt, 2000: 270) or “media ghettoisation”. Furthermore, if they worked for the mass media, immigrants and their children would, thanks to their multicultural knowledge, paint a more precise picture of the life foreigners lead and constitute visible evidence to refute the prejudice that most “guest workers” and refugees are criminals or anti-social elements “living at our expense”. The climate in public opinion would be much improved if more immigrants found jobs on the editorial staff of newspapers and radio companies and could make their own proposals, not only as experts on issues concerning foreigners, but also as people with a different view of European society.

While through their news and communications the media help to create the infrastructures of “public spheres” and of civil society, the key stakeholders in these spheres are associations, social movements, political parties and trade unions. Their role in the migration field is decisive because they are constantly interacting in sometimes conflictual ways with all the public institutions and private organisations in the sector. In addition, NGOs in particular have been on the receiving end of a consistent transfer from states and governments of responsibilities concerning reception, inclusion and protection services for migrants and their descendants.

While the foundation of anti-racist movements goes back to the 1950s (Lloyd, 1998), a new wave of movements, such as the Joint Council for the Welfare of Immigrants in the United Kingdom (1965) and the GISTI in France (1972) came into being in the early 1970s to defend the rights of new migrants and combat the discrimination suffered by the longer-established migrants. These anti-racist organisations undertook studies on discrimination and were a means of thwarting government attempts to limit the different forms of immigration still further. By way of example, in the late 1970s, GISTI successfully prevented France from bringing a complete halt to family reunification. Prior to 1980, it was only in the United Kingdom that migrants, most of whom were granted citizenship in the first decades of immigration, were able to form their own associations. Elsewhere, for example in France until 1981, immigrants were generally speaking not allowed to form their own organisations.

In the 1980s, however, a large number of associations quickly sprang up at national and local level. They represented specific groups, such as women or particular nationalities, and had a well-defined remit. In

Italy too, which became a country of immigration in the 1980s, more and more associations came into being. While the United Kingdom was the first European country to pass anti-discrimination legislation and put in place an independent body to monitor its application, a number of European countries have recently taken significant steps in this field. Sweden and the Netherlands introduced similar legislation in the first half of the 1990s, while in France various studies, both official and unofficial, have been carried out since 1997. Anti-racist organisations such as GISTI, MRAP, SOS-Racisme (Lloyd, 1998), certain trade unions (Bataille, 1997) and, more recently, new social movements (Khiari, 2006) have provided clear evidence of discrimination and have lobbied for anti-discrimination legislation.

In reality, the role of associations varies from one country to another, echoing the different concepts of relationships between the state, civil society, including its ethnic divisions, and the individual. In France, associations are generally seen as key players in integrating people into civil society and creating new forms of political participation – particularly in the case of migrants who are not eligible to vote in local elections. Associations are therefore seen as a means of integrating them into their surrounding environment. Even though most migrants' associations are organised at local level, the most influential in the fight against racism and discrimination are national bodies, such as SOS-Racisme and MRAP in France. In Italy, the 1998 act enables migrants' associations to play a role in the institutions set up at local level to promote integration (Kofman, 2000). Associations of this type often play a key role in the delivery of social services financed by the state or by local authorities on a contract or partnership basis (Caponio, 2006).

This is a general trend. In practice, “some civil society groups are moving beyond the role of advocate and monitor, providing services directly implementing governmental policies, or otherwise taking on roles traditionally reserved to governments and intergovernmental organisations (IGOs). Most of these, in essence, are acting as subcontractors to governments, which increasingly are channelling funds for service provision, development projects and humanitarian relief through NGOs. For the most part, such subcontractors are not the same groups as those involved in the advocacy coalitions or form only one element of a coalition. But in some case, governments are turning significant official responsibilities over to advocacy coalitions” (Florini, 2000: 213). Brinkerhoff describes such organisational functions of civil society as “demand-making capacity [relating] to advocacy and policy dialogue functions, as well as policy monitoring and the ability to interact with policy makers and public sector implementers to promote accountability and transparency” (Brinkerhoff, 1999).

It is useful for the purposes of this guide first of all to distinguish between the various civil society stakeholders, be they local, national, European or global, on the basis of their typology in terms of organisation and way of working. Apart from trade unions, there are four main types: (i) non-governmental organisations (NGOs), which have an official and hierarchical structure and express rational views; (ii) social movements, which are highly active, spontaneous, horizontal and increasingly diffuse; (iii) networks of associations and NGOs, which are flexible, polycentric, synergic and producers of information; and (iv) the non-permanent platforms to which belong the civil society stakeholders and movements not specific to any one area (Mejido Costoya, 2007). In relation to the sector of activity, it is also necessary to distinguish between the players, whether they are specialised in the migration field or not, and, in turn, between those who deal with the whole range of migration issues, and those who deal with specific areas of migrants' lives, such as health, housing, education, employment, or specific categories of migrants, such as women and the undocumented.

Table 12: Examples of civil society players working on migration by type and sector of activity

	Not specialised (in migration)	Specialised (in migration)
Non-sectoral (by area of life)	Amnesty International, Human Rights Watch (NGO), La Via Campesina (social movement), World Social Forum (platform)	Joint Council for the Welfare of Immigrants, Churches' Commission for Migrants in Europe (network), 18 December (platform)
Sectoral (by area of life)	Statewatch, Médecins du Monde (NGO), ETUC (trade union)	National Association for Multicultural Education, International Centre for Migration and Health (NGO), European Coordination for Foreigners' Right to Family Life (network)
Sectoral (by categories of person)	ATD Fourth World (NGO)	Kalayan (NGO), ECRE (network), No One Is Illegal (social movement), PICUM (platform), Sindicato de Obreros del Campo (trade union), Migrants contre le SIDA (NGO)

Lastly, these players could be further subdivided according to their composition, for example if they are primarily migrants themselves.

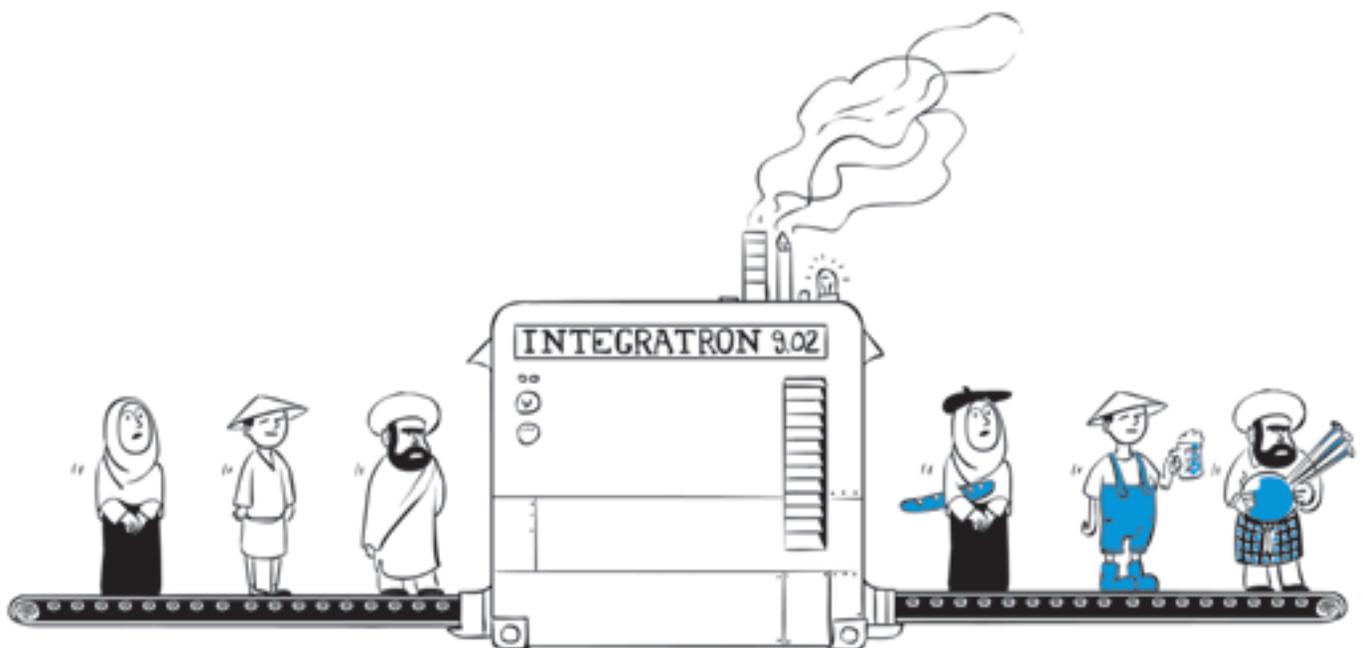
Migrants' organisations give individuals a status and identity; they provide them with links, information, services and help them make the most of their skills. In contrast, it is unclear whether they also play a negative role by strengthening links within a community of migrants to the detriment of relations which might be forged outside that community. Migrants' organisations can have an influence on local and national policies, an influence which generally speaking consolidates rather than obstructs strong links with the political system in place. Even where such organisations are not officially recognised, they can play a decisive role in the system.

Many migrants' organisations are poorly organised and have few resources, representing or claiming to represent a complex and divided community. In this competition for attention and resources, they may indeed be sidelined by better organised associations, run by non-immigrants, acting in defence of migrants' rights. The need for migrants' organisations to make themselves known and attract funds could increase the leading role taken by the more militant elements. Governments could encourage and help migrants' organisations to be more effective and derive benefit from having them involved in discussions on policy drafting and service provision. Governments need to be careful not to endorse specific organisations as the representative of a particular group or faith, bearing in mind the diversity of practices to be found within each community.

Whatever the case, the crucial question is the relationship between such NGOs and the authorities: there are many possibilities, ranging from autonomy to dependency, from delegation to true partnership. There is a risk in relation to health services, for example, given that "the voluntary sector is often called upon by the government as an alternative provider of services. However, the resources available to charitable bodies are inevitably limited. Consequently, they can only realistically provide supplementary, rather than alternative, health-related services" (Da Lomba, 2004: 367).

Part 2

Analysing and transforming harmful stereotypes about migrants and their descendants





CHAPTER 1 – STEREOTYPES, PREJUDICES AND IMMIGRATION POLICIES: AN APPROACH FOR A SOCIAL INTERACTION STRATEGY

1.1. Stereotypes and prejudices as cognitive mechanisms based on simplification and generalisation

The term “stereotype” was coined in 1798 by the French printer Didot to refer to a lead printing plate used to create multiple copies of the same page. In 1922, the journalist Walter Lippmann used the same term to refer to “pictures in our heads,” which we project into the real world in order to comprehend it at cognitive level. Today, “stereotypes” refer mainly to generalisations, or most often overgeneralisations, describing individuals or groups of individuals. Stereotypes may also be used to categorise certain types of action or ways of thinking in an approximate and simplistic way.

The first problem to be addressed in a study of stereotypes understood in this way is that no knowledge is possible without pre-established ideas, as all philosophers of science today agree. First, we cannot become familiar with objects and individuals except by means of preconceived ideas and theories, which are based not so much on facts as on the way a community thinks. Any generalisation of empirical evidence is based on a particular type of stereotypy and itself produces stereotypes. The same can be said about prejudice. Looking at this concept from an etymological viewpoint, then no knowledge can be acquired without a prior judgment, that is, a judgment made before one’s own opinion is formed. This relationship between prejudice and category-based thinking was first systematically explored by Gordon Allport (1954) in his book *The nature of prejudice*, which has since become a classic. Although Allport emphasised the emotional, social, economic, and historic dimensions of prejudice, he also accepted that prejudice is a fundamental part of human life and, in particular, the way in which we classify objects and individuals. In a much-quoted passage of the book, Allport wrote that: “The human mind must think with the aid of categories Once formed, categories are the basis for normal prejudgment. We cannot possibly avoid this process. Orderly living depends upon it.” (Allport, 1954: 20).

Even if we put aside philosophical debates about knowledge and awareness, our day-to-day experiences show clearly that stereotypes and prejudices are cognitive devices which, when related to individuals, guide us in our behaviour vis-à-vis others and give us an initial idea of the contact to be established with strangers: they offer us some information about what we can expect from people we do not know and about how to establish a relationship with them. Stereotypes ultimately become social and institutional reference standards, enabling us to differentiate between what is apparent and what is real, what is genuine and what is false, what is futile and what is useful, what is superfluous and what is essential, what is extrinsic and what is intrinsic. They enable us to understand why we, or others, act in a particular way.

The identity we attribute to the people we do not know directly is determined by what we think are the fundamental, socially formed and understood reasons for their behaviour. This should enable us to define their expectations of the ability of strangers to behave in accordance with a system of shared values. Stereotypes therefore relate to the attitude we expect others to have, according to the community’s collective understanding of the reasons and foundations for its actions. Any stereotyped perception involves simplification: it reduces the complexity of a person to a few characteristics which, in most cases, are not applicable.

In addition, any perception of an individual as a member of the group, based on the distinctive features of that group, in certain cases constitutes a refusal to acknowledge that person’s identity, and consequently is a form of violence against him or her. Any perception of an individual based on the common characteristics of a group is a form of segregation designed to highlight differences, whether positive or negative: it can therefore lead

directly to discrimination, including racial discrimination. For example, any individual regarded as belonging to a group for which stereotypes abound is treated as the potential perpetrator of some wrongdoing, simply on the ground that a member of that same group has committed an offence, an unpleasant act or an affront. This elimination of individual responsibility forms the cognitive basis of contemporary, post-biological racism (van Dijk, 1987; Maneri, 1998).

1.2. Harmful stereotypes as a means of social exclusion

While we may need stereotypes and preconceptions in order to live and understand the world, since our ability to act and react depends on information received from others and comes before our own experience, when we speak of stereotypes and prejudices as something to be combated, we are referring simply to knowledge formed in advance in order to “prejudge”, or offend certain people. The problem is that in order to distinguish between preconceptions and stereotypes which are merely instruments of knowledge (but which are never neutral) and prejudices and stereotypes which are used to discriminate against individuals, we need to adopt an impartial approach: an approach which is not itself based on prejudices or stereotypes. Such an approach, however, is unrealistic: there is no such approach, nor can there be. Any approach which results in an interpretation, whatever form it may take, is not neutral and gives us no indication or perspective enabling us to give order to and control reality in a cognitive way.

All stereotypes are both simplifications and generalisations, and therefore potentially harmful. The problem is that they can be perceived as a vehicle for discrimination and have negative and serious consequences for the individuals concerned. Clearly, everything depends on the way in which such simplification and generalisation comes about. As pointed out by Wittgenstein (1953), it is usage which gives meaning to words. Consequently, even stereotypes which on the face of it do not appear negative or indeed contain positive assessments can, in certain circumstances, be used in a harmful way. For example, in relation to the ideal type of rational action in which one strikes a balance between the means and the end, a non-rational or ill-considered act may be interpreted as being motivated by anger or jealousy, but may also be described as irrational or “stupid” if one wishes to give a negative image of the person in question.

Accordingly, stereotypes become harmful or a vehicle for illegitimate and discriminatory differentiation when they relate to a group made up of “others” whose social status and “citizenship” are viewed as less rich, articulate and complete than our own. Stereotypes are always harmful when they result in a weakening of rights, prerogatives and treatment of individuals which cannot in any way be justified by their own qualities or shortcomings. Consequently, a harmful stereotype can be defined as any generalisation which serves to attach a lower status to individuals or which prevents them from being treated in accordance with their individuality and judged by their own actions.

Accordingly, harmful stereotypes are above all processes of social exclusion. Poverty remains a key factor in the idea of social exclusion although it does not define it: exclusion is rather “a complex process which should not be reduced to global or individual assets” (Lamarque, 1996: 39-40). In today’s European societies, the concept of social exclusion is as vast, organised and multidimensional as the variety of situations of discomfort or deprivation which may result from the range of (un)available resources, since one may be deprived of income or employment, housing, education, medical care, rights, knowledge, partnership and sexuality, satisfactory human relations, etc. It was the French debate in the 1970s on the limits of state intervention (Burchard et al., 2002) which made it possible to identify victims of exclusion as individuals having fallen through the net of social protection, such as people with disabilities, single parents and the uninsured unemployed, in other words those deprived of the enjoyment of all the rights which make up “social citizenship”.

This idea of exclusion is intuitively associated with that of “border”: being excluded (or conversely included) means being on one side (or the other) of a border which separates and distinguishes individuals inside (those included) from those outside (the excluded), those who have a degree of power from those who are powerless. In today’s European societies, exclusion derives from social closure. Originally, it was territorial closure which defined exclusion from citizenship, coinciding with social closure since everyone excluded from the territory is also excluded from all the interactions within it, and consequently the associated advantages and possibilities, such as security, access to the employment market and health and social assistance. Since the beginnings of the nation state, immigration has challenged these two types of closure; geographical borders very quickly became ethnic and therefore symbolic borders. As the Swedish anthropologist Fredrick Barth (1969) pointed out, the continuity of any ethnic or political unit depends on the maintenance of a socially constructed border, a dichotomy between the citizens who are members of the nation (inside) and foreigners (outside). However, this ethnic or political border is not set in stone and is not self-evident. On the contrary, this mobile and porous border is set up and negotiated by the players themselves in the course of their social interactions and may adopt different forms and expressions, depending on the context.

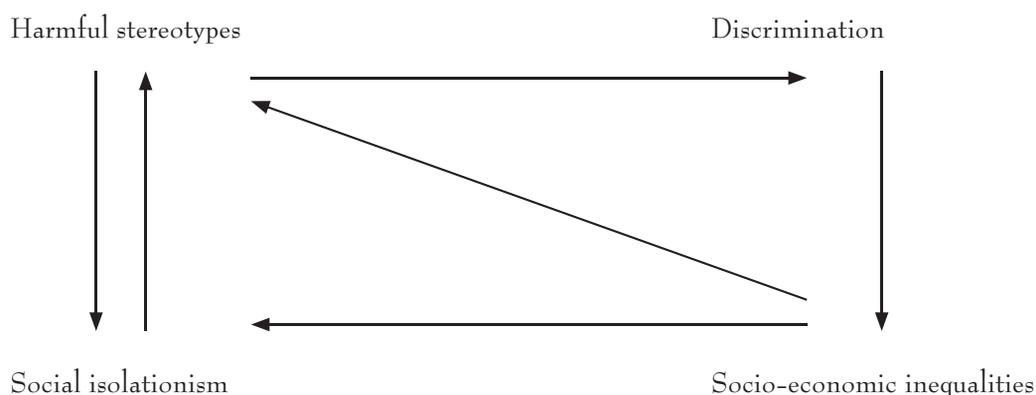
Borders separate and unite at the same time: their sociological and symbolic force is derived from this dual function. The stronger symbolic boundaries are, the more they are consolidated and seem natural, the more they become accepted and the more they become objective forms of social differentiation expressed in unequal access to resources (tangible and intangible) and social possibilities by groups and individuals. Consequently, conceptual and symbolic distinctions become persistent recognisable models of discrimination and segregation (origin, level of education, type of employment, “class”) and therefore the basis legitimising “social exclusion” in daily life above and beyond sociological discourse.

The significance of stereotypes derives primarily from the fact that they result in symbolic borders being transformed or becoming crystallised into social barriers, which the relevant social players use as categories, just as they do with time and space, to classify and give order to things, individuals and practices, not always without conflict. “Young people” and “elderly”, “children” and “adults”, “men” and “women”, “White” and “Black”, “normal” and “abnormal” individuals, these names are all stereotypes, conceptual devices and symbolic borders through which we differentiate people and attribute to them characteristics and qualities, generally with strong appreciative connotations. Even in the case of occupational activity, we constantly resort to conceptual processes and stereotypes which establish symbolic borders: certain occupations are more demanding or more intellectual, in other words more prestigious and autonomous than others (Freidson, 1986). History shapes these distinctions which are sometimes very debatable and most of the time so rigidly formed that they seem natural, as if they defined the identity of individuals. It seems normal to think that a child or adolescent has feelings, emotions and skills which are different from those of an adult: it is appropriate, therefore, to treat them differently. This reification of symbolic borders arbitrarily lays down borders and has a strong exclusion potential. Ultimately, exclusion itself seems to be the natural and almost logical consequence of the individual and collective identities established by stereotypes.

Accordingly, even if a stereotype is not intended in itself to stigmatise, it may easily “enclose” those to whom it relates. Used deliberately in this way, it carries with it a means of personal status degradation (Garfinkel, 1956), in other words the sort of projection which makes the public identity of an individual inferior to the normal status of citizenship in the local structure of social types. Stereotypes are (made to be) harmful when they generate a series of communication activities the aim of which is to construct a social identity inferior to that of individuals who have decision-making power. Insofar as exclusion is defined by allegedly essential characteristics rather than by social relationships, it results in a stigmatising label which holds the victims responsible for their own misfortunes, while at the same time placing them in a gridlock situation and relieving the social system of all responsibility.

In this way it creates a situation in which negative attitudes (including stereotypes and prejudice) vis-à-vis a group and the acts of discrimination vis-à-vis members of this group are mutually reinforced. This can be referred to as “the vicious circle of discrimination”. It may be defined as follows:

Figure 6: The vicious circle of discrimination



This diagram shows the risk of an almost systemic link established between attitudes, discrimination and socio-economic differences. “The very nature of discrimination leads to socio-economic differences between groups. However, public opinion does not see the real causes of these differences, and tends to use them as proof of the inferiority or defects of the victims; this in turn reinforces the existing stereotypes which themselves reinforce discrimination, a process which replicates itself indefinitely. Moreover, socio-economic differences between groups tend to reinforce social isolationism since the people belonging to these different groups have fewer relationships amongst themselves. And so, the vicious circle of discrimination is formed. There is also a link between discrimination and social isolationism, given that it is psychologically easier to discriminate against someone who is unfamiliar to us” (Makkonen, 2003: 23).

These significant negative social effects prompt active criticism and a commitment to move beyond stereotypes and prejudice. Nonetheless, at least in general, prejudice is difficult to combat because it does not totally alter facts but offers a means of interpreting social facts regarding the target groups. Prejudices are dangerous precisely because they interpret social reality in a plausible way. They involve selection and simplifications with the aim of discriminating against certain population groups, while at the same time having sound foundations which are therefore ultimately acceptable. It is not easy to dispel these prejudices; the factors which make one doubt them are considered to be exceptions. For example, a generous Jew would be regarded as a good “Jew”, namely the exception proving the rule that Jews are mean, and therefore bad. If a foreigner rapes a woman, it is because all foreigners are potential rapists by nature, but the fact that a foreigner might save a European woman from an attack would tend to be regarded as an exception to the rule.

The fact that stereotypes are not easily refuted is generally reinforced by the fact that they confirm each other, that they give rise to a sort of “theory” in the epistemological sense. Furthermore, as the philosophers of science since T. S. Kuhn (1970) have shown, theories may be resistant to refutation and any counter proof by hypotheses on a case-by-case basis. Theories are never undermined by one-off factual elements, even if the latter are numerous, but only by new theories regarded as more “convenient” or “suitable”. Consequently, we should be aware that we can never completely rid ourselves of stereotypes, but only move from harmful stereotypes to other less harmful ones, ones which may have more favourable effects, especially in terms of well-being. This will be indispensable in implementing a method of analysing and transforming harmful stereotypes relating to migrants and their descendants.

1.3. “Foreigners” as the ready-made targets of harmful stereotypes

As “foreigners” are outside the majority group, they do not generally fall into the usual categories. From the dominant social point of view, they belong to an “empty” category which needs to be filled in order to know how to deal with them. Out of necessity, they have to be stereotyped: without any direct information concerning them, the only way of getting to know them would appear to be by creating stereotypes. Furthermore, foreigners are a category of individuals who fairly easily lend themselves to be represented by this type of simplified image feeding a wide range of fears, first and foremost because they are unable to convey successfully the vision they have of themselves. In view of a long-standing recurrent mechanism, it is also for these reasons that the fact of being a foreigner in society makes someone potentially responsible for any phenomenon which the “host” group considers a threat. Many articles have shown that in Europe, the Jews and the Roma have for centuries played the role of foreigners who can be blamed for despicable practices ranging from ritual killing to the kidnapping of children, including the poisoning of wells and, more recently, usury and people smuggling, the transmission of sexual diseases and the spreading of viruses, exploitation of their own children, etc.

Georg Simmel was the first to show that what makes foreigners/outsiders the ready-made targets of stereotypes, ultimately making them “propagators of evils by definition”, is their spatial ambiguity. Indeed, the sociological form of “outsider” may be defined as a particular and disturbing combination of closeness and distance; an “outsider” – unlike the “wanderer who arrives today and leaves tomorrow” – is the one who “arrives today and stays tomorrow” (Simmel, 1908). The outsider is the “potential wanderer who, although he has not moved on, has not quite overcome the freedom of coming and going. He is fixed within a particular spatial group ... but his position in this group is determined, essentially, by the fact that he has not belonged to it from the beginning, that he imports qualities into it, which do not and cannot stem from the group itself” (Simmel, 1908).

Migrants are therefore the ideal targets of harmful stereotypes, first and foremost because they cannot easily be understood by society at large and because they have no previously determined and familiar identity. Once again, as Simmel noted, outsiders “are not really conceived as individuals, but as strangers of a particular type”: “the stranger ... is an element of the group itself. His position as a fully-fledged member involves both being outside it and confronting it.” The feeling of equality which we feel vis-à-vis an outsider is always at best abstract: it is an ideal and idealised equality between human beings in the general sense, but ends up emphasising what is not common. Amongst other reasons, because we believe that outsiders feel this alien status in return, we assume that the weak identification of migrants with the culture and order of the host community leads them to develop an instrumental rather than empathetic attitude with regard to social relationships: at best, as a free electron, at worst as a pillager, or at least “free rider”. Clearly, this projection reinforces a sense of distance, and therefore their outsider status, and ultimately, negative stereotypes.

It should be added that since we do not include strangers in the space we consider to be our own, as “they have not belonged to it from the beginning as they already have their own space”, at the first unpleasantness or the slightest disturbance, we start thinking that they should “go home”. We are already forced to live with so many people who disturb us, as there is no other place that they can be sent to, except prison for a limited period. We do not understand why we should also have to live with migrants who already have their own space. And because of this place of origin, their own “home”, they do not have to commit harmful acts as serious as offences in order to be repatriated. Indeed, they do not need to act badly: the fact that they are not necessary or “useful” is enough to call for them to be made to leave.

Against this background, the labels given to migrants are very often based on hearsay, urban myths, discrimination and fears which are already in circulation in the host society and which, especially as they are freely relayed in the media, first of all become socially widespread symbolic resources, and subsequently a social

“objective” truth. In this way, stereotypes which have probably been dormant for centuries in the collective memory – strangers/foreigners as propagators of evils, uncontrollable vagabonds, ogres, abductors of children and rapists – once again gain currency through the media in their small news items, whether true or false, real or virtual; they are the ideal means of feeding the deepest fears (Dal Lago, 1999: 11; Tournier, 1988).

Accordingly, migrants as a group are generally held responsible for all forms of insecurity for which no one else can be held responsible. They are thought to be the reason for unemployment, financial insecurity, lower wages, the danger of a reduction in health care services and welfare benefits, an increase in the number of robberies and rapes. In Italy, if the media and public opinion are any guide, migrants are even felt to be responsible for road accidents, which account for many more deaths and casualties than crime, whereas hitherto such events were seen as being merely accidents, things that just happen. As individuals thought to be radically different in relation to our customs and traditions, migrants are by definition a threat to the stability or the conservation of society as it was when they arrived. Even though they are far from being the cause of material damage for members of the host society, their behaviour and, ultimately, their very presence constitute a threat for shared social values which, as soon as they come into contact with diversity, are instinctively reified and essentialised as if they were immutable and clearly defined.

Such a situation has given rise to current immigration policies which, far from halting illegal immigration or regulating the complex phenomenon of migration as a whole, in the countries of origin and destination, reinforce the stereotypes regarding migrants because they marginalise them, criminalise them and force them into an illegal situation. This is the social phenomenon known as “self-fulfilling prophecies” (Merton, 1968): foreigners are now not simply individuals who come and go, who cross borders and, disturbingly, can no longer be assigned to any definite place, bringing with them elements which can harm social coexistence and economic prosperity, but individuals who, marginalised and criminalised, live in dark, unhealthy surroundings and have no legal or socially acknowledged employment. Without any doubt and in all objectivity therefore, they have become dangerous individuals.

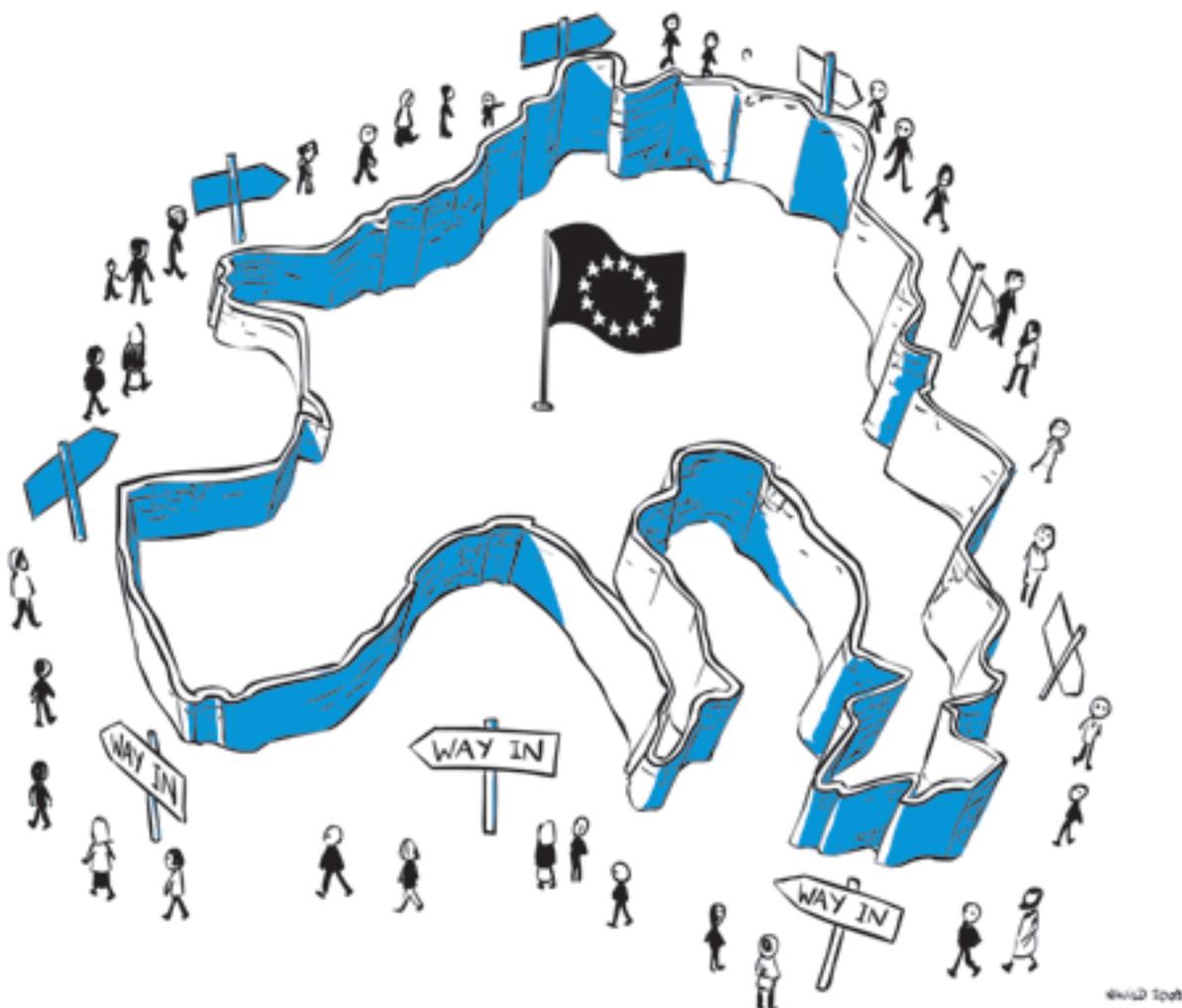
In addition, this picture is a key source of political consensus, which has meanwhile become a very rare resource in “post-ideological” societies, which have very fragmented interests and multiple lifestyles. The attention of citizens who are “victims of immigration” and their voicing of their discontent and fear make for political capital: the government must each day show that it is taking steps to “protect honest citizens”; the opposition parties do not reject this scenario but also have their role to play, accusing the government of not really listening to the voices of the citizens and making out that they are more aware, more competent and more determined to act than the government. The result, very often, is a constant widespread shifting of political discourse towards xenophobic positions, previously the exclusive domain of the far right (Camus, 2005). Combating stereotypes also means questioning the generally held views feeding the new forms of racism which, without any reference to biological races, help construct a social system and values in which migrants and their descendants tend systematically to occupy the lower positions.

1.4. Migrants as a threat

In recent years, stereotypes about migrants have become widespread, forming a system or veritable social theory. This trend seems to be heavily supported by the need to overcome profound normative discord affecting the West and, in particular, liberal European democracies. In this respect, stereotypes regarding migrants seem to operate as a “neutralisation technique” (Matza and Sykes, 1957) for the conflict between the principle of the market, considered acritically as the only legitimate provider of goods and resources, able to assess the values

of individuals and their life, and the constitutional principles of the rule of law, of formal and substantive equality, of fundamental rights, especially social rights.

This constitutional framework, born of the experience of the economic crisis and the world wars of the 20th century, comes up every day against the functioning of an absolutised market which underpins the whole of society. This tension is also to be found in the lives of individuals. Social exclusion, instead of being combated as an unacceptable limitation of full and egalitarian citizenship, is increasingly being accepted as an inevitable, if not necessary, feature of post-industrial capitalism, based on a dualist and flexible market, which constantly produces inequality and social disorder. However, the dominant discourse does not thematise this conflict between the two principles of the liberal democratic order, and does not stress the need to maintain the market within the fundamental rules of constitutional government. In contrast, it tends to shore up the modernisation of the normative framework to bring it in line with the demands of the market. In order to reduce the destructive potential of these increasingly more blatant tensions in our system of rules and values, conflicts are systematically individualised, subdivided into a multitude of small local frictions, without any possibility of connection, convergence or alliances. Inequalities in life prospects are not viewed as a “social” problem at systemic level, but as an individual or biographical defect (Bauman, 2000), responsibility for which is ultimately borne by those who are already paying the price in terms of insecurity: workers whose jobs are under constant threat, those who have retired, the unemployed, those on the margins of society, the poorly skilled and low paid workers, single women, migrants, ethnic minorities etc.



Recourse to stereotypes to categorise and control migrants can be understood in this context. It neutralises the ideological conflicts inherent in the contemporary management of migration by constitutional states, enabling individuals and institutions to present their behaviour overriding human rights as legally and morally acceptable for themselves and for others. For example, the commonly held views that migrants are entitled to stay only if they are useful, if the work is really required, etc., enable us to deny the fact that violations of migrants' rights, which would normally be regarded as unacceptable, are the result of conflict between the requirements of the market and constitutional guarantees, or of the inability of current policy to maintain the market in the constitutional normative framework and to develop long-term social integration and interaction strategies. These stereotypes provide justification for the tensions which emerge because of "the unrequested arrival of migrants" who "steal the jobs of nationals", "their refusal to return home if they cannot find work", "their reluctance to work", the fact that they "live by thievery", that they "take advantage of our welfare state" or that they "think they are at home here", which deep down equates to the simple fact that they claim the same rights as citizens.

It should also be pointed out that when individuals resort to neutralisation techniques, in this case harmful stereotypes, they are not engaging in a simple exercise of self-justification and are not motivated by any guilty conscience, with the intention of rationalising the situation (Wright Mills, 1963). They create conceptual frameworks to interpret their actions which appear justified in the eyes of the group, whereas without the neutralising terminology they would be unacceptable. This would appear to be decisive in explaining the rapid success and unassailability of stereotypes about migrants, above all in the "networked" way they operate, which on the whole is much more resistant than an individual stereotype to any counter-proof.

In this regard, the stereotype that migrants have a tendency towards criminality plays a crucial role. The involvement of groups of foreigners in crime is held to be so obvious that no solidarity-based and egalitarian ideology can deny it. But it is also just as obvious that this involvement is constructed by society, not because it is the result of an overtly racist ideology, or of an obscure conspiracy against migrants, but of a vision of the world which in turn shapes the vision of social relationships and is more and more accepted as a generally held view. This perception, propped up by the ideology of globalisation whereby the resources which states can allocate to social objectives are inevitably rare, has spread the idea that the guarantee of rights for the "indigenous" majorities may require a refusal of these rights for migrants (and often for poor indigenous citizens) because ultimately "the boat is full". European citizens think that their social rights are a zero-sum game and fear that the effect of granting welfare benefits to migrants will only reduce still further their own benefits, already affected by economic and financial globalisation. Most electors in the north-west European countries want to prevent the uncontrolled access of migrants to citizenship rights from reducing the value – even if only symbolic – of their traditional social security.

In the north-west European countries, the "reunification of society" constitutes ideal grounds for the criminalisation of migrants, though entailing some element of contradiction. This reunification is being carried out at the expense of migrants, who are excluded from many welfare benefits, but who nevertheless are widely used as resources of the production system. In general, public opinion in these countries would never accept access to human rights being regulated by overtly racist or xenophobic criteria, in other words by the idea that migrants should be excluded from social rights because they are black or yellow or have uncivilised ways of living. Nor would it accept the purely self-interested position that since we have few resources available, migrants cannot ask us to grant them our already threatened benefits and socio-health services so that they may obtain an acceptable level of social security. Such a perception is tempting only to minority and often exasperated segments of public opinion in north-western Europe.

In contrast, making compliance with the law a precondition for access to citizenship rights would appear to be an aseptic and politically correct position: one cannot show solidarity with individuals who commit crimes

and engage in often virulent attacks against our fellow beings and our property. It matters little that migrants are by no means the adversaries of power or established society, but a fragmented class of individuals who are at significant risk of exclusion: stereotypes merely make them what our societies need, “convenient enemies” (Christie, 1986). As stated above, that does not mean that the criminalisation of migrants is a result of manipulation by racist or xenophobic elites but rather that it can be a barrier to the automatic access of migrants to social citizenship: a barrier which seems “natural”, because the factors which lead to the criminalisation of migrants seem obvious and self-evident.

The barrier of respect for the law and the criminalisation of migrants is not the only one which European and western societies in general use to prevent non-discriminatory access by migrants to well-being, to which they legitimately aspire. Compliance with our laws more and more frequently is becoming confused with respect for our way of life and our culture.

In this respect, multiculturalism expresses a much less progressive position than one would think. This model, with the identity policies that derive from it, is a source of stereotypes in that it encourages identification of the members of the group by means of that group’s allegedly common features. Moreover, “tolerance of the cultural difference” is increasingly perceived as a way of avoiding addressing the injustice, discrimination and violence implicit in many of the traditional practices of migrants. In particular, this tolerance is claimed to be a means of perpetuating serious forms of psychological and physical violence against women (Okin, 1999). Migrants are therefore identified by the stereotype of their group, often depicting barbaric, uncivilised customs or lagging behind in the modernisation of which our societies are at the forefront.

Such a multicultural model ends up compromising the possibilities of interaction and cohesion inherent in an immigration society. It tends to create a society which is at best “plural” but not “pluralistic”: a society in which each voice has its place, claims to be homogenous and seeks representation in each public space. In this way, there is very little place left for dialogue between different voices and the internal transformations in each group. In the multicultural model, each religion may have various currents, without there being any room for dialogue. Paradoxically, this model seems to be about to revive a certain “identity fundamentalism” even where it was dormant and had merged into peaceful pluralistic dialogue. With the expansion of migration – totally pluralistic – this approach does not encourage cohesion, in that there is a risk that it will provoke the fragmentation of society into the individual components of its complexity, replacing it with a plurality of “tribes” which may be very cohesive amongst themselves but closed to internal criticism, to the outside and to others.

This quest for identity and communities can be explained in the current socio-historical context (Bauman, 2000 and 2004). Most migrants, and indeed people in general, increasingly adopt a market-shaped identity which is generally based on their social (and, for migrants, often legal) status. With regard to making life meaningful, unfortunately these identities are very weak (nobody would like to define themselves simply as “manual worker”, or even “stockbroker” or “manager” or “consumer”). This makes people very sensitive to the opportunities provided by religious, ethnic or other strong identities (cf. above). If one wishes to escape from this prison of fixed identities, there are other opportunities for making meaning, building human relationships and relational assets, and fostering shared responsibilities which should be given precedence. It is precisely the model of a pluralist society that we need to be working on.

In order for the mixed society we are moving towards not to be the sum of non-communicating and potentially conflictual cultural identities, public services should not be specialised but rather diversified, in other words pluralistic. To this end, they must be neutral ideologically: they must meticulously avoid discriminating against their beneficiaries according to their convictions and particular features. That means that no public service must allow bias; be it public or private, the service provider must be independent of any political, ideological

or religious influence. In this way, services may not be exclusive nor exclude in the strict sense, that is, reject individuals who do not correspond to one of the aforementioned influences or to an ideal and idealised user, whose customs are modelled on the dominant social and cultural type. Users must be informed that no service provision seeks to exclude or favour them. Of course, taking user diversity into account up to a certain point, compatible with the service itself and its resources, is neither a privilege nor discrimination: what would be discrimination, although indirect, would be not treating differently what is in fact different.

The public nature of a social service is therefore compatible with a provision which is flexible enough to take account of different individuals, while avoiding fragmentation or any other individualistic dysfunction which is obviously incompatible with the universalist objectives that this service should achieve. Nevertheless, in the years ahead, European societies will see a growth in the number of private organisations and groups offering specialist and partial services. There is no doubt that such entities should not be prohibited; nonetheless it is essential to create pluralistic and neutral public services, along the lines explained above, rather than exclusive services by way of compensation. These services would be managed by individuals from different cultural, ethnic and religious backgrounds, selected not because of their culture of origin but because of their ability to offer the service in question. The quality of the societies in which we live will be closely linked to our ability to create such a prospect and the necessary cultural competencies. There is an urgent need for Albanian, Romanian or North African police officers who, because of their cultural background and especially their professional skills, could little by little make European services genuinely pluralistic, so that neither the indigenous population nor migrants should feel that preference is given to them in the way in which they are offered services. Public services of this type are perhaps the most effective long-term solution to combat harmful stereotypes.

1.5. Migrants as a resource

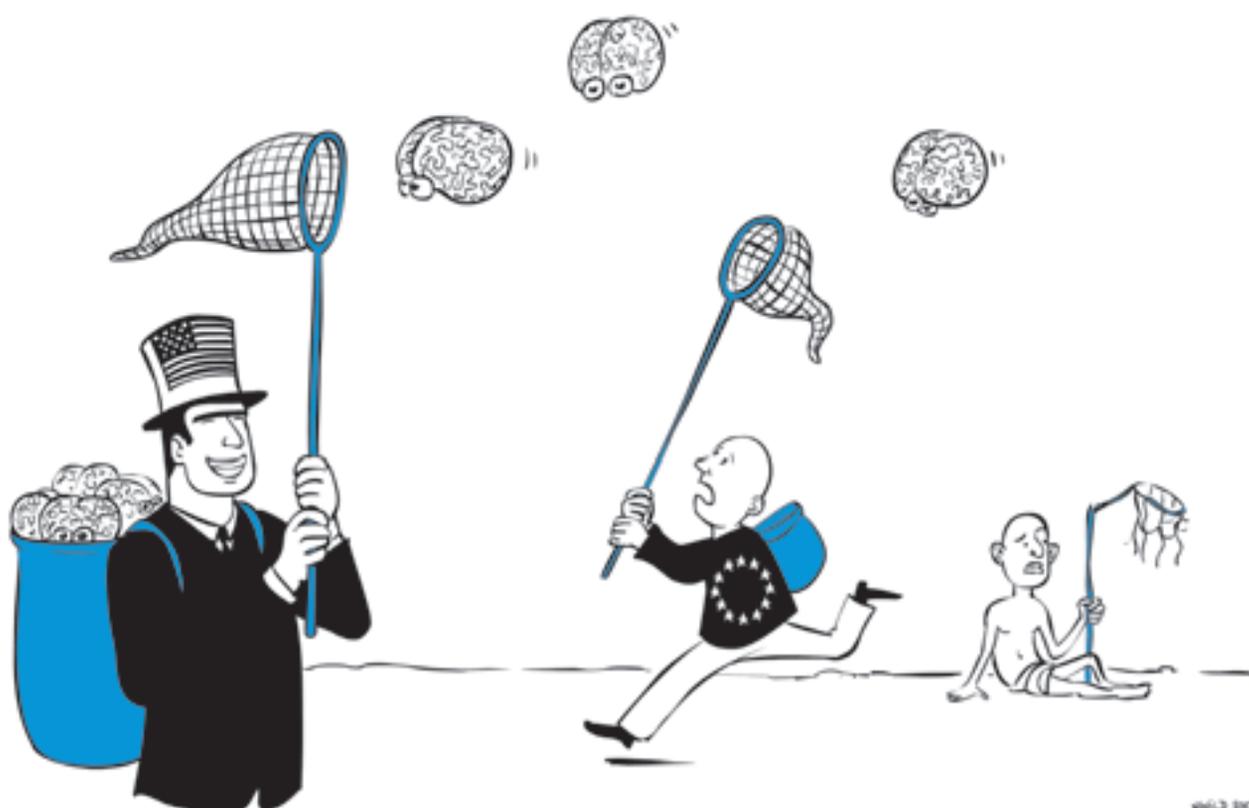
A further serious problem for a strategy to limit the harmful impact of stereotypes is the choice made by the European Union and virtually all of its member states to have two immigration channels and only two different categories of migrants in a regular situation. Basically, according to European policies, migrants may stay on the territory of a member state if the latter needs them for a particular job, or in the interests of humanitarian aid. Migration is therefore looked upon favourably for economic and humanitarian reasons. This clearly encourages the creation of stereotypes regarding migrants, and represents a significant danger for European social cohesion.

The two immigration channels referred to are not of equal standing. The first – which is supposed to be in response to the needs of the employment market – takes precedence over the second, which is reserved for exceptional cases, or seen as a means of sidestepping the rules of entry. This dichotomy has been decisive in creating the stereotype of the “useful” migrant and to encourage its propagation: it is a powerful vehicle for the idea that when migrants are no longer employed, they should disappear from society and become invisible, reappearing only when they become once again useful and can then return to work. This encourages the negative image of migrants who are in Europe without a job or apply to social services: when they stop being useful and become a burden, migrants no longer fit into the stereotype making them acceptable. Of course, the stereotype has not been “invented” by European Union policies; migrants often move about for economic reasons, but above all, their identity cannot simply be reduced to that of a worker. Like everyone else, they have needs which go far beyond that of work and which have an influence on their reasons for migrating. Generally speaking, there are many reasons other than economic ones for migrating and settling somewhere else. All these reasons and the underlying links are to some extent eliminated by the stereotypes associated with the immigration channels set up by European countries: migrants are to be found in a given place solely because their occupation is one in demand.

The stereotype of the useful migrant seeking a job which the host society needs to be done is so powerful that it totally overshadows that of the migrant seeking humanitarian protection. Even though, because of war, famine, natural disasters, dictatorships, the situation in many regions of the world is such that a large proportion of people have good reasons to flee in search of humanitarian protection, every time there are reports of groups of migrants coming to Europe, without any information being given on the actual situation of the people involved, they are never portrayed as a group of “refugees” but always as a group of “foreigners in an irregular situation” attempting furtively to enter a country which does not in practice require their labour.

The measures adopted in several countries to implement policies to promote the entry of “talented” workers, namely those who are highly skilled, also consolidate the stereotype of the “useful” migrant, as they are based explicitly on the theory that encouragement should be given for migrants who have professional skills which are much in demand. This reinforces the idea that individuals who do not have the skills required by the host community are undesirable and that their very presence is a form of violence that we have to endure, a sort of unlawful intrusion. Furthermore, these policies are aimed at foreigners still living in their countries of origin, whereas other migrants, equally skilled, have perhaps already moved to Europe and accepted unskilled work as a result of their need to emigrate. For those already in the country, this paradoxical situation reinforces the stereotype of migrants as unskilled workers, having little value and fulfilling the legal conditions for entry and residence only in respect of occupying inferior posts.

This prejudice is already strongly supported by the policies for “selecting” useful migrants, reinforcing the idea that they should not have the jobs which the local population wishes to fill; otherwise, they are seen as being of little use and “stealing” jobs. A new type of “lesser eligibility” emerges from these policies and the stereotypes they help to consolidate. In the United Kingdom, between the 18th and 19th centuries, this expression referred to the principle whereby prison conditions should be worse than the most wretched life which prisoners would have if they were free, or else prison would lose its whole power as a deterrent. Today, policies



propagate the idea that migrants should occupy only those jobs which restrict them to a life which no member of the indigenous population would be prepared to have; if such were not the case, migrants would not be useful but harmful, unless they had unique skills, were talented (this description does not express intrinsic recognition of the scientific value of a migrant but above all contains a comparative judgment between the skills of a migrant and those which the host country requires). Of course, they must make their skills available to the community so as ultimately to make it possible to recruit indigenous workers.

Furthermore, policies which authorise only useful or selective immigration strongly stigmatise the second generation of migrants, even if the latter have the nationality of the host country. For while the fact of allowing the parents in may be regarded as a sort of investment or necessity, accepting their families is seen as a burden. The children of useful migrants do not themselves need to be useful and there is even less expectation that children of talented migrants would themselves have talent. These policies and the stereotypes they produce end up by constructing a wall which hampers the integration of second and third generation migrants giving the descendants of migrants the image of a still foreign group of exploiters wishing to benefit from “our rights” without totally deserving this honour, simply out of an archaic principle of succession.

A matrix with the two fundamental characteristics attributed to migrants and their families of “threat” and “resource” as column headers, and the three factors we consider to be crucial in our societies – “security”, “well-being” and “lifestyle” as row labels, will produce a table of the main harmful stereotypes relating to these population groups. The reason for the “empty” cell derived from “resource” and “security” is because it is unacceptable to admit that the criminalisation of migrants is a major resource, both political and symbolic, for ensuring cohesion and consensus in our fragmented and inegalitarian societies (Melossi, 2003; Oliveri, 2005). The reason for the “empty” cell where “resource” and “lifestyle” meet is the reluctance to ascribe a positive value to the presence of migrants except from the ethnocentric perspective of the societies of destination: when migrants’ lifestyles are not seen as a threat, they are acknowledged only in folkloric, exotic, aesthetic or gastronomic terms, and are therefore already heavily stereotyped.

Table 13: Matrix of harmful stereotypes relating to migrants and their descendants

	Threat	Resource
Security	Migrants threaten our security because ... <ul style="list-style-type: none"> – they cause a rise in crime – they bring in diseases 	[This dimension does not produce any explicit harmful stereotype. The fact that migrants are seen as a “security problem” is indeed a resource, but one the existence of which the economic and political system cannot admit to.]
Well-being	Migrants threaten our well-being because ... <ul style="list-style-type: none"> – they take away our jobs – they drive down wages – they are less educated than we are – their children bring down education levels in our schools – they exploit the welfare state – they exploit asylum conditions 	Migrants are an economic resource because ... <ul style="list-style-type: none"> – they do the work nationals no longer want to do – they will pay for our pensions
Lifestyle	Migrants threaten our way of life because ... <ul style="list-style-type: none"> – they think they are at home – they form parallel societies – their women live as a minority 	Migrants enrich our culture with their diversity [This dimension produces no specific harmful stereotype, other than viewing migrants’ lifestyles from the ethnocentric perspective of folklore, exoticism, art, gastronomy.]

1.6. An approach for analysing and transforming harmful stereotypes

1.6.1. The resistance of stereotypes to empirical negation: the example of the feeling of insecurity

All those who attempt to deny the social force of harmful stereotypes should remember the words of W. I. Thomas: “If men define situations as real, they are real in their consequences” (McHugh, 1968). Forming the very framework of the way in which migration is generally perceived to be, stereotypes cannot be refuted by a simple proof to the contrary: rather it is necessary to interpret the whole of reality differently, to change the way we look at others, ourselves, and society.

There are also other explanations for the fact that stereotypes, especially accusatory stereotypes, are resistant to attempts to refute them by adducing evidence to the contrary. When a person is accused of something disquieting, the traditional approach of challenging the actual situation is reinforced by the fact that disquiet is a highly fluid concept, which expresses both the subjective perception of the individual and the objective situation giving rise to the perception (Goffman, 1974). It must be also borne in mind that fear is not automatically and mechanically linked to the probability of a specific danger, whether physical or social, attacking our world, nor to the direct experience of a crime or act of violence: indeed, “the constantly growing feeling of insecurity among Europe’s citizens is seldom backed by statistics” (Schieder, 2005: 33).

There is in fact a fairly poor correlation between insecurity and victimisation, that is, the direct experience of a crime: what one feels does not necessarily reflect the risk incurred. This was discovered a little by chance as an unexpected by-product of the efforts of an American commission to improve estimates of the volume of crime. In the mid-1960s, Ennis and Reiss Jr. came up with victimisation studies for the President’s Commission on Law Enforcement and the Administration of Justice set up in 1967. They asked a sample of people if, in the course of a given period, they had suffered victimisation; if so, what did this involve, how did they react and what did they feel? They were also asked about the feeling of insecurity, their fear of crime; the surprising result was that victims were not always those who felt the most insecure, or even those who lived in areas with a high level of victimisation (Robert, 2005).

The intensity of the “perception” of the danger varies in accordance with how vulnerable local people feel: the prospect of an aggression is more frightening at an age when people feel more defenceless; it gives rise to more panic amongst those who imagine, not only a physical attack, but also the possibility of rape; victimisation would appear to create more fear when linked to the living conditions in a neighbourhood which one is unable to leave because of a lack of sufficient resources (Peretti-Watel, 2000; Pottier, Robert and Zauberman, 2002). Fear of crime is also fragmented: in the same population group, in the course of the same survey, there may be very different scores and profiles depending on whether one asks people about fear at night in the street, at home, in the different types of public transport or for their children.

Given that foreigners are, by definition, linked to social disquiet and insecurity, the claim that this correlation is false ends up being interpreted as a refusal to accept the subjective perceptions which give rise to disquiet and insecurity. This fuels anger and gives rise to a larger number of people who think this way, together with increased distrust of political institutions and a feeling of remoteness from them. Consequently, it is difficult to combat this fear of foreigners, so much so that one might legitimately ask whether this fear can indeed be combated at all, at least directly. In any event, it would appear that this fear is exploited in order to focus public attention on the problem and bring about a consensus, which is something that is extremely rare in our complex, considerably differentiated and fragmented societies.

It is no accident that since the late 1980s, almost everywhere in Europe, immigration has little by little been defined almost exclusively in terms of illegality and degradation. At a time when politicians are, or feel that they are, weak and unpopular, they cannot be expected to take a stand against stereotypes whereby foreigners are the root cause of many social problems. The idea of migrants as “the enemy” and the cause of all the troubles experienced is for them an irreplaceable source of support in our societies where all issues divide rather than unite and where the economic and political margins for manoeuvre are very limited. So scapegoats are very useful to explain all types of insecurity, the structural causes of which cannot be eliminated. The voice of citizens protesting against the worsening of their living conditions, linked quite simply to immigration, is increasingly being presented as justification for this same image of reality (Dal Lago, 1999): denying the reality which gives rise to fear would mean asserting that people are wrong to feel increasingly less secure.

This short cut between greater social insecurity, the rise in the fear of crime and the criminalisation of immigrants comes, at least in part, from the media, but by no means is it a media invention (Robert, 2005): journalists merely resort to a framework, a symbolic resource, which is naturally available and which goes without saying. Faced with the difficulty of combating this framework, the media do nothing other than report “facts” in a mould which they know to be consensual. They simply give some credit to the current stereotypes: they support and reinforce the idea that they are the only cognitive framework making it possible to understand the phenomenon of immigration. The story of two boys of Novi Ligure, in Italy, who having killed a member of their family, accused foreigners of Slavic origin, thinking instinctively that their version would be credible, probably offers the most evident illustration of this mechanism of normalising stereotypes. This is not an isolated incident: for several years it has been rather current practice to try and conceal the real person responsible for a crime by accusing a foreigner in his/her place. As this attitude loses its discriminatory and racist stereotype dimension and becomes part of the normal cognitive framework (the same framework which tells us that young people are different from adults) it will seem normal even for individuals such as police officers and judges, who are professionals in the fight against crime.

In any event, insecurity – even when only perceived – is nonetheless a political reality which requires an appropriate political response. All those who have responsibilities in governing society must contribute to this response, even if they disagree with the extent, or even the existence, of the threat. “But it is the nature of the reaction that distinguishes a true representative of the people from a populist manipulator” (Schieder, 2005: 33). It is therefore first and foremost a strategic and methodological question to be addressed and to which this guide seeks to contribute.

1.6.2. A historical and pragmatic approach

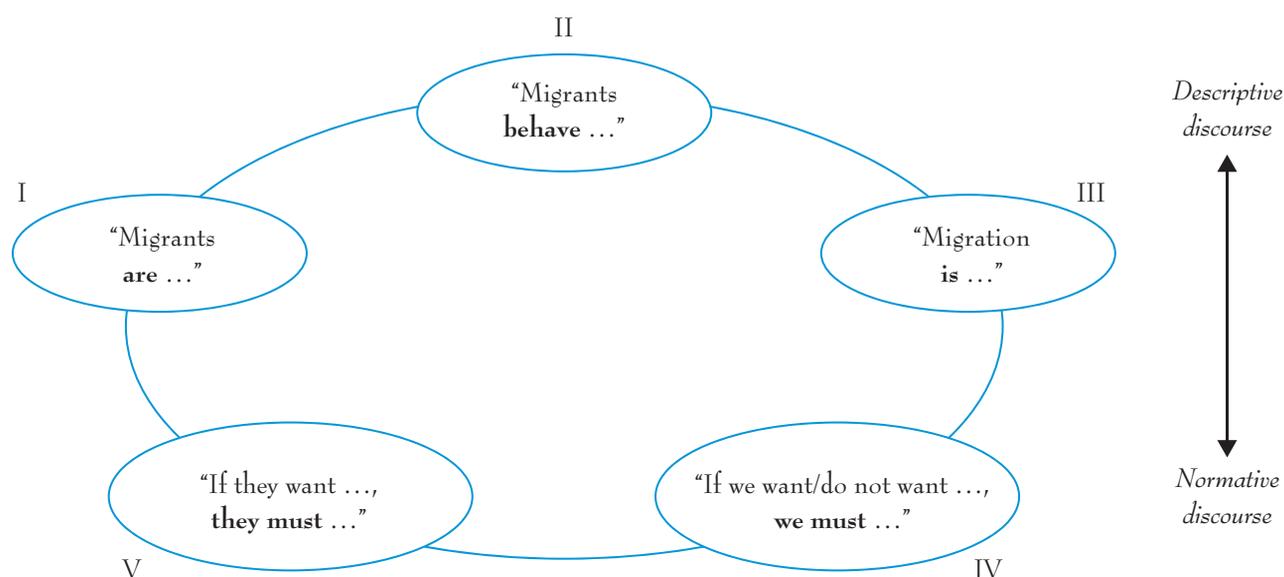
In general, the fight against harmful stereotypes is a long and laborious one since it cannot be based on concrete or direct evidence. The fight must first of all be waged like a historical study, that is, a critical analysis of history and present society as contexts for the birth and dissemination of stereotypes. Next, it must show in a pragmatic way the drawbacks and contradictions of this vision of reality, the negative effects of stereotypes on the well-being of migrants, on the quality of policies and on social cohesion as a whole, contrasting this with the opportunities and advantages which would derive from a change of terminology and practices in respect of the targets of the stereotype.

While stereotypes normally function in a network, their description inevitably involves the reconstruction of all the ideas, images and discourses framing the dominant perception of the aspect of migration referred to by the stereotype itself. Clearly, account has to be taken of the fact that it is a circular argument, the beginning and end of which can be detected only in theory because in practice one moves from one to the other in a recursive and irregular fashion. These “stereotype chains” usually comprise at least five elements. The first three, which

are descriptive, attempt to show a perception of what migrants normally are and, virtually by consequence, what they do, framing this information in a general narration of current migration, often substantiated by official, learned, scientific, expert discourse (Dal Lago, 1999; Faso, 2008). The migration phenomenon, an inextricable entanglement of micro-events and often uncontrollable phenomena, is thereby assembled by public opinion into a single social fact whose threatening features are evident and clear.

In close relation to the above elements, the final two provide indications for practical and political action, by answering the question: “if migrants are/ behave ..., if migration is ..., what is to be done about it?” From the cognitive point of view, stereotypes should serve to provide direction in reality, especially if this reality is unknown or little-known: they should also, from the descriptions of the situation they provide (“migrants are ...”; “migrants behave ...”; “migration is ...”) make it possible to deduce normative implications, obligations or practical advice for action (Oliveri, 2008b: 79). All stereotypes therefore have a “moral” connotation which may be explicit or implicit; ultimately they serve to motivate individuals and institutions to take certain decisions, to indicate what must be done and what must not be done, to suggest how one should generally conduct oneself with migrants, to attribute to them “shortcomings” and “responsibilities” in a situation presented as problematical and to draw the relevant conclusions (“if we want ..., we must ...”), to encourage citizens as genuine “victims of immigration” to react before it is too late (if we do not want ..., we must ...) to call on migrants to adopt a certain type of behaviour, or else be sent back (“if they want to stay here, they must ...”).

Figure 7: Model “stereotype chain”



After identifying stereotypes from public debate and generally held views, we need to trace their origins from two aspects: first, identify the interests which they may have satisfied and the social and political force of the parties concerned; second identify the normative data, the social categories, the viewpoints and discover what supports these and enables them to be an essential part of the dominant “theory” on migrants. Next, we need to assess the negative impact of harmful stereotypes and review the normative data which, because of their “artificial” character and their ability to shape perception by transforming “facts” into “valid legal injunctions” (Habermas, 1992), are both the most easily modifiable data and a means of changing the social and cognitive situation.

In the light of the objectives of this guide, we must be extremely careful in the use of the various available resources, especially those of a normative nature, which could help lessen the impact and harmful consequences of stereotypes. The law may be seen as being either an autonomous source of social power enabling migrants to combat harmful stereotypes, or as a social resource acting in support of the dominant groups, encouraging

“standardisation” and the propagation of stereotypes and prejudices. If it is to be effective, the fight against discrimination and exclusion conveyed by stereotypes demands a normative framework for migration, setting out rules which can be used as a means of opposing and resisting harmful stereotypes rather than as a source itself of stereotypes. Unfortunately, there is a danger that the rules of the immigration framework at European level are heading in the wrong direction (cf. above). Instead of being a source of rights, and therefore of social power for migrants, these rules are often a major factor in consolidating the stereotypes referring to them.

We also need a change of practice. The example of the media may be helpful in understanding this type of approach. The media play a vital role in this context, because they are the only ones capable, slowly but surely, of shattering the image of migrants as dangerous, acceptable only while they are useful. It is not a question of criticising the incompetence or superficiality of journalists, but of ensuring that the first step towards social inclusion requires primarily an immense effort not to interpret situations involving migrants through the prism of stereotypes. Dal Lago (1999: 36) commented that the media are not artificial institutions but micro-systems operated by social players who – like all of us – are conscious of and responsible for their actions.

These players should be aware that focusing attention on migrants and reporting on facts involving them in the well-established frameworks feeds the moral panic permeating our societies, thereby making the inclusion of migrants a mirage. They should be aware that in the light of today’s individual morality and professional ethics, they should distance themselves from the generally held views, and indeed oppose them. This attitude should be backed up by an ethical rule which, as in the United States, forbids any reference in news reporting to the “colour” of people arrested or suspected. A fundamental step forward in the fight against harmful stereotypes would be to realise that writing or saying that “Senegalese nationals arrested for selling counterfeit clothes” should seem as absurd to journalists as “Parisians arrested for selling drugs”, “a Romanian gang of house-breakers” as odd as “Londoners charged with tax evasion” and “Albanian procurers arrested” as pointless as “Glaswegian youths arrested for throwing stones off bridges”.

Figure 8: Stages and questions for analysing harmful stereotypes

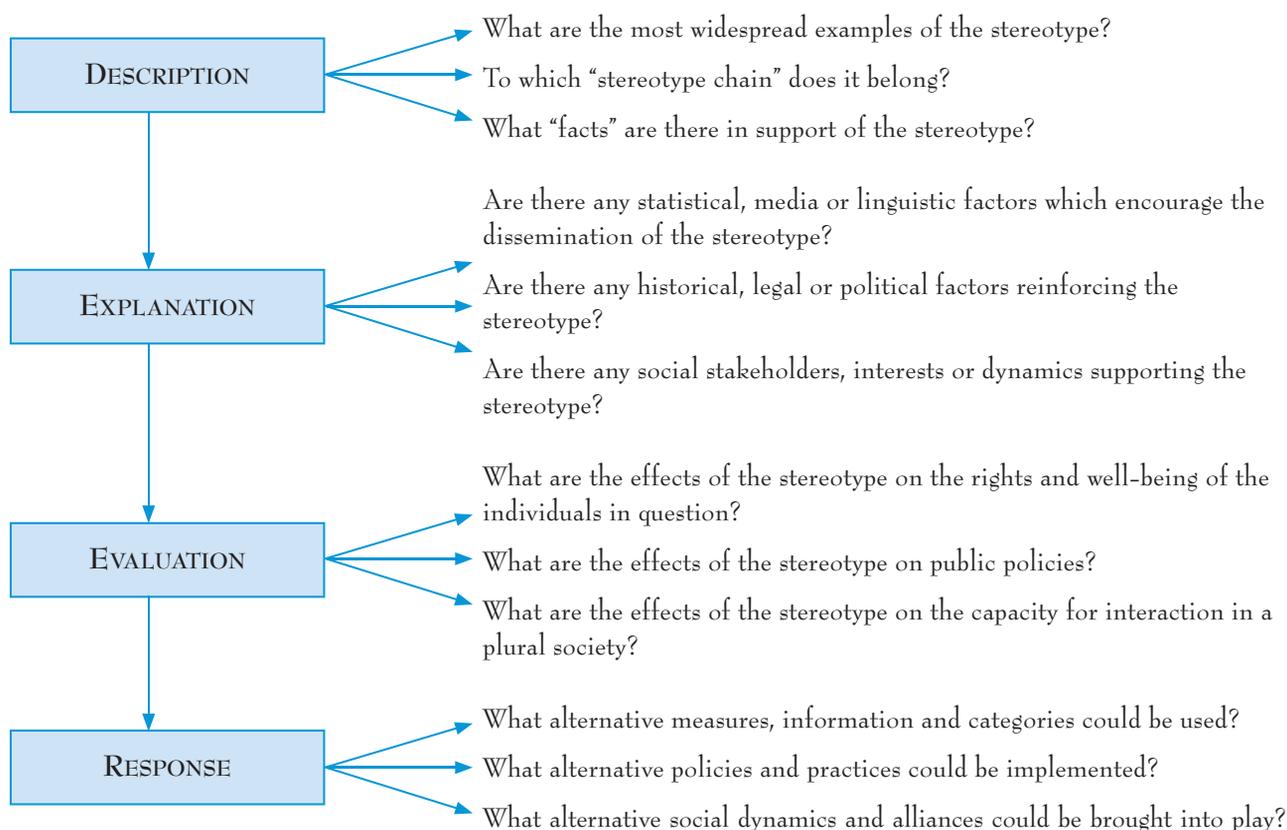


Table 14: Questions and model answers for analysing stereotypes

In order to make it easier to analyse stereotypes via the four approaches indicated – description, explanation, evaluation, response – each key question is given possible model answers. Each question and the accompanying answers may produce one or several indicators summarising the situation in a particular context or territorial level in relation to the stereotype and offering avenues to explore for developing alternatives to current practices and statistics.

a. Description

Questions	Possible model answers
<i>What are the most well-known forms of the stereotype?</i>	List and describe the most commonly used expressions concerning migrants which could be harmful Reconstruct the “stereotype chain”, emphasising this aspect of migrants’ lives <i>Sources:</i> press articles, TV programmes, statements by politicians and experts, scientific publications, day-to-day discourse
<i>Is the stereotype widespread?</i>	Assess how widespread the stereotype is in the national population and certain groups in particular Identify any subgroups in the migrant population affected most by the stereotype <i>Sources:</i> surveys, press articles, TV programmes
<i>What “evidence” is put forward to justify the stereotype?</i>	Publish the “evidence” and “facts” usually put forward in support of the stereotype <i>Sources:</i> statistics, surveys, press articles, etc.

b. Explanation

Questions	Methodological notes for answers
<i>Are there any statistical, media or linguistic factors which encourage the dissemination of the stereotype?</i>	Deconstruct the discourse which simplifies reality and which generalises specific situations, attributing to a whole category of migrants fixed qualities on the basis of individual behaviour <i>Sources:</i> press articles, TV programmes, statements by politicians and experts, scientific publications, day-to-day discourse
<i>Are there any historical, legal or political factors reinforcing the stereotype?</i>	Analyse immigration and integration policies, as well as the practices of the players responsible in different capacities for policy implementation, as a potential seedbed for stereotypes Refer to examples in European and world history of similar cases of stigmatisation of certain social groups, with particular attention being paid to class, race, nationality, gender, religious affiliation, etc. <i>Sources:</i> public policies, legislation and administrative practices
<i>Are there any social stakeholders, interests or dynamics supporting the stereotype?</i>	Highlight the different types of interests – political, economic, social – linked to migration and where they converge or diverge, verifying whether there are any population groups which may profit – in a tangible or intangible, direct or indirect way – from the stigmatisation of migrants <i>Sources:</i> public policies, economic practices, statements, etc.

c. Evaluation

Questions	Methodological notes for answers
<i>What is the impact of the stereotype on the rights and well-being of the people in question?</i>	<p>Assess the effects which stereotypes have on equitable access by migrants to rights, either in terms of their actual capacity to exercise their rights and ask for them to be fulfilled in the event of blocked access, or in terms of their “right to have rights” and to be recognised as fully-fledged individuals with fundamental rights</p> <p>Assess the impact of stereotypes on the well-being of migrants, especially their ability to conduct their lives independently, on their dignity, on their participation in community life, with particular attention being paid to the invisible or intangible dimensions of well-being (satisfaction, sense of belonging, existential security, confidence, etc.)</p> <p>Sources: legislation, surveys, well-being indicators</p>
<i>What is the impact of the stereotype on public policies?</i>	<p>Assess the effect which the dissemination of stereotypes on migrants has on policies and administrative practices relating to them, with particular attention being paid to the quality of policies in terms of depth, consistency, equity, transparency, sensitivity to diversity, and capitalisation of the skills of the individuals concerned</p> <p>Sources: legislation, surveys, policy quality indicators</p>
<i>What are the effects of the stereotype on the capacity for interaction in a plural society?</i>	<p>Assess the effect which stereotypes have on generally held views and on the ability of members of plural societies to develop and implement interactive skills with migrants.</p> <p>Sources: surveys, ad hoc studies</p>

d. Response

Questions	Methodological notes for answers
<i>What alternative information, concepts and indicators could be used?</i>	<p>Indicate the concepts, sources of information and methods for constructing indicators and statistics which will make it possible to minimise or transform stereotypes relating to migrants</p> <p>Sources: ad hoc studies, best practice</p>
<i>What practices and policies could be implemented?</i>	<p>Indicate what changes at the level of day-to-day practices, institutions and legal frameworks could minimise or transform stereotypes relating to migrants</p> <p>Sources: ad hoc studies, best practice</p>
<i>What dynamics of co-responsibility and what social alliances could be deployed, and by whom?</i>	<p>Indicate what type of action and organisations could play a positive role in reducing the negative effects of stereotypes and transforming them, with particular attention being paid to approaches based on co-responsibility cutting across the various groups and social categories involved in combating racism and discrimination.</p> <p>Sources: ad hoc studies, best practice</p>

CHAPTER 2 – HARMFUL STEREOTYPES PORTRAYING MIGRANTS AND THEIR DESCENDANTS AS A THREAT TO OUR SECURITY

INTRODUCTION

Contemporary societies have become “risk societies” (Beck, 1986). This risk is global in all respects: it weighs on every living being, whether human, plant or animal; it concerns the natural resources of the planet as limited and non-renewable; it knows no boundaries and, albeit with varying degrees of intensity, it threatens both rich and poor countries, the less well-off classes and the wealthiest. The situations of exposure to risk are structural, linked to the dominant economic development model, which “systematically produces its own endangerment and the questioning of itself through the multiplication and the economic exploitation of hazards” (Beck, 1986: 57). Furthermore, these risks are no longer confined to where they first emerged, as pollution, global warming and financial crises illustrate very well. This gives rise to a sort of universalism of threats, a negative interdependence which is inescapable. These threats are all the more worrying because they raise questions to which those exposed to them cannot provide a response. This means that we need a new form of political governance, capable from the “symptomatic and symbolic” point of view of successfully addressing the threats to our way of life: a way of life which is highly complex, technologically advanced and increasingly less capable of, or even interested in, reducing social disparities.

This form of governance does not set out to overcome the risk by establishing new forms of sustainable social and ecological balance. It would appear to draw inspiration from a “shock strategy” (Klein, 2007) attempting to transform the risks into opportunities for the dominant economic and political system to develop and expand. In this approach, the controlled or allegedly controlled risks may be artificially created or consciously fuelled. For example, experts and the media may exaggerate the risk of states going bankrupt because of public debt and relate it to social programmes to justify reduction or privatisation, despite the fact that the state’s debt may be caused primarily by an increase in interest rates and a reduction of income tax on the highest earners and on financial yield. In this way, members of the risk society necessarily develop multiple and contradictory identities: they are at the same time workers frightened by the transformations in the market and the organisation of employment, savers terrorised by the retirement reforms and the financialisation of their pensions, and over-indebted consumers because of the gap between needs and wages and easy access to credit (Bellofiore and Halevy, 2005).

In a society which, since the early 1980s, has at structural level been producing global inequality (Gallino, 2000) and insecurity (Palidda, 2005), and which at the same time has been experiencing increasing democratic fatigue because of reduced citizen control over their own lives, the population has increasingly been exceeding the capacity of the production, social and institutional system to integrate it peacefully: this has led to a relatively high risk of social exclusion and deviant behaviour, which institutions are attempting to deal with by means of risk forecasting and prevention procedures for each social category (De Giorgi, 2002): the use of stereotypes and in particular stereotypes relating to classes and “dangerous” groups is a key tool in this model of governance. It results in governance through fear and social alarm caused by certain categories of the population, such as migrants and especially undocumented migrants, natural phenomena, for example pandemics such as SARS, avian flu (Davis, 2005) or swine flu, the actual impact of which is often overestimated by the media and institutions, or by threats from international terrorism, especially Jihadist terrorism (Warde, 2007).

Paradoxically therefore, insecurity becomes the solution to societal problems and not a problem in itself (van Campenhoudt, 1999). The criminalisation of social unease and challenges becomes one of the key strategies

in moving responsibilities from systemic level to individual level (Bauman, 2000). One regularly sees that the majority of people given criminal and prison sentences are the poor and highly stigmatised individuals: they require assistance and not a hardening of their exclusion (Mathiesen, 1990). The very function of prison is changing considerably, becoming an incapacitating space rather than a place of rehabilitation in which to house the “human surplus” who have no prospect of social integration (Bauman, 1998; Santoro, 2008).

The threat to and demand for security are, however, broader than the protection of one’s physical well-being or property, which are nevertheless important. The threat also relates to intangible aspects, the dimension of relationships, affiliations, identities, ways of living and ways of thinking. Identity is a “battle cry”, and culture becomes the synonym of a “fortress” besieged by barbarians (Bauman, 2003). The threat to culture, perceived as a virtually natural fundamental component of homogenous groups, is seen in terms of the language spoken by fearful communities, isolated from each other. The image of security is associated with the dream of being able to separate ourselves from others, “our culture” from “their culture”. Moreover, establishing such allegedly “ethnically pure” communities does not increase security, as the human reality is irremediably plural and “impure”: what we need is a heightened ability to deal with diversity and multiply the opportunities for and areas of interaction (Oliveri, 2008a).

The political use made of diversity-related anxieties in the current economic climate is similar in many respects to certain phases of European modernisation in which there were profound economic, social and political changes. As various studies have shown (Delumeau, 1984; Foucault, 1975; Bauman, 1998), during times of major social upheaval it is almost natural that insecurity should appear to encompass all the anxieties and problems in society, because what is at stake above all is the uncertainty stemming from the crisis affecting what existed before and from not knowing what the future holds, whereas all the present has to offer is precariousness apparently without alternatives (Bourdieu, 1998). Which is why it should not be surprising that the feeling of insecurity is strongest among the social classes affected most by these changes, who feel under threat of a worsening situation (Robert, 2003). And it is just as natural that the most immediate reaction to insecurity (particularly when it is used for political ends) is to lay the blame at the door of the “dangerous classes” or those we are afraid to join (Chevalier, 1984).

At the same time, it is too simplistic to say that “the working classes demand greater firmness towards ‘delinquents’, single-parent families or immigrants” rather than reflecting on the “competitive situations in which they are embroiled every day for access to scarce resources: unskilled work, housing, welfare benefits, etc” (Bonelli, 2008a: 103). What is clear is that “dealing with social insecurity by means of law enforcement measures, prevents people from becoming aware of the situation, assures elected representatives of a steady stream of votes and, what is worse, stops the groups concerned from organising themselves in order to consider alternatives on the basis of common interests” (Farrell and Oliveri, 2008: 17-18). The ruling classes, for their part, have everything to gain from promoting securitarianism, not only because it provides them with a new source of business but above all because in so doing they are able to deny their own responsibility as the primary “generators” of what is indeed genuine insecurity (Palidda, 2005).

Lastly, what is the basic problem with contemporary policies? “No longer that of fixing and demarcating the territory, but of allowing circulations to take place, of controlling them, sifting the good and the bad, ensuring that things are always in movement, constantly moving around, continually going from one point to another, but in such a way that the inherent dangers of this circulation are cancelled out” (Foucault, 2004). In more detail, contemporary societies face two major problems: “wealth is everywhere unequally distributed. So is access to paid work. Both problems contain potentialities for unrest. The crime control industry is suited for coping with both. This industry provides profit and work while at the same time producing control of those who otherwise might have disturbed the social process” (Christie, 1993).

The interest of politicians in crime is fairly recent. It dates from the end of the 1970s, when, under the label “insecurity”, a distinction was made, for the first time between “crime” and the “fear of crime”. This distinction was decisive in that politicians, powerless to act in the face of criminal behaviour (the response to which was still the exclusive responsibility of the police and the courts), could take action against the “feeling of insecurity” experienced by their constituents. This was the point of departure for some elected representatives to take a special interest in this area and for the topic to become a “political issue”. But above all, it was the end of the idea that crime has social causes. From then on, economic models began to be used to interpret crime, presupposing that anyone breaking the law had made a rational choice in favour of a system of “criminal values” as opposed to “conventional” values revolving around work and sacrifice. From the *homo oeconomicus* point of view, what was needed, therefore, was to increase the cost of the act to the delinquent by raising the punishment: in order to be dissuasive in practice, the price of the possible punishment must exceed the anticipated benefits of the crime (Bonelli, 2005).

This is reflected in an almost genetic naturalisation of crime – attested to by descriptions of the young delinquent as a hooligan, a wrong-doer, etc. – rather than placing delinquent acts in the context of a more complex life history, where they exist alongside other aspects of life (school, family, personal relationships, work, etc.). Addressing delinquency as if it were an independent process – rational action theory – without understanding that it coexists in life histories together with other forms of social, emotional and occupational investment and that it remains inextricably linked to morphological, social and symbolic changes in certain social groups, makes it impossible to move beyond the prevention/repression debate and its changing balances. Consequently, approaches which advocate studying disaffiliation and its effects should be preferred to categorising violence as “school” or “urban” violence, which limits the explanation within the observation of the phenomena thus described. This would make it possible to discard a number of well-established illusions, and first and foremost the idea that the problems of “sensitive” neighbourhoods or migrant communities have their origins in the neighbourhoods or within the communities themselves.

Moreover, the new way of thinking about crime stresses the need for the systematic prosecution of all offences and crimes, especially those committed by the most disadvantaged sections of society. It places emphasis on “deviant” and “anti-social” behaviour and on the “lack of civility” of young people from working-class neighbourhoods, especially those of foreign origin, which it identifies as the cause of “insecurity” and the starting point for delinquent “careers”. Heavily influenced by the work of J. Q. Wilson and G. Kelling in the United States and, in particular, their Broken Windows theory, it highlights the existence of a delinquent continuum which, unless suppressed in time, will progress from petty deeds to much more serious offences. Having served as the basis for Rudolph Giuliani’s “zero tolerance” reform in New York and having been adapted in the United Kingdom with the “law and order” legislation, these concepts are being applied everywhere in Europe under the concept of “urban violence”, which would, in time, progress from such diverse acts as car theft, vandalising a post box and rudeness, to organised crime or Islamic terrorism. However many times these claims are refuted, either scientifically or empirically, they still insinuate themselves into the world of politics (Bonelli, 2005).

Focusing the analysis on the consequences of illegal activities among the poorer classes also has the effect of diminishing the complexity of society, which in turn makes it easier to ignore political responsibility for structural changes in the workforce and in the social state. Put another way, talk of “urban violence” or “violence at school” creates a policy where disaffiliation is forgotten, making it possible to censure “the wicked poor” and the “abdication of responsibility on the part of working class families” and to insist on the need for police intervention in these matters. This reformulation of the social issue as primarily a police issue has given the police a central place in the perception of the problem. It has altered previous balances, both internal and with other areas of society: justice, school, social services, etc., to the advantage of the police-oriented vision.

So, almost everywhere in Europe, we see other institutions adopting a policing role, either directly in the case of social services, public transport operators, even the municipalities, who organise their own security forces; or indirectly, for school, hospitals, local integration offices, etc. The nature of the police approach changes the manner in which these social problems are dealt with, particularly as bureaucracies tend to “construct problems as justification for the solutions they are proposing”. The professional tendency of police officers to place judicial matters above all else in the hierarchy of rules – as the old leitmotiv “we are not social workers” reveals – raises the status of coercion. Indeed, although the police may be given a higher profile, any response they might make remains ambivalent. The police are not very interested in “social pacification” missions; their hierarchy of standards is different, with legal proceedings or even intelligence work high on the agenda. The courts themselves are enjoined to pursue the police action by sanctions and find themselves being enlisted into a public order situation which is very different from their usual mode of operation. At the same time, we can observe an extension of the criminal arena to take in behaviour which previously had not been prosecuted (petty violence at school, public transport fraud and, more generally, “uncivil behaviour”).

The responsibilities of politicians for the changes of the past 20 years cannot be forgotten by blaming and criminalising the principal victims. This security short-circuit is all the more harmful in that it is based on erroneous premises. The relentless advance up the security spiral produces images of the world where everything becomes threatening and where every little uncertainty is transformed into fear. Quite apart from the effects on fundamental freedoms, this trend has disastrous consequences for social cohesion. It consolidates racism and suspicion of those who are becoming the “new dangerous classes” (Beaud and Pialoux, 2003) thereby marginalising them even further. It also generates in such populations a profound sense of injustice. Deprived of or with only limited rights, experiencing discrimination on a daily basis when seeking work or somewhere to live; marginalised at school, subjected to repeated police controls and fast-track criminal sentencing, they increasingly reject institutions, and/or withdraw into their community, religion or peer group (Bonelli, 2005: 91-92).

2.1. “Migrants cause an increase in crime”

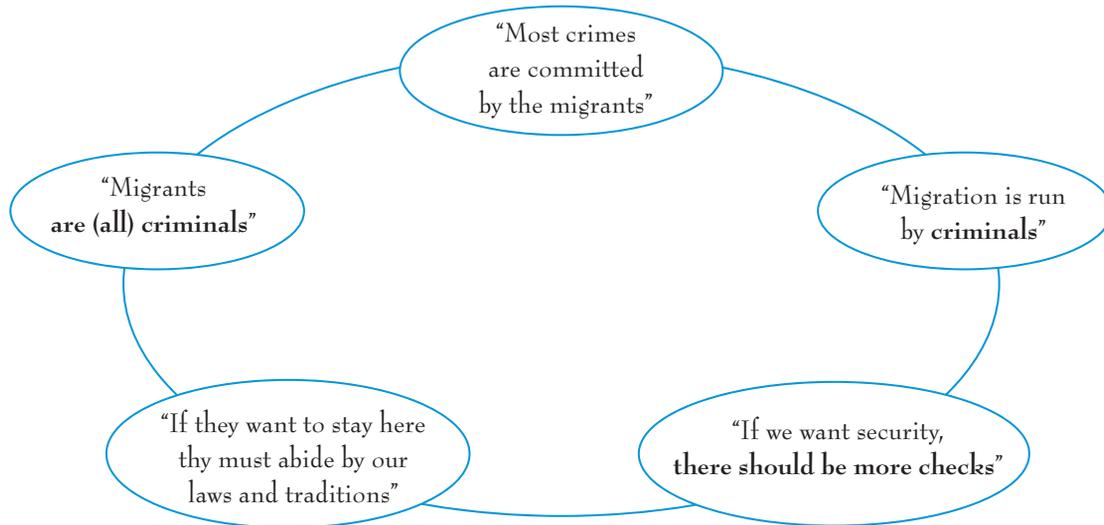
2.1.1. Description of the stereotype

In almost all Council of Europe member states, there is much public debate about the link between migrants, migration and crime or fear of crime. The most widespread stereotypes in this area, repeated by the media, officials and certain “security experts”, and accepted unquestionably by a large proportion of the population, are expressed in terms such as: “migrants, especially illegal migrants, are criminals”, “migrants are less law-abiding than nationals”, “migrants are responsible for much of the crime that takes place”, “they come to our country to commit crimes”, “now that they are here, our towns and streets are less safe”, or “crime has gone up because of immigration”.

The practical conclusions which people and, in some cases, politicians draw from these “findings” are generally of a punitive nature, occasionally with an implicit moralising or civilising undertone. The general comments made are along the lines of: “if we want to get our security back, we must take a stricter line with migrants”, especially with “illegals”; “we should take in only those migrants who come here to work” (legally), but “we should deport all those who commit crimes” or worse, those who “come here with the sole intention of committing crime”. To protect ourselves, “we should consider stepping up checks in the country and at the borders” and generally speaking have more police checks in streets and in all public areas. “If migrants want to live here, they should abide by our laws.” This last comment carries with it the implicit belief that migrants in general have a natural “propensity”, which it is our duty to correct, to break the law. Indeed the opposite is often true, since under the pressure of this

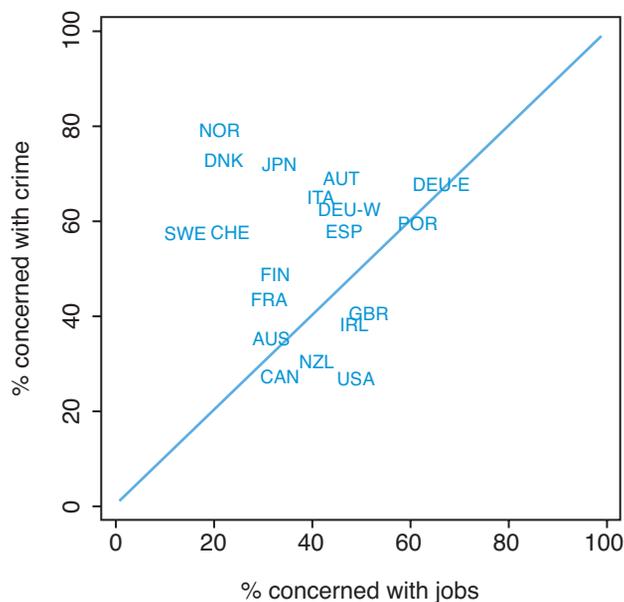
criminal stereotype or the fear of being criminalised, people of foreign origin very often conduct themselves in an ultra correct way to avoid any encounter with the police or have any trouble with the justice system.

Figure 9: The “migrants are criminals” stereotype chain



Surveys show that these stereotypes are fairly widespread. According to the results of a European survey conducted in 2003 by the International Social Survey programme (ISSP) regarding national identity, there is a willingness to believe in the migrants–criminals equation among a variable but fairly sizeable proportion of the population, ranging from between 40% of those interviewed in the United Kingdom to 80% in Norway, with around 65% in Italy (Bianchi, Buonanno and Pinotti, 2008). This stereotype seems to be more widespread than the one stating that migrants take jobs away from locals (Figure 10) and could therefore be the stereotype par excellence concerning migrants in Europe.

Figure 10: Opinion on migrants: concerns relating to crime versus employment



Note. The vertical axis indicates the percentage of interviewees in each country who say that they agree or agree strongly with the statement that “migrants increase the crime rate”. The horizontal axis indicates the percentage of interviewees in each country who say that they agree or agree strongly with the statement that “migrants take jobs away from locals”.

Similar attitudes are to be found in the Russian Federation. A survey carried out in 2007 among 1 726 adolescents aged between 13 and 18 living in Moscow showed that 55% of interviewees agreed with the statement “migrants increase the crime rate and the feeling of insecurity”.³³ In 2007, another survey produced comparable results (Table 15).

Table 15: Replies to the question “Do you agree with the statement that immigrants increase the crime rate and corruption?”

Tend to agree	57.4%
Partially agree	28.4%
Tend to disagree	9.8%
Don't know	4.4%
No reply	0.1%
Total	100.0%

Source: www.wciom.ru.

These feelings appear to be confirmed by European crime statistics, which, moreover, are the main foundation for the stereotype of the “criminal foreigner”. This stereotype is based primarily on the statistics concerning the convictions and imprisonment of foreigners. The emphasis focuses on two data sets: crime rate and imprisonment rate. For the first, reference is made to the large number of offences committed by foreigners, either in relation to the total number of offences (“a third of offences are committed by migrants”) or in relation to the percentage of foreigners in the total population. For the second, attention is drawn to the large proportion of foreigners in the prison population, either in relation to national prisoners or in relation to the percentage of foreigners in the population.

In the countries of massive immigration (Austria, Belgium, the Netherlands, Germany, Italy, Spain and Sweden), foreigners make up such a large percentage of the prison population that this often suffices to explain its general increase. In those countries, the number of foreign prisoners varies between about one third and almost a half of all prisoners, and this percentage is definitely higher than the ratio of resident aliens to the native population. France and the United Kingdom, where the percentage of foreign prisoners is relatively low, should be treated separately: since these countries are, or were, characterised by policies that made acquiring citizenship relatively easy, especially for people from former colonies, data related to the ethnic origin of prisoners are more significant. For example, the British Prison Service, in its 2005 annual report, indicates that 22% of people jailed for the first time between March 2004 and April 2005 belonged to ethnic minorities. Since over 12% of convicts are foreign nationals, as in other European major countries of immigration, that makes in total about one third of convicts who are not autochthonous. In France (where in any event foreigners make up over one fifth of the whole prison population), it has been suggested (Palidda, 1999: 42) that if the ethnic origin of convicts were taken into account, the percentage of foreign convicts or convicts of foreign origin would be quite high, indeed higher than the percentage of Afro-Americans in United States prisons.

33. The research was published by the Institute of Sociology, Russian Academy of Sciences (ISRAS Working Papers, No. 3, 2007).

Table 16: Prison population trends, total and foreign (1992-2006)

Country	Prison population	N./100 000 citizens	(1992-2001 N. and N./100 000 citizens)	Foreign prisoners (% of prison pop.)	
Austria	8 766 (9.6.06)	105	6 913 (87) – 6 915 (85)	45.1 (1.11.05)	
Belgium	9 597 (8.06)	91	7 111 (71) – 8 764 (85)	42.0 (16.1.06)	
Denmark	4 198 (17.10.05)	77	3 406 (66) – 3 150 (59)	17.5 (28.2.06)	
Finland	3 954 (1.4.06)	75	3 295 (65) – 3040 (59)	8.0 (1.4.06)	
France	52 009 (1.9.06)	85	48 113 (84) – 46 376 (78)	21.4 (1.4.03)	
Germany	78 581 (31.3.06)	95	57 448 (71) – 80 333 (98)	28.2 (31.3.04)	
Republic of Ireland	3 080 (1.9.06)	72	2 155 (61) – 3 025 (78)	9.0 (20.4.06)	
Italy	59 960 (31.12.05)	102	46 152 (81) – 55 136 (95)	36.6 (31.12.05)	
Luxembourg	768 (1.6.06)	167	352 (89 – 357 (80)	75.0 (1.6.06)	
The Netherlands	21 013 (1.7.06)	128	7 397 (49) – 15 246 (95)	31.7 (1.7.06)	
Norway	3 048 (1.8.06)	66	2 477 (58) – 2 666 (59)	17.2 (1.8.06)	
Portugal	12 870 (1.9.06)	121	9 138 (93) – 13 500 (131)	17.3 (31.12.04)	
Spain	64 183 (15.9.06)	145	35 246 (90) – 46 962 (117)	29.7 (21.4.06)	
Sweden	7 450 (1.4.06)	82	5 431 (63) – 6 089 (68)	26.3 (1.10.05)	
UK	England and Wales	79 642 (29.9.06)	148	44 719 (88) – 66 301 (127)	12.5 (30.6.05)
	Northern Ireland	1 464 (26.9.06)	84	1 811 (112) – 877 (52)	0.8 (30.1.06)
	Scotland	7 212 (29.9.06)	141	5 357 (105) – 6 172 (122)	1.3 (1.9.04)

Source: International Centre for Prison Studies (www.kcl.ac.uk/depsta/rel/icps/worldbrief/world_brief.html).

Prison data for 2007 confirm these trends. Foreigners account for a large percentage of prisoners in the various countries: 45.4% (detention and remand) in Austria, 41.2% in Belgium, 20.5% in France, 28% in Germany, 32.9% in the Netherlands, 18.5% in Portugal, 30.1% in Spain, etc. (Aebi and Stadnic, 2007).

Indicators No. 1: “Facts” underpinning the stereotype

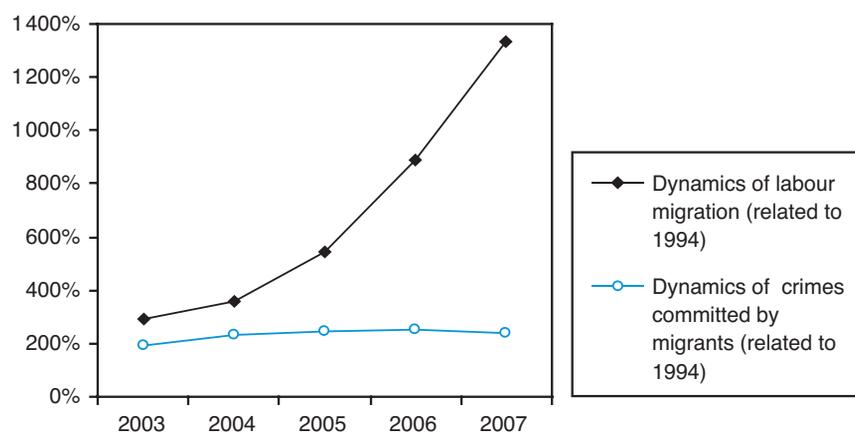
Proportion of offences committed by foreigners	Number of offences attributed to foreigners in relation to all offences in a reference period (x100)
Relative proportion of offences committed by foreigners	Ratio of the proportion of offences committed by foreigners to the proportion of foreigners in the total population
Proportion of foreigners in the total prison population	Number of foreigners in prison (convicted and held on remand) in relation to the total number of prisoners in a reference period (x100)
Relative proportion of foreigners in the total prison population	Ratio of the proportion of foreigners (convicted and held on remand) in prison in relation to the proportion of foreigners in the total population (x100)

2.1.2. Explanations for the stereotype

The data on crime and prison rates are not incorrect, but they are the result of a very simplistic and acritical interpretation of the statistics, typical of the interpretation generally adopted by the media and experts in favour of control policies. In contrast, they need to be interpreted meticulously and not accepted simply as a basis for generalisations on the nature of migrants and migrations. We need to consider whether crime and prison statistics tell us more about the police and judicial institutions and the role that stereotypes play in this respect (Matza, 1964), than about foreigners' "propensity to crime". In this respect, there is a real need for clarification regarding the way in which statistics are compiled and disseminated and the way in which crimes involving migrants are reported, the two key factors in the propagation of the stereotype. This clarification should also include an analysis of the legal, political and sociological factors explaining the results of crime statistics and the potency of the stereotype, namely, the deep-rooted historical reasons for its impact.

First of all, the idea of an almost natural link between migration and crime is false from the statistics point of view. The increase in crime, which has not been substantiated in all countries or for all offences, is by no means a direct consequence of migration flows. If there is a parallel, it is merely a mechanical effect due to population growth as a result of migration: given a constant crime rate, an increase in the population inevitably entails an increase in the number of crimes. But the parallel exists only in terms of trends, and not in absolute terms: in contrast, there is no proportionality between net immigration rate and the rate of increase in crime. For example, in the Russian Federation, since 1994 the number of crimes committed by migrants increased much less sharply than migration flows (Figure 11).

Figure 11: Economic migration growth rates and crimes committed by migrants (1994 = 100%)



Source: Russian Federation Ministry of the Interior, 2008 Annual Statistical Report (1994 was chosen as the reference year since economic immigration statistics are available only from that year onwards).

Nonetheless, the natural link between migration, migrants and crime is fuelled by media reporting, especially by certain fairly frequent practices: use of particularly blunt and alarmist vocabulary, which contributes to the dehumanisation of migrants (Faso, 2008; Butterwegge, 2005); the statistically disproportionate reference to crimes committed by foreigners in relation to those committed by nationals; references to foreigners only in relation to violent episodes, whether perpetrators or victims of this violence; specifying the nationality of the perpetrator of the crime as the main focus of the news item; references to "foreign gangs" giving the impression of a collective, almost genetic propensity to crime.

"There is rarely anything positive to be read about foreigners in the newspapers. Murder and manslaughter, theft, (gang) robberies and (asylum) fraud are offences they often report on in connection with ethnic minorities"

(Butterwegge, 2005: 91). Even the way in which events are related (“Death at greengrocer’s: Turk shoots Lebanese”) suggests irrational violence among migrants of different origins at what is an otherwise peaceful place. The position of words in headlines plays an influential role: for example in the headline “Bus driver attacked for protecting pensioner”, one’s attention is drawn to the actual course of events and the protagonist, who may well be a foreigner, is referred to only in terms of his or her occupation. In contrast, in the headline “Moroccan arrested for mugging two women”, the focus is entirely on the link between nationality and crime (Faso, 2009).

The feeling of alarm in society is also fuelled by the reference to crimes attributed to or committed by groups of migrants – who immediately become known as “ethnic gangs” (Jäger, 1998), justifying talk of the “criminal specialisation” of certain nationalities. For example, the Saint Petersburg Department of Internal Affairs provided one of the popular city newspapers with information about “specialisation” among criminal ethnic gangs: the Tajiks allegedly specialise in the trafficking, storage and supply of drugs; Azerbaijanis are said to be in control of fake excise duty goods (alcohol, cigarettes), the supply of drugs and arms trafficking; the Dagestanis mainly operate in arms trafficking, drugs supply, racketeering and robbery; Chechens in the trafficking of hijacked cars, racketeering, arms and drugs trafficking; Georgians in robbery, drugs trafficking, trafficking in excise duty goods (alcohol, cigarettes), car hijackings; the Armenians in excise duty goods, drugs trafficking, fraud; the Tatars in breaking and entering, racketeering, robbery and arms trafficking.³⁴

The statement claiming that foreigners are responsible for a proportionately higher percentage of crimes committed over a given period than nationals illustrates how crime statistics are used indiscriminately by the media and by politicians. Sensationalist headlines such as “one in three crimes committed by foreigners” need to be explained more accurately: such headlines appear to gloss over the distinction between crimes committed and crimes reported, or between crimes reported and crimes solved. For example, it is unclear whether this headline is referring to crimes that have been reported (and the type of crime) or rather to crimes that have been solved, or have led to a conviction. It is, however, important to make the distinction since there is often a significant discrepancy between the number of offences reported and those which are solved, and the technical reasons which make the gap bigger or smaller. Such confusion is one of the effects of the stereotype: a foreigner who is reported to the police is much more likely than a national to be regarded as guilty before the proceedings have taken their full course, in violation of any constitutional presumption of innocence.

And in connection with the discrepancy between crimes committed and crimes reported, in certain cases there is a greater tendency to report foreigners to the police. A significant proportion of cases of rape or violence are not reported to the police: “victimisation studies” show that only one quarter of sex attacks are reported (Zauberman and Robert, 1995: 65). The closer the relationship between victim and attacker the less likely it is that the crime will be reported to the police. Consequently, crimes committed by foreigners are more likely to be reported, as the perpetrators are often unknown to the victim and can be easily identified and described (Blanchard, 2001).

There are other explanations relevant to crime statistics and the way in which they can be “fabricated” (Tournier, 1999). In point of fact, many more foreigners are included in crime statistics than those legally resident in the country. When the police arrest an individual who has committed a crime or offence, they record whether that person is a national or a foreigner. But this latter category also includes all foreigners in the country as tourists. It should be borne in mind that in 2006, some 54.8 million foreigners visited Spain and 78 million visited France, whereas the number of foreigners legally resident in these countries was 2 million and 3.5 million respectively. Alongside tourists, there are also foreigners in an irregular situation who most of the time are not included in the population statistics, but are included in crime statistics. The ratio between the number of

34. “Piter – The capital of guest workers”, Newspaper MK in Piter (МК “в Питере”), 12 February 2008.

foreigners in prison (or arrested by the law enforcement agencies) and the number of foreigners in the population of a country is therefore a misleading indicator.

Unlawful residence is a major factor in the provision of crime statistics. In order to increase the crime solving rate and therefore improve the overall assessment of the police, there have been recommendations that the police step up their checks on breaches of alien legislation, even if it is clear that the individuals in question cannot and will not be deported: the fact is recorded, the individual is arrested and then kept in custody. Possibly a deportation order is then issued. Another advantage is that the same person can be arrested several times in one month. Quite apart from the offence itself, “immigration offences” (Palidda, 1997) are often linked to other types of crime, such as forged identity or other administrative documents, illegal working, etc. As far as prison statistics are concerned, many migrants are detained under administrative proceedings, pending enforcement of their deportation order.

In addition, the particular justice system of the country in question will have a significant impact on the sentences handed down and foreigners very often have to suffer the negative effects. For example, they are frequently given an immediate summons (in France, 59% of foreigners are imprisoned following an immediate summary trial as opposed to 45% of French nationals). Such courts often hand down very harsh sentences tying in with the current priorities of crime policies and the weakness of the accused’s defence. Moreover, an increasing number of foreigners are held in prison on pre-trial detention, since immigrants find it very hard to fulfil the requirements generally laid down in order to qualify for an alternative to remand in custody (stable, lawful residence, home, a family situation, employment, schooling, etc.). These selective legal filters mean that most if not all foreign offenders serve their sentence in prison; whereas approximately one half of nationals serve their sentence through ways which do not involve imprisonment; the national courts rarely hand down alternatives to prison to foreigners (Brion, Rihoux and de Coninck, 1999).

Added to this is the fact that foreigners appear to be subject to discriminatory treatment within the European judicial systems since, for equivalent offences, and regardless of the offence in question, foreigners receive heavier sentences from the national courts. Similarly, it is not surprising that once they are in prison, foreigners are destined to remain there. They benefit much less than the rest of the prison population from the various arrangements to amend or reduce the sentence, such as external placement, semi-detention, parole (Blanchard, 2001).

Apart from the specific offences affecting migrants, relating to immigration legislation and the organisation of the judicial system, the over-representation of foreigners in prisons should not be viewed in isolation from the main type of offences of which foreigners are accused or for which they are convicted. Studies carried out in various European countries reveal that immigrants in the majority of cases are prosecuted for drug offences or offences relating to interference with property, particularly petty theft, shoplifting, etc. (Mucchielli, 2002; Barbagli, 1998; Albrecht, 1997). Such offences are increasingly among the priority areas of police action, either because there is a greater probability of detecting the offence while it is being committed (with a consequent increase in the crime solving rate and police performance), or because these are offences on which the population is focusing growing attention, giving rise to the feeling of alarm within today’s society. In addition, because of the way they carry out their illegal activities such as selling drugs or prostitution, foreigners are more likely to be discovered because they operate in the street, whereas nationals carrying out the same activities operate more through private, protected circuits (Caputo, 2007).

There has been a general change in policing and crime policies in the developed countries. Since the early 1990s, in the United Kingdom, France, Italy, Belgium, Spain, etc. the emphasis has been placed on maintaining order in the streets (Garland, 2001; Bonelli, 2008b; Palidda, 2000; Cartuyvels and Mary, 1999;

Rivera Beiras, 2005), in other words on the fact that police resources are concentrated on minor offences detected as a result of the police presence in the streets, and a larger number of checks on certain social groups, including migrants and national minorities. The police are very often judged by how effective they are in solving crimes and offences. Consequently, they must seek to reduce as far as possible the difference between the number of offences reported and the number of offences solved. As this crime solving rate on the whole remains low (depending on the country in question, it ranges between 5% and 20% for theft), the police emphasis on catching people in the act is one way of improving statistics. And this leads the police to concentrate on a very small number of offences (lack of proper documentation, insulting officers, possession of drugs) to improve the statistics and thereby serve the interests of politicians. If an offence is witnessed, an individual is arrested, he or she is placed in custody and therefore there is a perfect ratio between an offence witnessed, an offence solved, and an arrest.

The fact is that since the 1980s investigations into crimes as they are actually committed have increasingly focused on residence offences, and therefore migrants. In general, the higher the crime-solving rate, the greater the proportion of foreigners involved (Levy, 1987). Foreigners' visibility and precarious situations make the work of the police all the easier. Added to this has been a more recent trend to assess police work in terms of the number of deportations of foreigners in an irregular situation carried out each year: we are faced with a genuine "figures policy", with 25 000 deportations ordered in 2007 and 26 000 in 2008 in France. This policy has had serious consequences: "large-scale arrests, automatic application of the law without individual examination of human situations, creation of massive holding centres" (Cimade, 2008: 3). "The pressure caused by deportation objectives lead the police to make an increasing number of arrests using often questionable methods. People arrested in their homes, round-ups, identity checks for absurd reasons (not crossing the road on a pedestrian crossing, spitting etc) barely concealing the reality of racially-based targeting" (Cimade, 2008: 4).

In general, regardless of the legal status question, a large number of foreigners are penalised by their physical appearance. Given the stereotype of the foreign criminal, the police (for example, at checkpoints) tend to check them rather than "typical" European citizens. Sometimes this practice is institutionalised in the form of the much criticised racial profiling (Simon, 2007). Assuming that checks on European and foreign nationals reveal 10 offences for every 1 000 persons, it is clear that by conducting checks on 10 000 European nationals and 20 000 foreigners (that is, a negligible percentage of European nationals and a proportionally higher number of foreigners), there would be 100 offences committed by European nationals and 200 by foreigners. To be more accurate, the statistics should show the number of offences discovered in relation to the number of checks – which is virtually impossible to ascertain. Without this information, we will never be able to know whether the statistics provide indications on foreigners or whether it is stereotypes which influence the choices made by the police. Furthermore, when exercising their control function, police officers cannot but base their approach on stereotypes (Matza, 1964).

By targeting individuals on the basis of the colour of their skin or their foreign-sounding names (particularly Arabic) and by focusing attention on street prostitution, begging, peddling, etc., security policies have automatically led to an increase in the number of foreigners prosecuted. Similarly, taking a broader view and analysing the present rate in relation to the social status of individuals, and in relation to the crimes committed, it fairly quickly becomes clear that the ultimate target of these checks is not merely migrants as such, but more generally poor people (Wacquant, 2004), a category to which migrants belong proportionately more than nationals (Caritas Europa, 2006). Looking at the foreigners imprisoned in France, we see that 45% of them have no occupation (42% for French nationals) and 32% are manual workers (35% for French nationals). Similar findings can be found in other European countries. The crime in which migrants are involved is therefore the crime committed by poor people. It is thus closely linked to the conditions of existence not of migrants alone but of all the classes on

Migrants and their descendants

lower incomes. Amongst these, as migrants are statistically more vulnerable (unemployment, temporary employment, job insecurity, etc.) than their native-born counterparts, it is more likely that they will engage in such crime. Not because they are migrants, but because they occupy the lowest rungs in society.

Lastly, the talk of the “propensity” of migrants or certain specific groups to crime, and to violent crime in particular, which gives rise to a feeling of alarm in society is a function of population selection and social control, namely, the effect of making migrants occupy the jobs abandoned by nationals or making them accept working and living conditions which nationals would not accept. That is fairly clear in the normative link which almost all European legislation in this area establishes between work contract and residence permit: migrant workers are always subject to the risk or threat of losing their employment and consequently their right to remain in the country. Public discourse on the need to distinguish between “honest migrants who come to work”, subject of course to the conditions laid down by the destination societies, and “migrants who come to work in criminal bands” alludes to another distinction, which is of course concealed, namely between migrants who accept the substandard living conditions offered to them and those who attempt to acquire their own space and independence. It is not by chance that there is a progression – difficult to identify – between offences and behaviour which is simply not accepted by the majority of the population, evident in the sweeping statements prevailing in the public’s perception of the threat which migrants pose to our security (cf. Table 17).

Table 17: Russian public opinion’s perceived sources of resentment towards migrants

Perceived sources of resentment towards migrants	2006	2007
Occupy places in open markets preventing local residents from selling their goods there	63%	45%
Do not feel gratitude for living on Russian territory	45%	36%
Behave in an insulting manner towards the Russian people	44%	42%
Do not demonstrate enough respect to the Russian people	40%	56%
Violate Russian traditions and customs	28%	38%
Have the opportunity to buy better dwellings	26%	26%
Have more representatives in the law enforcement agencies	24%	32%
Have better access to the higher echelons of power	20%	26%
Get higher wages than Russian nationals for the same job	18%	18%
Have better access to education	10%	10%

NB: 1 600 respondents in all. The table shows the percentage of respondents replying that they felt aggrieved or inconvenienced because of migrants. Overall, 33% stated they felt aggrieved in 2006 and 30% in 2007.

Source: Levada Analytical Centre (LAC, 2007).

The security-based approach to migration even results in equating terrorism and migration flows. There has never been any empirical evidence for this, but it creates “a continuum between the war against terrorism and the war against migration, including in the name of the humanitarian war against human trafficking” (Palidda, 2008: 3). This also provides justification for the use of military force to control our borders and protect our countries from the “threat posed by migration”.

Indicators No. 2: Statistical, legal, socio-political factors behind the stereotype

Comparative proportion (foreigners/nationals) of crimes and offences reported in the media	Crimes and offences involving foreigners are often more frequently reported in the media, thereby reinforcing the foreigner-criminal equation
Proportion of foreigners imprisoned for offences relating to their irregular residence in the country	Having no residence permit is often associated with other types of offence (false identity or administrative documents, illegal working, etc.). Harsher legislation on irregular residence automatically leads to a significant rise in the number of prisoners
Relative proportion of foreigners implicated in offences under judicial investigation	Depending on the country in question, the police may be less clement towards foreigners than towards nationals, with a police report being drawn up more often in cases involving foreigners (who are then recorded in police statistics)
Relative proportion of foreigners remanded in custody	Unlike nationals, foreigners and migrants find it extremely difficult to fulfil the requirements generally required to qualify for an alternative to remand in custody (stable, lawful residence, home, employment, etc.); they are therefore more systematically placed in prison in the course of judicial proceedings
Relative proportion of foreigners given a prison sentence	For comparable offences and comparable court proceedings, foreigners are generally given heavier sentences than nationals
Comparative proportion of foreigners in the prison population according to the nature of crimes and offences	The type of crime in which migrants are over-represented is the type of crime committed by poor people closely linked to the economic conditions in which individuals live and which affect not only migrants but all classes on lower incomes (drug offences, theft, etc.)

2.1.3. Effects of the stereotype

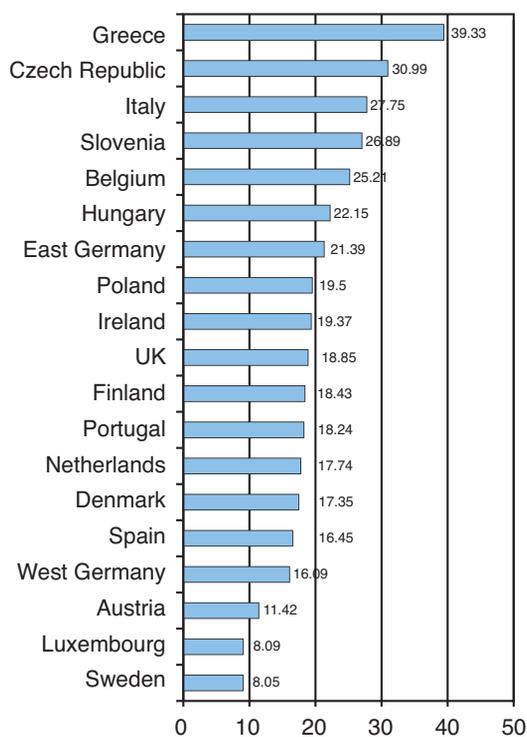
In general, this stereotype “prepares the ground socio-psychologically for actions against these minorities – in more harmless cases for political restrictions and in worse cases for outbreaks of xenophobia or brutal violence against them” (Geißler, 1999: 35). Whereas the direct limitation of the rights of migrants would be unacceptable for the majority of the European population, their criminalisation reduces the available feeling of solidarity which is already lower than with respect to nationals. The most severe limitations are those on civil rights and individual freedoms. The stereotype of the criminal foreigner, with its implications for crime and prison rates, constitutes a basis for a grave exception to the right to a fair trial and a term in prison compatible with human dignity and the “rehabilitative function of punishment”.

The image of a structural link between migration and crime also results in increasingly more restrictive and punitive migration policies. Such policies end up regarding unauthorised entry into and residence in the country as a crime and not merely an administrative offence, authorising what is probably the harshest violation of the rights of migrants and asylum seekers, namely the prolonged administrative detention, de facto in prison, of undocumented individuals who have committed no “crime” in the strict sense of the term other than their unauthorised entry into and residence in the country. Explaining the reasons for stricter entry and residence conditions, the Deputy Director of the Russian Federal Migration Department clearly stated: “we are protecting our country not from migrants but from criminal visitors”. The paradox is that as these restrictive laws do not provide sufficient channels for lawful access to Europe or for solving situations

of irregularity, they merely exacerbate the risk that migrants will remain for a long time “prisoners” in the grey or illegal areas of the economy and society.

The practical consequences of these stereotypes can also be seen in the readiness of European citizens to deprive migrants of their rights, especially their rights of access to and residence in the country, as a consequence of a crime.

Figure 12: Support for the deportation of migrants having committed a crime



Source: European Social Survey, 2003 (EUMC, 2005: 37).

The criminal stereotype is now so internalised that migration policies require all foreigners subject to a visa requirement to prove that they pose no threat to public order, national security or international relations (cf. above). Important entry requirements are the absence of convictions, including for immigration offences, and the absence of any indication that the individual poses a potential threat to society: accordingly, there must be no factual evidence that a person intends to commit “serious criminal offences” on national territory, or proof that the persons concerned are violent (De Giorgi, 2000). On the other hand, offences committed by persons already present in the state, even if not punishable by imprisonment, are ever more frequently the ground for non-renewal of their residence permit, and therefore for their deportation. Similar conditions may be imposed for the acquisition of the nationality of the country in which a person is residing after the requisite number of years of residence. Other “special” provisions, from systematic collection of personal data such as fingerprints to the various types of detention for violation of the entry and residence rules, are akin to legal penalties for the intrinsically dangerous nature of migrants. All these “special” provisions send a precise message to the population, namely that foreigners do indeed represent a danger for our security.

A further effect, in parallel to the deprivation of rights, is the exposure to the risk of xenophobic and racist violence which has increased considerably in recent years (FRA, 2009b) despite the considerable reluctance by victims to report such incidents (FRA, 2009a) and the lack of assistance and support from the rest of society, including the authorities (Table 18).

Table 18: Trends in officially recorded racist crime

	2000	2001	2002	2003	2004	2005	2006	2007	% change 2006-07	% change 2000-07	
Austria	450 complaints	528	465	436	322	406	419	752	+79.5	+11.7	
Belgium	757 crimes	751	727	848	1 021	1 224	1 359	1 289	-5.2	+8.4	
Czech Republic	364 crimes	452	473	335	364	253	248	196	-21.0	-6.4	
Denmark	28 incidents	116	68	53	37	87	96	35	-63.5	+43.2	
Finland	495 crimes	448	364	522	558	669	748	698	-6.7	+6.7	
France	903 reports	424	1 317	833	1 574	979	923	707	-23.4	+20.4	
Germany	-	14 725 crimes	12 933	11 576	12 553	15 914	18 142	17 607	-2.9	+3.9 2001-07	
Ireland	72 reports	42	100	62	84	94	173	224	+29.5	+31.3	
Poland	215 crimes	103	94	111	113	172	150	238	+58.7	+8.2	
Slovakia	35 crimes	40	109	119	79	121	188	155	-17.6	+36.2	
Sweden	2 703 crimes	2 785	2 391	2 436	2 414	2 383	2 575	2 813	+9.2	+0.8	
UK	England and Wales	47 614 incidents	52 638	54 858	47 810	53 113	56 654	59 071	61 262	+3.7	+4.0
	Scotland	offences		1 699	2 673	3 097	3 856	4 294	4 474	+4.2	+22.6 2002-07

Source: FRA (2009a: 26).

Lastly, with regard to the question of security and its link with migration, one may legitimately wonder what and whose security is being discussed. The clear-sighted comment has been made that “If the media discuss the migrants who have been attacked, beaten or murdered at all, these people appear more or less as helpless victims who are sometimes even blamed for the aggression of their indigenous tormentors” (Butterwegge, 2005: 100). The influence of the criminal stereotype clearly serves as an obstacle to feeling full solidarity with foreigners who are the victims of racist attacks and leads to a reversal of the roles of victims and perpetrators. For example, “as early as the beginning of the 1990s, the fear that the united Germany could suffer a serious and permanent loss of image as a result of racially motivated attacks, most of which were described as ‘xenophobic’, played a key role in the public debate” (Butterwegge, 2005). Certain editorials’ sympathy was obviously less with the members of the victims’ families than with the Germans, who had been discredited as a result of the murders and were “permanently on the test-bed of history. From now on, a picture of the Germans that can only horrify us will go around the world. The vast majority of our people are paralysed with disgust. They will have to come to terms with the fact that xenophobia is no longer an internal blemish that we can eliminate using our own means but affect us like a disfiguring disease” (Deckert, 1993). From this perspective, “the main victim was the German nation, with which the readers were naturally supposed to identify, especially as Germany was now on the right path to historical rehabilitation” (Butterwegge, 2005).

Indicators No. 3: Effects of the stereotype on the rights and well-being of migrants

Racially motivated offences	Quantify the racially motivated offences reported each year, breaking them down in accordance with their severity Work out the trend (rise/fall) in this type of offence in recent years
Violence and abuse committed by the police	Quantify the amount of violence and abuse committed by the police reported each year by migrants or associations defending migrants Work out the trend (rise/fall) in this type of violence and abuse in recent years
Criminal legislation in the field of migration	Conditions for renewal of residence permits (employment, clean criminal record, housing, income, etc.) Average length of detention of undocumented migrants Deportation procedures following the perpetration of offences
Comparative average length of prison sentences handed down to foreigners	Check to see whether, for compatible offences and comparable court proceedings, foreigners are given heavier sentences than nationals

2.1.4. Responses to the stereotype

The existing statistics should be reviewed and reinterpreted in the light of what they say, not what one would like them to say. There is doubtless some need for education in this respect, which is nevertheless complicated by the moral panic cycles which regularly break out when a migrant is involved in a particularly unacceptable crime, such as rape. The use which certain politicians make of such statistics, thinking they can derive capital from the exaltation of an imagined community, an “us” against “the others” (and indeed the use of them made by the audience-hungry media) shows how far we still have to go. Nonetheless, training and information should be the keywords.

The first step towards an alternative approach concerns the way in which statistics are compiled and interpreted. In the light of the above considerations, it is clear that data are rarely homogenous. In order to present statistics properly, one needs to highlight the contrasts between homogenous sections of the population, according to age and status, and the violations of the rules which may be committed by nationals as well as by foreigners. More than that: it can be shown relatively easily that for equivalent social statuses and with the exception of the specific crimes affecting them, migrants are no more likely to be involved in crime than nationals, and sometimes even less so. This would be particularly useful for producing statistics able to weaken and gradually shatter the stereotype of the foreign criminal.

If statistics on offenders were broken down according to age and sex, the differences in percentage between national and foreign offenders would be considerably reduced. Most offences are committed by men aged between 18 and 30 years; this happens to be the sex and age-group of the vast majority of migrants. In contrast with the percentage of national and foreign male offenders in this age bracket, the difference in percentage between national and foreign offenders is reduced considerably. Subsequently, if one excludes from the statistics those migrants in an irregular situation, whose status compels them to break the law in order to survive, the difference is eliminated. It would even appear that the indigenous population has a greater propensity to crime. The difference becomes even less obvious if one does not take into account those offences – created by numerous legislatures in recent years – which only migrants can commit (for example, in Italy, failure to comply with a deportation order). This is true even if one does not take into account those nationals who infringe the rules on immigration (for example, employing or renting accommodation to a migrant in an irregular situation) and offences which only nationals can commit (such as desertion).

It is therefore crucial that each time statistics organisations publish their results, they consider the existence of harmful and discriminatory stereotypes in society and ask themselves whether their data could reinforce them. If such is the case, these organisations should be required to use more costly but informative ways of compiling and presenting the data. It would be relatively easy to make sure that this obligation was complied with and to penalise media that publish incorrect statistics or interpret correctly compiled statistics in a simplistic and selective way.

At the same time, if the analyses presented here are relevant, the most sustainable strategy for reducing the perception of migrants as a threat for security is that of modifying the control model guiding immigration and integration policies (cf. above). Obviously, this is a change which requires a great deal of preparation, beginning with public opinion and its perception of migration as exceeding the reception and positive interaction capacities of the countries of destination. Gradual approaches towards this goal could involve the possibility for victims of exploitation in the underground economy to report their own situation and thereby be allowed to have their legal status regularised. This would enable them to begin a viable process of social integration, and at the same time lower the risk of living in or returning to illegality.

Regarding the equation made between migrants, undocumented migrants and crime, it would be particularly helpful to amend national legislation which regards unlawful entry into and residence in the country as a crime punishable by detention, either in deportation centres or prison. Furthermore, experience has shown that deportation arrangements which involve detention and ultimately the criminalisation of migrants without a residence permit are very costly, ineffective and, apart from their propaganda effect, counter-productive in terms of the inclusion of migrants and the development of social cohesion in general (Cimade, 2008).

Indicators No. 4: Prospects for change

Relative proportion of foreigners lawfully resident in the country in the prison population	In order to assess correctly the proportion of foreigners in the total population and in the prison population, it is necessary to conduct a census of the same categories of individuals in both cases. Accordingly, it is necessary to differentiate between foreigners lawfully resident in the country and other categories (tourists, foreigners in an irregular situation)
Immigration legislation	Does legislation in the field of immigration provide for sufficient legal channels for access into the country? What type of arrangements (quotas, work permits, income, criminal record, etc.) regulate lawful access to and residence in the country?
Criminal legislation in the field of irregular immigration	Does immigration legislation provide for a specific offence relating to entry into and/or residence in the country by undocumented migrants? What are the criminal law arrangements for implementing these provisions?
Legislation in the field of protection of victims of the underground economy	Does immigration legislation provide for the possibility of the autonomous regularisation of the legal status of undocumented migrants, especially for victims of violence and exploitation?
Legislation to combat the underground economy	Does the legislation in effect provide for specific arrangements to combat the underground economy? What type of penalties are there for the employment of migrants without a residence permit and/or a work permit? Do these penalties apply also to the migrant who has been employed or only the employer?
Associations and movements to defend the civil rights of migrants	Are there any associations and movements which are active in the defence of the civil rights and fundamental freedoms of migrants?

2.2. “Migrants bring diseases into the country”

2.2.1. Description of the stereotype

In some Council of Europe countries, the presence of immigrants has often been linked in public and political debate to the return of certain diseases, such as TB or meningitis, that had all but disappeared in Europe and the spread of other infections such as Aids, “bird flu” or SARS, namely pandemic diseases which, in one way or another, have caused global panics in recent decades. Pronouncements by experts and practitioners in the field have helped fuel the debate. As an example, a 2007 press release from the European Society for Clinical Microbiology and Infectious Diseases observed that TB represents an emerging epidemic in many large European cities (for example, in Spain and Greece) “as it is strongly related to increasing migration from Asia, Africa and Latin America”.³⁵

The most common expression of this stereotype is the belief that “migrants bring diseases into the country” or that “migrants are to blame for the return of certain diseases that were eradicated in Europe decades ago”.³⁶ These beliefs may even translate into a more general view that global migration flows as such are one of the main factors in the spread of disease around the globe (MacPherson et al., 2007). Proponents of these arguments point to the fact that migrants, especially migrants in an irregular situation, and their descendants often have poorer health than the rest of the population, and that certain infectious

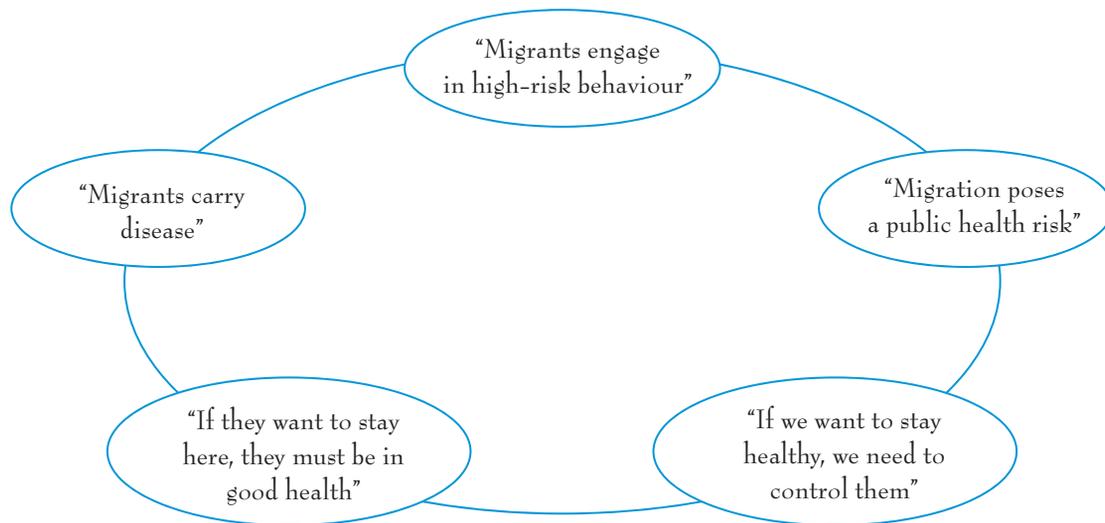


35. ESCMID press release, 31 March 2007. It also goes on to say that migrants develop diseases as a consequence of their socio-economic status in the host countries.

36. A brief survey of the online media reveals, for example, that: “Migrants make up about 70% of TB, HIV and malaria cases in England, Wales and Northern Ireland, a report has found” (<http://news.bbc.co.uk/2/hi/health/6150610.stm>); “Labour migrants bring tuberculosis, AIDS and hepatitis to Russia” (www.rosmed.ru/news.php?act=by_id&news_id=3958); “Every tenth migrant suffers from AIDS, tuberculosis or hepatitis” (www.regnum.ru/news/786641.html).

and transmissible diseases are more prevalent in migrant communities than in the indigenous population. Tighter border controls, compulsory medical screening before departure and/or after arrival in the country, and systematically tying the right to enter and stay to the production of a medical certificate, are some of the political implications of the stereotype.

Figure 13: The “migrants bring diseases into the country” stereotype chain



Border controls, however, are extremely ineffective in this context owing to the delayed manifestation of certain diseases – not to mention the discriminatory and stigmatising effect they have on people. Further legally enforceable measures, such as compulsory medical investigations and restrictive immigration rules, and labour market restrictions that exclude migrants from certain sensitive sectors, such as food, retailing, childcare, etc., are usually presented as the “solution” to this “problem”. They corroborate negative perceptions of migrants as “disease vectors”: because of the fear of being reported and deported that they engender, such measures alienate people from the universal health system, including prevention and education. They also increase the public health risks associated with travel and migration.

Indicators No. 5: “Facts” underpinning the stereotype

Migrants suffering from infectious and transmissible diseases	Quantify the number of migrants with infectious and transmissible diseases
Proportion of migrants with these diseases	Determine the proportion of migrants with these diseases in the general population and in the migrant population
Comparative proportion of persons with these diseases	Gauge the difference between the incidence of disease in the migrant population and in the indigenous population
Comparative proportion of persons with these diseases in the countries of origin	Compare the number and proportion of persons with these diseases in the population of the migrants’ countries of origin and in the population of migrants who come from these countries (state of health of the migrating population as compared with that of the population which remains behind)
Comparative proportion of migrants who describe their state of health as “poor”	Determine the proportion of migrants who describe their health as “poor” or “very poor” and compare this with that of the rest of the population

2.2.2. Explanation of the stereotype

There is little evidence to support the claim that migrants bring an inordinate amount of disease into host societies or that disease is solely a one-way flow. Globalisation has allowed far more people to travel more rapidly and widely, which has certainly been a factor in the accelerated spread of certain infectious diseases throughout the world. Diseases which appear in one part of the world can quickly travel to another via air passengers, for example. However, there is little evidence that infections select the class of passenger. 2008 panics over passengers with TB flying between the US and Italy underscore the randomness of potential transmission. So there is little proof that migrants as such represent a heightened threat to the health of host societies. Despite this, the stereotype portraying migrants as disease vectors is fairly widespread and calls for further explanation.

Linking migration and health risks is a question of perspectives and proportions. In fact, most migrants living in or travelling through Europe are healthy, but they may suffer disproportionate exposure to infectious disease, compared with the rest of the population. A recent report on the situation in the UK (HPA, 2006a) noted that most migrants are healthy young adults but in population terms bear a “disproportionate burden” of infectious disease. Approximately 70% of newly diagnosed cases for each of the diseases TB, HIV and malaria were in patients born outside the UK. The Health Protection Agency stressed that this situation reflected a small fraction of people not born in the UK. It also found, crucially, “that there was little evidence to suggest the general population was being placed at increased risk”. In the words of Yusef Azad, Director of Policy and Campaigns at the National AIDS Trust, “this makes clear how untrue it is to claim migrants pose any health risk to the UK population – indeed the rates of infectious disease are low”. At the same time, it is clear in his view that “there are real health needs in this group of people, including around HIV. The government must look again at all its immigration processes in the light of this report to ensure they promote rather than undermine the health of migrants in the UK”.

Further useful data are provided by the European Observatory on Access to Health Care, created in 2005 by Médecins du Monde Europe to look objectively at access to health care for people living in precarious situations. The first report released by the observatory deals with the most vulnerable and discriminated group among migrants, that is, undocumented migrants. The proportion of interviewees with HIV (excluding Belgium) was very high: 2.3%. For the general population in the European Union the figure is 1%. Migrants from sub-Saharan Africa had a particularly high prevalence (14%), while no cases were observed, during the survey, in people from the Near or Middle East (MdM, 2007: 7).

This situation is reflected in a rather simplified and distorted way by public opinion. Polls as a rule do not specifically inquire about migrants’ health or migrants as a threat to public health and respondents seldom mention this problem when answering open questions. However, taking an example from the Russian Federation, a sample survey conducted in May 2008, at the request of the Public Chamber of Russia, showed that 75% of respondents believe that migrants often suffer from dangerous infections and 89% of respondents believe that the Moscow authorities should strictly control the living conditions and health care of migrants. Some 79% agreed that the living conditions of foreign workers in Moscow were unsatisfactory.³⁷

The fact that migrants are more likely to have certain infectious diseases than the rest of the population is no reason to conclude that they were already ill when they crossed the border and, consequently, that the best way to stem the rise in the number of cases and medical costs associated with new migration is to tighten controls and selection criteria. On the contrary, the evidence indicates that a large portion of migrants become ill after they arrive in Europe, due to the difficulties of the migration process, lack of information about their state

37. 1 000 respondents 18+, Moscow. See <http://news.mail.ru/society/1836284>.

of health and social rights, unhealthy and harmful living, working and housing conditions, stress and other psychological factors related to the lack of satisfactory social relations and/or proper legal status.

The second point to consider is that the public authorities are not always accurate when reporting the threat of infections linked to migration. Officials are inclined to lump together very different population groups. Migrants are placed in the same category as criminals and homeless persons, as in the following pronouncement: “today the tuberculosis morbidity rates among refugees and migrants stand at 460-800 cases per 100 thousand persons and among prison inmates – 1 200-1 500 per 100 thousand persons”.³⁸ In another interview, it was stated that regular checks on the population (to ensure that there are no infections) “including migrants and prisoners, is one of the key tasks of the Russian Ministry of Health and Social Development”.³⁹

Such statements need to be interpreted very carefully. A special study of migration and tuberculosis morbidity in Moscow showed that, in 1999-2000, 968 new cases of tuberculosis were recorded among people who were not permanently resident in Moscow (“migrants”). These cases made up about 13% of the entire “flow”. The actual figure, however, is likely to be higher as many people in this population group die of tuberculosis without ever being diagnosed or registered. The survey showed that of the persons identified as being “migrants”, 52% were homeless persons (probably of RF origin), 15% were from other parts of Russia, 25% from the former Soviet republics, and 8% from other parts of the world.⁴⁰ Very often these population groups – homeless persons, internal migrants and prisoners – overlap. Many homeless persons became infected while in prison and upon their release moved to other parts of the country. Such classification hardly seems correct, but more accurate information about migrants’ “contribution” to morbidity in Russia is not available.

Thirdly, the relatively high number of sick people from immigrant or minority backgrounds needs to be explained in terms of socio-economic, political and other structural factors. The focus should then shift from a tendency to hold migrants criminally and/or morally responsible for bringing disease into our countries to the health inequalities that exist in sending and receiving countries (Nazroo, 2003). Among these factors, inefficiencies or barriers existing in the European health care system also need to be considered (Caponio, 2006; Lazarus, 2008). A subjective element, which has to do with the greater relative importance that migrants, especially migrant workers, attach to health (Sayad, 1999), might also play a role.

To blame migrants for “actively” bringing diseases into destination countries is both incorrect and inappropriate, therefore. Even the higher incidence of certain diseases is a result of migrants’ living conditions and of the social and cultural inequalities that exist in their countries of origin, rather than the outcome of certain high-risk behaviours. The stereotype is an example of the “moralisation” of health issues, in which illness is seen as an outward expression of the “pernicious nature” of particular individuals and groups, their “deficiency”, their being unworthy of social consideration, etc. As a result, no attempt is made to consider exposure to health inequalities as a complex social and economic phenomenon, out of a sense of shared responsibility for the well-being of all.

The practice of apportioning moral and cultural blame for illness tends to obscure structural factors in health inequalities and encourages an emotional response to health issues, especially feelings of threat and insecurity, which often elicit punitive or restrictive government responses to people thought to be “disease vectors”. When panics about emerging infectious diseases are married with a xenophobic fear of outsiders, the result is growing social intolerance, suspicion and calls for containment that prevent public authorities from developing the kind of general health and social policies that are needed. Instead of the disease risks associated with

38. Newspaper *Vedomosti*, 22 February 2007. www.vedomosti.ru/newsline/index.shtml?2007/02/22/388907.

39. See http://moskva.aif.ru/issues/711/19_01?print.

40. Litvinov V., “Migration and tuberculosis morbidity in Moscow” (В.И. Литвинов. Миграция и заболеваемость туберкулезом в Москве), *Demoscope Weekly*, No. 75-76, 12-25 August 2002 (www.demoscope.ru/weekly/2002/075/analit03.php).

migration, attention should be focused on the structural problem of inequality in health conditions, which is closely connected to the fact of being a migrant or a member of an ethnic minority. These are the areas that really require explanation and long-term policy measures.

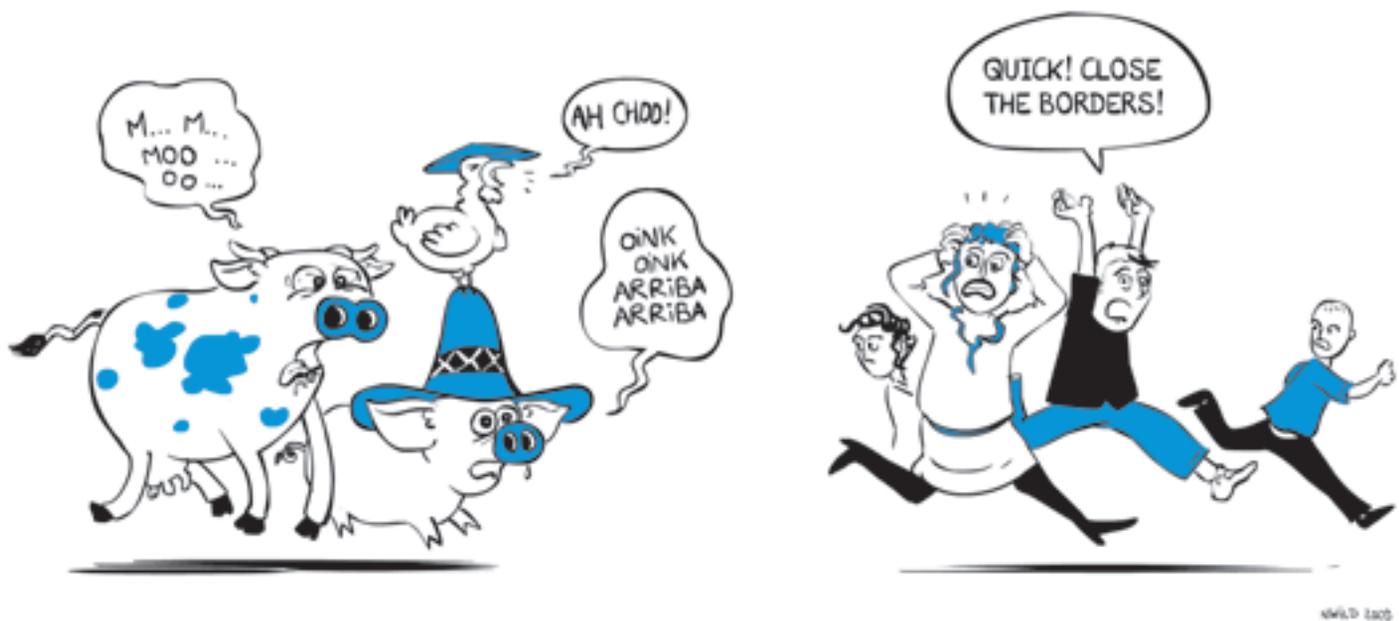
Incidentally, to emphasise the socio-economic and political aspects of this situation is not to deny that there are public health issues associated with increasing levels of international travel and human mobility. The increasing internal movement of goods and people encourages the spread of infection, simply as a mechanical phenomenon related to mobility, but it is not the only one. The effects of globalisation in exacerbating the risk of spreading infectious diseases (Weiss and McMichael, 2004) are mediated not only through the movement of people but also by the increased mobility of disease vectors, livestock and other animals that may host zoonotic diseases, as well as the greater propensity for food-borne disease as a consequence of increasing legal and illegal trade.

Fourthly, the migration experience itself can present many risks to health. Migrants fleeing from war, environmental degradation and poverty may face all of the deleterious effects of poor infrastructure, lack of health care provision, unchecked exposure to infectious disease and poor nutrition. Migrants may also face significant risks during the journey with regard to personal safety. Migrant women in particular often face gender-specific risks, such as rape and reproductive health problems. The current migration system based on control might also be included among the causes of illness in migrants. The journey itself is fraught with stress related to irregular migration (Ekblad Abazari and Eriksson, 1999), the stress involved in applying for asylum (Burnett and Fassil, 2002), violence and ill-treatment at the hands of traffickers and/or the police in transit countries, including gender specific issues (Anderson, Blue and Lau, 1991). In the destination country, there is also a danger of developing physical and physiological illnesses because of segregation and racism (Wadsworth et al., 2007; Coker, 2001).

There is a link, then, between migration and illness, but it needs to be viewed from a completely different angle. For the fact is that overly tough rules on immigration are apt to result in a further deterioration in the living conditions of foreign nationals in Europe. This includes removal of the right to regularisation after living in countries for several years, tighter rules on family reunification, a reduction in the number of people granted refugee status, a change in the law on regularisation for medical reasons, difficulties in renewing visas, and guidelines recommending that action be taken to arrest irregular migrants when they show up at medical centres or government offices.

Since some diseases such as TB are traditionally associated with poverty, living conditions in the country of origin partly account for their high prevalence, linked to poor housing, nutrition and access to care. A significant factor in health inequalities has been a system of international trade and capital mobility which has produced a world with growing socio-economic disparities and social injustice, with the result that people in different countries have widely differing morbidity and mortality rates. Accelerating globalisation and neo-liberal trends in government in recent years have brought with them more heterogeneous and complex ties between nations, corporations and populations. Moves towards increased privatisation in public services at global level have undermined universal access to health care, prompting a return to the concept of well-being as an individual rather than a collective issue and an area of shared responsibility (Farmer, 2003). Migrants from countries with poor health infrastructures face a higher risk of contact with various infectious diseases owing to the lack of access to health care and a safe environment (for example, clean drinking water, no chemical toxins in the environment).

Conditions in the host country, however, may also partly explain why migrants have proportionally the worst health, as migrants often experience deprivation through exclusion and poverty (Ponticello et al., 2005). The major health determinants essential in preventing and reducing the burden of disease and promoting the health of the general population are often negatively affected in the case of people from migrant backgrounds.



Personal behaviour and lifestyles; influences within communities which can sustain or damage health; living and working conditions and access to health services; and general socio-economic, cultural and environmental conditions: all these determinants must be taken into account when explaining why health status, both self-reported and as evidenced by medical check-ups and health statistics, is generally worst for migrants.

This is particularly true for undocumented migrants, because of the often extremely tough living and working conditions, coupled with the fear of being deported if they seek treatment in hospitals. As pointed out in the aforementioned first report of the European observatory “some 40% consider their housing situation precarious and 11% are homeless. Almost all of them are living below the poverty threshold. By and large, the persons surveyed are not aware of their rights. One-third are unaware of their right to health coverage. Most of the people surveyed do not have health care coverage either because they lack information about their rights or have not gone through the process to obtain these, or because the administrative procedures are still under way. In the survey population as a whole, two people in 10 perceive their health as poor or very poor. Only one-third of the people suffering from a chronic health problem are currently receiving treatment. Nearly half of the people stating that they have at least one health problem suffered as a consequence of the delay in recourse to care” (MdM, 2007).

Poor and excluded people may find it more difficult to escape the shortcomings of national health care systems: “more than two thirds of health problems are considered to be chronic but only one third of people currently receive treatment. Almost half of the people stating that they have at least one health problem have had to wait before receiving treatment. People suffering from serious or chronic conditions (depression, HIV infection, diabetes, viral hepatitis, and high blood pressure in particular) did not receive treatment sooner than those suffering from less serious disorders or undiagnosed symptoms (fatigue, fever, joint pain, etc.). Overall, there is no correlation between the condition’s seriousness and quicker recourse to treatment, which is particularly alarming because delayed treatment could have serious consequences in the case of some pathologies” (MDM, 2007).

In order to justify such system malfunction, a further stereotype may arise, in which migrants are presented as being too ignorant to understand and derive benefit from medical science. Perceptions of contamination and disease, moreover, are traditionally associated with notions of poverty, ignorance and poor moral character. Understandings of Western science have often been premised on binary divisions between truth and falsehood, rationality and irrationality, the civilised and the primitive, etc. This construction of modern science leaves little room for more holistic views of knowledge and explanation that are often integral parts of non-Western cultures.

As a large part of a physician's work is based on his or her communication with the patient, diverse ways of comprehending or explaining psychosomatic experience may not fall within the highly rational framework of Western medical reporting and be judged as irrelevant or irrational. People from non-Western countries are thus often perceived from an ethnocentric professional perspective as incapable of comprehending Western medical science. These perceptions have emerged from a long colonial tradition and reflect more on the ethnocentrism and poor communication skills of the practitioner than the ignorance of the patient. Many migrants are viewed as "primitive" and incapable of understanding Western medical science by practitioners who have received little training in cultural competence during their education. Such practitioners may not really listen to migrant patients or stereotype their medical complaints as bogus.

As this last example shows, the reasons why data on ill migrants are often manipulated and exaggerated, fueling xenophobic attitudes linked to public health issues, are historical, political and ideological: they should be carefully investigated, in order to contrast and compare the proliferation of prejudices. These are often bound up with the way national and local communities are constructed and populations are controlled, rather like an immune system protects "the inside" from threats originating from "outside" (Kraut, 1994). They are also connected with the political discourse and practice that dominates contemporary globalisation (Institute of Medicine, 2006), representing our society as a risky and disordered society, in need of more checks and legal instruments, such as health documentation or compulsory checks at the border, in order to filter populations, take maximum advantage of the mobility of goods, capital and people, and allay the fear of looser borders (Bashford, 2006).

Any attempt to transform social problems, such as health inequalities along racial, class and cultural lines, into the stereotype of migrants as a threat to security in general, and as disease vectors in particular, needs to be understood within the framework of the risk paradigm that has accompanied neo-liberal globalisation. This paradigm paves the way for a return to traditional views of illness as being structurally related to certain categories of people, who are considered to be "at risk".

The first element in this framework that needs to be explored is the strong institutional and academic commitment to propagating the idea of medical risks due to globalisation. According to the US National Intelligence Council study (2000) of factors affecting the spread of global infectious disease, two million people each day travel across borders, including one million each week between developing and developed countries. The US Institute of Medicine (2006) has observed that over the past two centuries, the average distance and speed of human travel have increased a thousand-fold but incubation times for infectious diseases have remained the same: no nation is immune to the growing global threat that can be posed by an isolated outbreak of infectious disease in a seemingly remote part of the world. The joint Science Academies G8 statement on infectious disease (2006) called for reinforcement of global surveillance as the fundamental instrument for control of infectious disease, indicating that a new, independent, evidence-based study is needed to identify key elements for the further development of global surveillance capabilities.

The media often portray migrants as vectors of emerging infectious diseases. Emerging infectious diseases, such as the Ebola virus, SARS, avian flu, and even HIV to some extent, have been characterised as bringing the threat of globalisation (as embodied by foreigners) to strike back at the local level. National security, fears of contamination from outside and social anxiety at the failure of technology to protect citizens all combine in this stereotype to focus on the disgust and dread of the foreigner as the embodiment of risk and infection. Examples of this stereotype can be seen in the media portrayal in Finland and Sweden of Africans as criminals deliberately spreading HIV in the 1990s, while there was very little coverage of Finns in a similar light until a very recent case. Media representations of SARS as an Asian disease emanating from the impoverished and "backward" areas of rural China dominated UK Sunday newspapers in 2003, mirroring colonial fears

of the “Yellow Peril”. Similarly, media stories of Africans carrying the incurable Ebola virus to Europe have been pervasive in the media, creating a racialised geography of threat imprinted on the bodies of those seen as representative of foreign lands.

The threat of global pandemic disease is currently mobilising experts, governments, and the burgeoning “security” industry and yet, this has all happened before. In fact, fears of contamination and disease have long been associated with foreigners, just as notions of good health have long been associated with cultural constructions of purity, morality, and the nation. From the medieval Black Plague and cholera scares to contemporary epidemics of HIV and SARS, xenophobia has commonly generated disease panics in societies where blame for contamination has been assigned to outsiders. Historical examples of this phenomenon include the association of Chinese immigrants and cholera in 19th-century San Francisco or the portrayal of Jewish immigrants as bringing disease to London’s East End in the early 20th century. As now, the response was to introduce more border controls. See, for instance, the Classification of Excludable Medical Conditions According to the 1903 US Book of Instructions for the Medical Inspection of Immigrants.

Linkages between illness, dread and strangers are deep-rooted in human history, but they may fluctuate according to the different meanings of mobility and borders-crossing and their shifting over time. For example, to be mobile in the Middle Ages often meant to be “without place” socially or physically, and therefore to be suspicious, a non-person who belonged to no community (Cresswell, 2006: 11). Indeed, vagabondage was a crime in many parts of the Western world. Hence, xenophobia and fear of outsiders have historically been a common reaction to perceived threats of disease and scarcity. The Industrial Revolution brought large migrations that forced societies to develop community-based methods of sanitation and welfare to ensure the health of the urban masses (Rosen, 1993). Thus, diverse histories of national and cultural responses to fears of infection and contamination, from quarantine and exclusion to care and treatment, emerged in response to divergent societal attitudes, models of production and experiences of mobile populations.

Today, this idea of diseases linked to migrant bodies has been wholly incorporated in international, European and national rules on migration flows. There is “a close historical association between health documentation and citizenship/identity documentation, as well as a connection between race-based immigration regulation and rationales of communicable disease control” (Bashford, 2006). While health regulations at borders “were and are often in place as perfectly justified measures of communicable disease control, the instance illustrates the closest of connections between nations, citizenship and public health. Communicable disease control has everything to do with the functioning of nations as geographical spaces and as bureaucratic entities, and the inter/national status of individuals as citizen or alien, as foreign national or refugee claimant, as diplomatically ‘immune’ or aspiring migrant” (Bashford, 2006).

New International Health Regulations (IHR) were adopted by the World Health Organization in May 2005 and came into force in June 2007. The purpose and scope of these regulations are to prevent, protect against, control and provide a public health response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international traffic and trade. The regulations are to be implemented with full respect for the dignity, human rights and fundamental freedoms of persons and with due regard for the Charter of the United Nations and the Constitution of the World Health Organization. The implementation of the regulations is to be guided by the goal of their universal application for the protection of all people of the world from the international spread of disease. States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to legislate and to implement legislation in pursuance of their health policies. In doing so, they are expected to uphold the purpose of these regulations.

Article 35 reads: “No health documents, other than those provided for under these Regulations or in recommendations issued by WHO, shall be required in international traffic, provided however that this Article shall not apply to travellers seeking temporary or permanent residence, nor shall it apply to document requirements concerning the public health status of goods or cargo in international trade pursuant to applicable international agreements. The competent authority may request travellers to complete contact information forms and questionnaires on the health of travellers, provided that they meet the requirements set out in Article 23.” Paragraphs 2 and 3 of Article 23 read: “On the basis of evidence of a public health risk obtained through the measures provided in paragraph 1 of this Article, or through other means, States Parties may apply additional health measures, in accordance with these Regulations, in particular, with regard to a suspect or affected traveller, on a case-by-case basis, the least intrusive and invasive medical examination that would achieve the public health objective of preventing the international spread of disease. No medical examination, vaccination, prophylaxis or health measure under these Regulations shall be carried out on travellers without their prior express informed consent or that of their parents or guardians, except as provided in paragraph 2 of Article 31, and in accordance with the law and international obligations of the State Party.”

These notions are embedded in the Schengen agreement, which defines a “threat to public health” as “any disease with epidemic potential as defined by the International Health Regulations of the World Health Organization and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States”. According to this agreement, “for stays not exceeding three months per six-month period, the entry conditions for third-country nationals shall be the following: they are not considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States. The Member States may reject an application for entry and residence of family members on grounds of public policy, public security or public health. Member States may withdraw or refuse to renew a family member’s residence permit on grounds of public policy or public security or public health”.

Similar conditions also appear in the EU family reunification and the long-term residents directives. Member states may refuse applications for residence from long-term residents or their family members where the person concerned constitutes a “threat to public health”. The only diseases that may justify a refusal to allow entry or the right of residence in the territory of the second member state are the diseases as defined by the relevant applicable instruments of the World Health Organization. Member states are not permitted to introduce new more restrictive provisions or practices. Diseases contracted after the first residence permit was issued in the second member state shall not justify a refusal to renew the permit or expulsion from the territory. A member state may require a medical examination in order to certify that migrants do not suffer from any of the diseases referred to in the directives. Such medical examinations, which may be free of charge, are not to be performed on a systematic basis.

Countries such as the UK had rules on the health screening of migrants long before Schengen. The Public Health (Control of Disease) Act 1984 and associated regulations give effect to some aspects of the IHR 1969, making provision for medical examinations of travellers and inspections of conveyances. The Immigration Act 1971 provides that “anyone subject to immigration control seeking to enter the UK may be referred for a medical examination”. The Immigration Rules say that Immigration Officers should refer all who intend to remain in the UK for more than six months to the Medical Inspector, but the policy has long been that only those arriving for more than six months from countries with a high TB incidence should routinely be referred. In addition, passengers who mention health or medical treatment as a reason for their visit, or who appear not to be in good mental or physical health, should also be referred to the Medical Inspector. Should a Medical Inspector advise that any passengers are suffering from a condition that may interfere with their ability to support themselves or their dependants, the Immigration Officer should take this into consideration in deciding whether to admit them. While it is clear that the Medical Inspector has a role in protecting both the public

health and the public purse, in practice, it is very unusual for such cases to be refused entry by immigration staff, and in reality medical inspectors only have a peripheral role in immigration issues” (HPA, 2006b).

In Russia, if a person applies for a work permit or intends to stay for more than 90 days (on a visa basis or residence permit basis) he or she is required by law to provide a medical certificate. In 2003, the Russian Government adopted a list of dangerous diseases which, if contracted by a foreigner, would lead to him or her being barred from the Russian labour market and also from residence in the RF. According to the Law on the Status of Foreigners, persons infected with one of these diseases cannot be granted a work or residence permit (and permits already issued will be revoked). The Federal Migration Service in Moscow has provided information showing that about 16% of work permits issued in 2007 were later revoked because migrants had not provided medical certificates. The law states that a person applying for a work permit may be granted it 10 days after submitting the application and must provide a medical certificate within 30 days. In the event of failure to do so, the work permit will be revoked (and a special note to this effect entered in the FMS database), with the person’s employer to be notified accordingly. In practice, this procedure is difficult to observe and does not work. The order in which the different steps are to be carried out is completely illogical and many migrants with revoked work permits still manage to find jobs.

In the Russian Federation, deportation is obligatory if a person has Aids. In practice, however, this rule does not work, something that is recognised by the authorities. Only 256 of the 1 500 foreigners identified as having Aids (9 months of 2007) actually left Russia.⁴¹ Very often migrants with detected infections do not seek medical assistance and it is assumed that many turn to illegal employment as their work permits are not valid. The rule in question, however, does not conform to UN recommendations and, insofar as it endangers migrants’ lives and exposes them to a serious risk of inhuman treatment, it is also incompatible with the European Convention on Human Rights, Articles 2 (right to life) and 3 (prohibition of torture).

In 1987, the World Health Organization convened an expert consultation which concluded that “no screening programme of international travellers can prevent the introduction and spread of HIV infection” (WHO, 1987). In 1988, WHO further stated that: “HIV screening of international travellers would be ineffective, impractical and wasteful ... Rather than screening international travellers, resources must be applied to preventing HIV transmission among each population, based on information and education, and with the support of health and social services”. In that same year, the World Health Assembly urged member states “to protect the human rights and dignity of HIV-infected people ... and to avoid discriminatory action against and stigmatisation of them in the provision of services, employment and travel” (WHO, 1988). In 2008, 20 years later, “there appear to be 74 countries which still impose some form of HIV-specific restrictions on the entry and residence of positive people. Of these, some 10 countries basically prohibit HIV-positive people from entering or staying for any reason or length of time. There are 29 countries which deport people once their HIV infection is discovered. Seventy-two countries have no HIV-specific travel restrictions. For 22 countries, the information is contradictory, and for 27 countries, there is no information” (UNAIDS, 2008).

In the meantime, in November, 2007, the Board of the Global Fund to Fight AIDS, Tuberculosis and Malaria decided that it would not hold board meetings in countries that restrict short-term entry of people living with HIV or require prospective HIV-positive visitors to declare their HIV status on entry. The board also strongly encouraged all countries to move rapidly towards elimination of travel/entry restrictions, including waivers, for people living with HIV. At that same board meeting, UNAIDS created a task team “with the aim of eliminating policies and practices that restrict travel for HIV-positive people” (UNAIDS, 2008). In its initial deliberations, the task team has emphasised that HIV-travel restrictions are anachronisms that are inappropriate in the

41. Information provided by an official from the ministry of health and social development, www.nr2.ru/health/147545.html.

age of globalisation, that is, in an age of increased travel, increased access to treatment for HIV, and national and international commitments to universal access to HIV prevention, treatment, care and support. It stated also that “HIV-specific travel restrictions are discriminatory and contribute to the stigmatization of people living with HIV”. Moreover “there is no evidence that HIV-related travel restrictions protect the public health, and they may in fact impede efforts to stop the epidemic” (UNAIDS, 2008).

Indicators No. 6: Statistical, legal and socio-political factors behind the stereotype

<p>Proportion of sick migrants based on social category and conditions (employment, housing, income, gender, age, level of education, marital status, legal status)</p>	<p>Show how social conditions, in particular inequalities in terms of living and working conditions, housing, income, level of education, legal status, etc., affect migrants’ state of health and their access to care Examine the variables of age, gender, marital status and sexual orientation in relation to access to care and to state of health</p>
<p>Comparative proportion of sick people based on social category and conditions</p>	<p>Compare the impact of social conditions and the influence of personal variables (cf. above) on the migrant population and on the indigenous population</p>
<p>Legislation relating to migrants’ health checks</p>	<p>Show how legislation requiring health checks to be carried out at the border contributes to the spread of the stereotype and highlight the results of these measures in terms of preventing disease</p>

2.2.3. Evaluation of the stereotype

The main negative effect of the stereotype concerns migrants’ access to health care, which amounts to a patent violation of human rights. There are in fact numerous international conventions and treaties, at global and European level, that recognise the right to health as a universal one that should be available to all (Hendricks, 1998). Building on a strong tradition of collective sanitation and public health interventions emerging from the era of industrialisation, the World Health Organization recognised the significance of social, economic and political interventions in enhancing health (Navarro, 2000). In the preamble to its constitution which came into force in 1948, it accordingly adopted the notion of health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”. Declaring that health is “one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition”, WHO firmly endorsed the universal nature of health as a human right, and hence accessible in principle without distinction on the ground of nationality. The International Covenant on Economic, Social and Cultural Rights, Article 12(1), affirms that: “the States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”.

An important reference to the rights of undocumented migrants can also be found in General Comment 14 to the International Covenant on Economic, Social and Cultural Rights (ICESCR), paragraph 34, which outlines that: “States are under the obligation to respect the right to health by, *inter alia*, refraining from denying or limiting equal access for all persons, including prisoners or detainees, minorities, asylum seekers and illegal immigrants, to preventive, curative and palliative health services.”

The universality of this right means that it extends to everyone, and has broadly influenced other treaties, such as the European Social Charter, which in principle applies only to nationals of the states parties to the Charter or other persons residing or working lawfully within the territory of the states parties. The Committee on Social Rights of the Council of Europe ruled otherwise in Complaint No. 14/2003, *International Federation*

of Human Rights Leagues (FIDH) v. France. In its conclusion, the committee, endorsing the view of the FIDH, stated that the changes introduced by the French Government with Act No. 2002-1576 of 30 December 2002, restricting access to health care for undocumented migrants and in particular undocumented children, constituted a violation of Articles 13 and 17 of the Charter. Specifically, in paragraph 32 of the decision, the committee stated: “the Committee holds that legislation or practice which denies entitlement to medical assistance to foreign nationals, within the territory of a State Party, *even if they are there illegally*, is contrary to the Charter” (our italics).

A fairly broad right to health is also recognised by several national constitutions, implicitly by the ECHR which protects everyone’s right to life and prohibits torture and degrading treatments, and more explicitly by the European Charter of Fundamental Rights: “Every worker has the right to working conditions which respect his or her health, safety and dignity” (Article 31). “Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities” (Article 35).

State health and welfare policies determine eligibility criteria of inclusion and exclusion, which determine how individuals gain access to care and treatment. Conceptions of the nation, state and citizenship also strongly affect how newcomers or strangers are viewed and treated in a society, which can have an impact on outreach and information efforts. Moreover, notions of transnational identity influence how people construct their sense of home, community and belongingness. Only emergency care is generally provided to all. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), which entered into force on 1 July 2003,⁴² affirms that “migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment” (Article 28).

The right to health recognised under the ICRMW, moreover, includes the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment (Article 10); the right not to be held in slavery, servitude or be required to perform forced or compulsory labour (Article 11); the right to liberty and security of person, including the right to be protected against violence, physical injury, threats and intimidation by public official or private individuals, groups or institutions (Article 16). In addition, for those migrant workers and members of their families who are documented or in a regular situation, states parties undertake to ensure the right to enjoy social and health services on equal terms with nationals (Articles 43 and 45). States parties must also take measures which are not less favourable than those applied to nationals to ensure that working and living conditions are in keeping with the standards of fitness, safety, health and principles of human dignity (Article 70).

Migrants in vulnerable situations are the people most affected by this stereotype because they often face the greatest stigma for having, or being seen as having, dreaded infectious diseases. Such fears often take the form of perceiving migrants, particularly migrants that are racialised by mainstream society, to be dirty or contaminated. These perceptions often cause members of the host society to feel that they are running a risk by interacting with migrants.

42. As at 15 October 2009, 40 countries had acceded to the convention, of which only two were Council of Europe member states: Turkey and Bosnia and Herzegovina.

The stigma associated with containment policies that target foreigners deters individuals from seeking medical treatment and social counselling due to fears of exclusion and discrimination. Such stigma can also militate against the dissemination of accurate and appropriate health promotion and disease prevention information. Sole reliance on containment policies raises the spectre of migrants not having adequate information about disease prevention or allowing their illnesses to progress to very serious stages before treatment is sought due to fears of discrimination. Bypassing the first lines of medical treatment due to fears of discrimination ultimately leads to poorer health and social outcomes for both the migrant community and the host society at large. For example, minor depression that goes untreated can lead to chronic mental health conditions which may render an individual unable to work, cause tremendous personal suffering and ultimately require a disability pension.

Migrants may find that they are stigmatised or discriminated against when following cultural patterns that have little bearing on health. Views of migrants as unsanitary because they cook different kinds of food or dress differently have often influenced landlords' decisions on whether to rent accommodation as well as neighbours' perceptions of whether to welcome newcomers. This stereotype encourages policies that seek to control and discipline patients that are considered not to adhere to treatment plans. Patients that are viewed as non-compliant may be prevented from receiving more advanced treatments, such as transplants or new medicines, due to their perceived inability to comprehend and adhere to medical instructions. Studies have shown a greater failure to recognise African Americans' reporting of heart attacks symptoms in emergency rooms by largely white physicians, resulting in a higher mortality rate. There is also a demonstrated higher amount of Afro-Caribbean migrants in the UK diagnosed as schizophrenic than in the mainstream population. Migrants also tend to receive fewer transplants than natives and tend to be labelled as non-compliant more often than native patients.

Discussions which focus on the threat represented by migrants thus reinforce a law enforcement line of policy towards newcomers, which focuses on surveillance and containment, rather than a public health line, which emphasises care and treatment. This type of law enforcement approach to public health tends to result in deception and concealment by those who fear being identified as having a disease, rather than an open problem-solving and humane approach to mitigating the impact of the disease on society and the individual, through recognising the interconnected nature of global public health in the 21st century. As we have seen during the Aids epidemic of the late 20th century, policies aimed at identifying people infected with HIV were considered more effective if they promoted non-stigmatised self-reporting rather than stigmatising law enforcement tactics.

Paradoxical and tragic situations can arise, moreover, when infectious diseases such as Aids are seen as being an "attribute" of a particular population group, for instance migrants from developing African countries, but there are no public health programmes designed to tackle the problem. Implicit or explicit stigma and exclusion from health care coexist and reinforce one another.

Thus, for 10 years or so, the exposure of migrants from the Maghreb and Africa in general to Aids was greatly underestimated and little understood in France. The HIV virus was considered to be a "foreign import" but no surveys were conducted or special preventive measures taken for fear of discriminating against and stigmatising the country's African population. Ultimately, fear of stigmatisation was the reason why, for a long time, the statistics on Aids in the non-national population were not disclosed. The fact that Aids has taken a heavy toll on Maghrebi and African communities in France, since the start of the pandemic, is still very much a taboo subject among public health professionals. Under pressure from the Migrants against AIDS

movement, now the Comité Maghreb Afrique des familles pour survivre au sida,⁴³ the relevant institutions have set about trying to understand and address the problem.

The Institut de veille sanitaire (Health Watch Institute), in its 1999 report on Aids in the non-national population living in France, plays down the heavy toll exacted by Aids on young people from immigrant backgrounds, preferring to treat it as a cultural problem: “Such problems could be the result of a clash between the parental culture handed down and the loss of traditional values arising from immigration” (IVS, 1999). Three reasons are given for the particularly high incidence of HIV infection among immigrants: the sero-epidemiology of HIV in the countries of origin, the “traditional” culture or the taboos that exist in the immigrants’ culture and, lastly, the poor living conditions of immigrant populations. Migrants against AIDS was critical of the tendency to reduce immigrants’ shifting cultures to a rigid concept of a backward or “traditional” culture (as opposed to a supposedly modern and enlightened European one), while at the same time combating all existing forms of social conservatism, irrespective of faith or culture, because they impeded dialogue and discussion of what were undoubtedly complicated issues linking Aids and sexuality.

It appeared that the real reason why immigrants were susceptible to HIV lay in the French health system and a public health policy that manifestly discriminated against the poor, immigrants and undocumented persons in terms of access to information and care. Likewise, ever since the Pasqua laws were passed in 1993, social security (and hence sickness insurance) has been firmly denied to foreigners who are in an irregular situation. And despite the development of a parallel system of medical assistance which, in theory, allows access to the full range of care, in practice, large numbers of patients, in particular immigrants, are still unable to obtain hospital treatment.

In conclusion, stigmatising perceptions can be generalised as constructing an “essence” of foreignness that can drive devastating racist and ethnocentric discrimination in many aspects of social life. Indeed, this stigma can be operationalised through discrimination in job hiring (for example, refusing to hire migrants as food handlers or care workers), housing discrimination (for example, rejecting migrants as tenants or neighbours), or through inter-personal relations (for example, refusing to sit next to a migrant on a bus). These forms of stigma reduce many migrants to a less than human status in mainstream society. The impact of social stigma on individuals is multidimensional and can include low self-esteem, internalised shame, depression, and other social anxiety disorders in addition to real discriminatory obstacles that prevent migrants and their communities from participating fully in society and fulfilling their own potential.

Further negatives are the unintended consequences of stereotyping on the declared aim of borders controls, that is, protecting public health. In fact, concealment of probable carriers by governments, as well as individuals, afraid of being labelled as diseased by the global community appears to have been a barrier to adequate interventions to identify and prevent the further spread of the disease. In this sense, writing the disease on the racialised body of those thought to be carriers, and consequently stigmatising them, appears to lead to less clarity regarding the evidence-based circumstances of fast moving infections and their transmission. Such stigmatisation further tends to militate against collaborative efforts to prevent and manage infections.

43. Set up on 14 June 2003, the Comité Maghreb Afrique des familles pour survivre au sida brings together people living with Aids and their families (<http://papamamanbebe.net/>). It came about through the efforts of various families based around the team of volunteers which, since 1995, has been producing, with complete editorial independence, survivreausida.net, the only radio programme for HIV-positive people from immigrant backgrounds and deprived neighbourhoods.

Indicators No. 7: Effects of the stereotype on the rights and well-being of migrants

Comparative proportion of sick migrants who have access to health care	Highlight the fact that not all sick migrants, especially those who are in an irregular situation, have access to health care. In particular, mention the existence of rules that prevent, discourage or restrict access to care for migrants who do not have a residence permit
Proportion of migrants who are unaware of their rights as regards health care	Show how lack of information can affect migrants' ability to obtain the health care they need and hence their state of health
Proportion of migrants who actually receive the care to which they are entitled	Highlight the disparity between the number of migrants who are theoretically entitled to care and the number who actually exercise their right to health
Incidence of discrimination reported by migrants	Examine interviews with migrants about their experience of discrimination in access to health care and other sectors (employment, housing, etc.) in relation to their state of health

2.2.4. Responses to the stereotype

The stereotype of foreigners as carriers of disease obscures a deeper understanding of the remarkable complexity of global public health. Many analysts argue that it is necessary to understand the intricate interrelationships that constitute global public health. Contemporary phenomena such as the globalisation of trade, mass migration, growing international inequality, the increase of chronic disease, prevalence of conflict and growing environmental degradation, all contribute to fast moving health challenges that touch all throughout the world. Introducing blame into the societal thinking on public health through the use of this stereotype tends to further victimise the victims, emotionalise the discourse and prevent rational responses to containing and co-ordinating a transnational response to the challenge of emerging infectious diseases.

The moral panic implied by this stereotype calls for state intervention, generally in the form of law enforcement tactics. Though quarantine is necessarily used in some instances with fast emerging infectious diseases, such as the current response to avian flu, public health frameworks use a wide range of techniques to measure and prevent the spread of disease. Fundamentally, trust-building is an essential aspect of public health interventions. Through trust, people can be encouraged to report disease and seek treatment, which prevents its further spread. Law enforcement frameworks tend to rely on punitive measures to exert control over offenders. Public health experts constructed the policy of "Aids exceptionalism" in the mid-1980s in recognition of the extraordinary status of the contagion due to its means of transmission through blood and sexual contact. In this policy line, law enforcement tactics were seen as an inadequate response to the complex behaviours that caused the transmission of HIV. Stigmatising marginalised or oppressed communities vulnerable to HIV was viewed as detrimental to enhanced reporting and contact tracing as well as prevention efforts.

Public health frameworks recognise the complexity of interactions between communities, which is often ignored in populist xenophobic discourses. In short, conceptual frameworks must be aware that our nation states cannot be broadly divided into categories of "us" and "them" in any meaningful scientific discourse on public health.

Other measures might include education of the public and media on the need for collective, non-prejudicial public health and social services for all population groups as important for the common good, and more emphasis on cultural competence in education for social and health care professionals. To ensure high quality

medical care for all residents, it is important to introduce cultural competence in all levels of health care professional education. The various communities need to be included as stakeholders in social and health care policy and, lastly, the tradition of good practice in public health recognises the innate mutuality of human relations across borders.

Indicators No. 8: Prospects for change

Legislation and public programmes to promote universal access to health care	Is access to health care genuinely universal? If so, at what level does this universal access operate? Are there any exceptions?
Legislation and public programmes relating to prevention	Are there any public health programmes designed to prevent the main infectious and chronic diseases? Are they available to everyone?
Legislation and public programmes relating to diversity	Is the notion of cultural competencies and reasonable accommodation of differences built into social and health policies, the organisation of services and hospitals, university education and staff selection?
Associations and movements defending migrants' right to health	Are there any associations or movements which defend the rights of migrants and ethnic minorities to quality health care? Are these organisations supported by the public authorities? Do they participate on an equal footing in the implementation of health policies?



CHAPTER 3 – HARMFUL STEREOTYPES PORTRAYING MIGRANTS AND THEIR DESCENDANTS AS A THREAT TO OUR WELL-BEING

INTRODUCTION

A number of stereotypical ideas about the impact of immigration on the economy lie at the root of the attitudes and prejudice that have developed within indigenous populations in Europe (and worldwide) in response to immigration. These stereotypes, which relate to various aspects of the employment market, centre mainly on the adverse effects that immigration supposedly has on the employment of indigenous workers and their working conditions.

The most common and deeply ingrained prejudices tend to be expressed in phrases such as “immigrants take jobs away from native-born workers” or “immigrants are stealing our jobs”. In recent decades, such utterances have become commonplace and have led or contributed to the development of xenophobic attitudes all over Europe. In the 1980s, Europe’s far-right parties embraced this line of thinking and, although their attention later shifted to other topics (for example, “immigrants are undermining European culture” or “immigrants’ cultural norms are incompatible with Western democracy”) they have never ceased to insist on the negative impact of immigration on the employment of indigenous workers.

There is nothing new about these stereotypes: they are not something that has emerged only in recent decades, amid the current xenophobic political climate. The point of view that they embody has been around since the beginning of the industrial era and has its roots in a collection of ideas that grew out of the labour movement in the industrialised countries. Hostility to workers arriving from “elsewhere” was already a well-established phenomenon by the 19th century, when workers from rural areas (or other countries) flocked to the manufacturing towns. Such workers were viewed by their urban counterparts as people who were going to take their jobs and who were liable to be popular with employers because they were willing to accept lower wages.

The stereotype that “they take our jobs” is closely bound up with another which we will examine in greater depth later, namely the belief that “immigrants drive down the wages of indigenous workers”. This is one of the most commonly recurring stereotypes today and is even more influential than the former. The idea that immigrants drive down wages figures prominently in the rhetoric of xenophobic right-wing parties; its influence, however, extends well beyond that as it tends to be widely accepted in the labour market as well, including even by those who do not subscribe to the former theory. For there is a large body of opinion which holds that, even though it is untrue that immigrants take jobs away from indigenous workers, they do exert downward pressure on their conditions of employment.

This idea is hardly new either. As far back as the mid-19th century, it was accepted that conditions of employment were governed by the law of supply and demand. The arrival of “foreign” workers was always viewed with suspicion by indigenous workers because it helped to swell the supply of labour and thus affected conditions of employment. It was taken for granted that if the supply of labour increased significantly, companies would have more choice and be in a position to drive down conditions of employment. The trade unions’ notion of a “reserve army” of workers is pertinent here: capitalist-style market economies have a vested interest in maintaining a high level of unemployment, so as to be able to put downward pressure on conditions of employment. The arrival of foreign workers is seen as a way of increasing the labour supply, thereby swelling the ranks of the “reserve army” of workers.

It is important to be clear on one point, however: “the social elevator became stuck not because indigenous workers or former migrants supposedly ran into competition on the labour market from new migrants (thereby justifying the continued discriminatory treatment of migrants as a way of “protecting the native workforce”), but because there are significantly fewer jobs of the kind that white people and nationals want. In other words, what white racists object to in undocumented immigrants is not that they are competing with them directly on the labour market (if anything, they have reason to welcome their presence provided that they continue to be discriminated against and hence confined to the jobs nobody else wants), but the possibility that immigrants and in particular their children could eventually find themselves in the same labour market as themselves” (Atzert et al., 2004).

Another point that merits consideration is that the erosion of jobs and wages is a historic process that has been occurring globally since the late 1970s, and is the result of very specific policy choices, whether at micro-economic level with a new form of corporate governance focused on share values rather than the production of quality goods and services (Gallino, 2005), or at macro-economic level with a diminution or shift in government intervention in the economy, a pattern of wealth distribution that favours the better-off and a reduction in the welfare state to the bare minimum needed to sustain the most vulnerable sections of the population (Procacci, 2006).

While this assessment is accurate, when it comes to competition between locals and migrants in a labour market that is increasingly polarised and impoverished, the political issue is very different, namely how to come up with a modern-day development model that is sustainable given the planet’s limited resources, commensurate with the productivity levels and technologies, human knowledge and skills actually available and, at the same time, capable of providing everyone with an income sufficient to secure an independent and satisfactory life, both individually and collectively (Gesualdi, 2005). Where economic competition and concerns about persistent unemployment and growing job insecurity are concerned, the quest for solutions will go that much more smoothly if natives and migrants can work together and support one another, in a context of shared responsibility for the well-being of all.

3.1. “Migrant workers take our jobs”

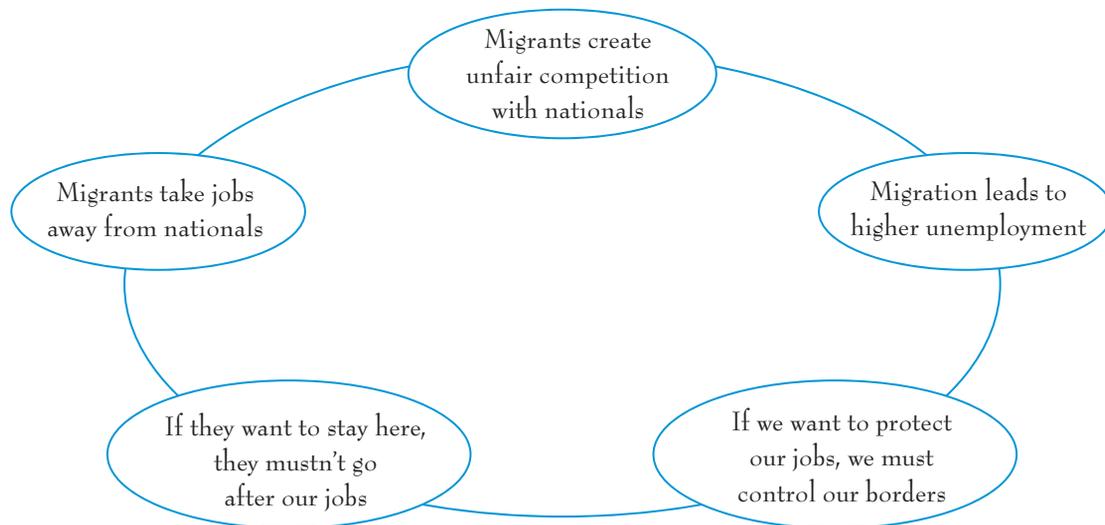
3.1.1. Description of the stereotype

The belief that migrant workers “take our jobs” stems from a certain conception of the jobs that are available in a particular town, region or country, which are seen as being a fixed pool, generally reserved for indigenous workers only. Accordingly, when these workers compete for the same job, the workers who are not hired do not then think of the others as having “stolen” their jobs: that idea arises only in cases where their rivals are, or look like, foreigners. This sense of injustice manifests itself in allegations of unfair competition with native-born workers, notably in terms of employment rights and working conditions. In order to justify such talk, it is suggested that there is a correlation between high unemployment rates in the destination country and the fact that immigrants have traditionally settled there or, more often, influxes of new migrants. The prejudice expressed, then, is a sort of broadly subscribed to explanation for something that might be seen as paradoxical, namely the fact that a degree of unemployment among indigenous persons may well coincide with the arrival of new migrant workers.

Without empirical evidence, the power of these ideas to convince clearly depends on people’s general attitude to immigration: the more opposed they are to immigration, the less inclined they will be to recognise immigrants’ right to compete for the same jobs as themselves. The obverse is also true: the more receptive people are to immigration, the more acceptance there will be for immigrants’ right to do any job.

The practical and political implications usually drawn from this line of argument are that inward migration needs to be subject to rigid controls and quantitative limits, for example, by adopting a system of annual quotas (cf. above) based on nationality, employment sector, type of residence permit, etc. Another popular solution is to introduce nationalistic measures to protect the labour market, with preferential arrangements for indigenous workers or by barring non-nationals altogether, notably in the civil service. Migrants wishing to live and work in Europe are thus required to show that they are not going to steal anyone’s job, or that they will confine themselves to the sort of jobs that nationals are no longer willing to do.

Figure 14: The “migrants take our jobs” stereotype chain



This kind of stereotyped thinking is extremely common in European societies, especially among workers in sectors where there are large numbers of immigrants. It is damaging not only to the immigrants themselves but also to their children, the so-called “second generation”, namely all those people who, although they were born in Europe and in many cases have European nationality, are still seen as being “not part of the nation” on account of their physical appearance, culture or family ties.

In order to counter this stereotype, we need to move away from the traditional notion of existing jobs, whilst respecting the principle of free competition in access to employment and defending the point that everyone is equally entitled to compete for jobs. It is also important, however, to examine the purportedly self-evident proposition that “immigration reduces the employment opportunities of indigenous workers”. Extensive research has been carried out in this area to determine whether there is in fact competition between immigrants and natives in access to employment.

Indicators No. 9: “Facts” underpinning the stereotype

Correlation between the number of immigrants and the unemployment rate in the indigenous, economically active population	In point of fact, extensive research carried out since the 1980s shows that immigration has little if any impact on employment in the indigenous population
Proportion of migrants by sector of activity	Proportion of migrants in the economically active population employed in the various sectors of activity, over a given period
Proportion of migrants in new jobs	Proportion of migrants in the new jobs created over a given period

3.1.2. Explanation of the stereotype

In the 1980s, American studies showed that there is no direct causal link between the arrival of immigrants on the labour market and the decline in employment opportunities for locals. This is an established fact, even in cases where there has been a sudden, large-scale influx of immigrants into the labour market. For example, researchers studied the impact of the arrival of large numbers of Cubans in Miami in the 1980s, which led to a 7% increase in the workforce in the host region. The study showed that, in the years that followed, neither wages nor the unemployment rate in the indigenous population evolved any differently from wages and unemployment rates in other American cities which saw fewer immigrants arrive over the same period. A number of other similar studies, conducted in countries which have had to cope with sudden influxes of migrants, produced similar findings (Borjas, 1994: 1698-1699).

If large-scale, rapid inflows of immigrants have no significant effect on employment in the indigenous population, the same will surely be true in cases where immigrants arrive relatively slowly, in response to a specific demand for labour. The fact, however, that there is no significant overall impact does not preclude the possibility that individual sectors might be affected. The surveys and specialist literature produced in the early 1990s fail to give an adequate explanation why the influx of immigrants did not have more of an impact on the host countries' labour market. There was, it was felt, a lack of detailed information about how indigenous workers reacted to the arrival of immigrant workers, for example by changing sector or workplace (Borjas, 1994: 1700). Some 10 years on, we can confirm that the studies on how immigration affects the wages and employment opportunities of native-born workers are somewhat confusing in terms of their findings, but that, generally speaking, their conclusions tally with the idea that the impact is slight (Borjas, 2003: 1335).

Another study (Peri, 2007) looked at how immigration in California affected the employment opportunities and wages of indigenous workers during the period from 1960 to 2004. The initial hypothesis was that if immigration had a negative impact, it should be particularly pronounced in California since that was where 30% of the immigrants who arrived in the United States over that period settled. The study accordingly looked at employment trends in the indigenous population and the impact of migration based on a sample of native-born workers whose education and age were similar to those of the immigrants. The study found that immigration had not led to any decline in job opportunities for the indigenous population, not even among those groups of workers who were most directly in competition with immigrants.

Numerous studies have also been carried out in this area in Europe. According to some (Pekkala, 2005: 19), immigration has very little if any impact on the employment opportunities of indigenous workers and only then in certain sectors of the workforce. In Pekkala's opinion, furthermore, migration has no real impact on the unemployment rate in the indigenous population. Other studies, too (Feridum, 2005: 397), looking at the situation in Norway, have shown that immigration has no impact on the unemployment rate in the indigenous population.

The wide variety of migration patterns in Europe allows us to compare the impact of immigration on employment opportunities for natives in countries such as Germany and the United Kingdom where immigration has been going on for over 50 years and in other countries such as Spain whose experience of immigration is more recent. In 1955, when the German Government decided to admit foreign workers, the country had more than a million people out of work, yet many branches of industry were having trouble finding the manpower they needed. Germany accordingly decided to open its doors to immigrants, even though the unions initially had serious doubts about the policy. As it turned out, the decision was the right one because five years later, Germany had full employment. In other words, the inflow of immigrants into the labour market made it easier for indigenous workers to obtain employment with the result that unemployment fell sharply in a very short period of time.

The Süßmuth report also mentions the fact that the current level of unemployment in Germany (3.9 million) has gone hand in hand with severe labour shortages in certain sectors which require mainly skilled workers (Süßmuth, 2001: 1). The report further submits that if the country were more receptive to immigration, allowing skilled workers to enter the labour market, this would help to create jobs for the indigenous population: “The primary aim of immigration policy from a labour market perspective is to allow the recruitment of skilled labour in order to create new employment opportunities for national workers” (Süßmuth, 2001: 4). The report goes on to argue that immigration promotes employment among indigenous workers and helps to prevent companies from moving abroad (Süßmuth, 2001: 4).

The recent report by the UK’s House of Lords is more ambiguous in this respect. While pointing out that, according to certain academic studies, immigration has only a very slight impact on the employment of the native population, the report takes the view that immigration does have some effect on youth employment (House of Lords, 2008: 29). It puts forward the idea that the vacant posts given to immigrants could have been given to native-born workers, but that employers prefer to hire immigrants because they usually have a better attitude to work. It maintains that “although clearly benefiting employers, immigration that is in the best interest of individual employers is not always in the best interest of the economy as a whole” (House of Lords, 2008: 33).

The House of Lords report further states that immigration also creates new jobs in that it contributes to the growth of the economy: “because immigration expands the overall economy, it cannot be expected to be an effective policy tool for significantly reducing vacancies. Vacancies are, to a certain extent, a sign of a healthy labour market and economy. They cannot be a good reason for encouraging large-scale labour immigration” (House of Lords, 2008: 34). Although it is not our intention here to assess the House of Lords report, it must be said that to take a fairly negative stance on immigration while at the same time conceding that it contributes to economic growth and creates new jobs does seem rather inconsistent.

The British trade unions, moreover, which might be expected to be the first to worry about the possible negative effects of immigration on the employment of indigenous workers, take a more positive view than the House of Lords: “In this country, the overall economic impact of immigration is limited but positive. Migrant workers contribute more in taxes than they receive in services, and migration probably leads to slightly higher levels of employment and wages for native workers” (House of Lords, 2008: 1).

In countries whose experience of immigration is more recent, it will be observed that there is greater complementarity between immigrants and natives on the labour market. This is particularly true of Spain where the majority of immigrants hold low-skilled or unskilled jobs and so rarely come into competition with indigenous workers. The percentage of unskilled workers among Spanish nationals differs significantly from that observed among non-nationals: unskilled workers make up 15% of Spanish workers and 37% of immigrant workers, and the figure rises to 42.4% among immigrant women.⁴⁴ Clearly, therefore, immigrant workers are heavily concentrated in unskilled and low-skilled jobs.

Of the European countries, Spain is the one that has seen the biggest inflow of immigrants since 2001 and can therefore serve as an example when seeking to determine whether immigrants and natives compete with or complement one another on the labour market. The number of people in work in Spain increased by 7 million between 1996 and 2006. A third of these jobs are held by immigrants and the remaining two thirds by nationals. This decade needs to be divided into two distinct periods, however, because the largest inflow of immigrants into Spain occurred after 2001.⁴⁵ Between 1996 and 2001, the number of immigrant workers

44. These figures are based on the EPA data for the third quarter of 2007.

45. Two thirds of immigrants currently living in Spain arrived in the country in or after 2001.

grew by 581 100, whereas between 2001 and 2006, it rose by 1 852 600. In order to determine whether the arrival of immigrants had a negative impact on the employment opportunities of the indigenous population, a comparison needs to be made between employment trends in the first and second half of the decade.

The data provided by the National Statistics Institute (EPA)⁴⁶ show that the service sector had the highest percentage of foreign workers during the second half of the decade, when the total number of foreign workers in Spain was higher too. The service sector is also the one where the growth in employment among natives was strongest, in more or less equal proportions during the first and second half of the decade. It will be observed therefore that the marked increase in the number of foreign workers in the service sector between 2001 and 2006 did not stop this industry from simultaneously absorbing large numbers of Spanish workers, as during the previous period.

The same cannot be said for the construction industry, still less for manufacturing and agriculture. In the construction industry, the rate of absorption of Spanish workers fell during the second half of the decade, whereas the number of foreigners entering the labour market increased. This pattern is even more pronounced in manufacturing, where the number of Spanish workers fell during the second half of the decade, and in agriculture where a similar trend occurred, for the same reasons. As can be observed, therefore, the large inflow of foreigners into the labour market over the period 2001 to 2006 went hand in hand, in these sectors, with a fall in employment among native workers. What we have, then, is a case of sideways mobility (mobility between sectors) where, thanks to the increase in employment in the service sector, the indigenous population actually benefited from immigration.

Let us look now at how employment increased across the different occupational groups. The EPA statistics identify 10 occupational categories ranging from highly skilled to unskilled jobs. Over the period 1996-2006, the group which attracted the largest number of foreigners was unskilled jobs (910 300 jobs). Foreigners are also strongly represented in the hotel and tourism sector (484 100 jobs), as well as in the retail trade and domestic employment sectors where they also hold low-skilled jobs. The number of foreigners in moderately skilled jobs, chiefly in manufacturing and construction, is likewise considerable (527 500 jobs). Between them, these three categories account for 79% of all foreign workers employed in Spain over the period 1996-2006; the figure was even higher during the second half of the decade, when it rose to 82%.

A look at the new jobs held by indigenous workers reveals a very different picture. Low-skilled or unskilled jobs are the ones that grew the least over the period 1996-2006. During the second half of the decade, moreover, namely the period when the integration of immigrant workers was at its height, the percentage of indigenous workers in unskilled jobs declined. The number of Spanish workers increased the most in highly skilled jobs, especially at the top end of the labour market, such as engineering jobs.

These data contradict the general conception of competition between indigenous workers and immigrants, which holds that the employment opportunities of the former are diminished with the arrival of the latter on the labour market. Far from it, and as other studies on this subject show (Hardill and MacDonald, 2000; Raghuram and Kofman, 2002), their arrival creates a situation where native workers are presented with new job opportunities because immigrants are recruited at the bottom end of the market. Indigenous workers thus experience upward mobility (Pajares, 2007: 93-129). Later studies such as those by Iglesias Fernández and Llorente Heras (2006b) looked at the impact of immigration on the employment opportunities of indigenous workers (using the EPA data for the period 1997-2004) and found that there was very little competition between immigrants and indigenous workers. A study by Carrasco and Ortega concluded as follows: "The large-scale inflow of immigrants seems to have had no significant effect on the employment opportunities and/or income of Spanish workers" (Carrasco and Ortega, 2005).

46. See www.ine.es/en/inebmenu/indice_en.htm.

There is one last point and this concerns the role played by immigrant entrepreneurs in creating jobs for nationals. Europe's Turkish population alone is responsible for creating half a million jobs, a third of them held by non-Turks.

The crucial factor in these processes, therefore, is not nationality but rather the development model and the rate at which new jobs are created, as well as the quality of these jobs in terms of stability, rights, requisite and recognised skills, prospects for mobility, etc.

Indicators No. 10: Statistical, legal and socio-political factors behind the stereotype

Sectors of activity which specifically attract migrants	Job market data show that migrants are mostly in low-skilled or unskilled jobs (agriculture, industry, services) which nationals are in some cases no longer willing to do
Restrictions on immigrants' occupational skills	A growing number of countries are restricting economic immigration to certain categories of skills which are particularly sought after. These are statutory barriers which make it difficult for migrants to enter the labour market
Comparative unemployment rate among migrants	Indicates that they are at a considerable disadvantage in the labour market compared with the national economically active population
Comparative graduate unemployment rate among nationals and migrants	Even supposing that there were competition between migrants and nationals on the labour market, such competition would, if anything, work against migrants who, even when they have the same level of education as nationals, find it more difficult to get jobs
Comparative proportion of temporary workers in the total number of persons employed	Some studies suggest that migrants who are in work experience greater job insecurity than nationals

3.1.3. Evaluation of the stereotype

The main consequences of this stereotype concern migrants' right to do any available job and, at the same time, their right to mobility, whether physical, in terms of moving from one country to another, or social, in terms of moving from one standard of living to another. The idea of a labour market being designed to provide jobs for natives only, together with the tendency on the part of indigenous workers to regard these jobs as theirs and theirs alone, typically engenders restrictive laws at every level, whether in immigration matters or in the employment sphere. Given that national employment has traditionally been a primary concern for governments, such restrictions are very often perfectly legal, if not actually enshrined in statute, and the laws in question are not even considered discriminatory because their purpose, that is protecting the employment of nationals, is deemed to be a perfectly legitimate reason for treating some people differently from others, for example, directly on the basis of origin or indirectly on the basis of certain criteria such as language.

One example of these restrictions, where immigration policy is concerned, is the system of "national" or "Community" preference, which allows or in some cases even requires employers to check that no national workers or long-term resident third-country nationals are interested in posts before offering them to someone else, namely a migrant. Similar restrictions can be found in individual labour markets, for certain types of posts, which are effectively or legally reserved for nationals. Another negative consequence for the well-being of migrants and social cohesion in general is the fact that this stereotype ignores the difficulties and discrimination experienced by migrants and their descendants. To appreciate this, one only has to look at the kind of

low value-added, namely dead-end, dangerous, badly paid, insalubrious and precarious, jobs in which migrants are employed (Ambrosini, 2004; Basso, 2008), or the number of migrants who are overqualified for their jobs, whose skills and qualifications are not recognised and who have no access to training or career development.

Indicators No. 11: Effects of the stereotype on the rights and well-being of migrants

Legislation on economic immigration with national preference	In many countries there are legislative provisions to verify that there are no national workers available before offering the post to a foreign worker
Introduction of restrictions (sectors, national preference, quotas, etc.) on economic immigration	A growing number of countries are restricting economic immigration to certain categories of skills which are particularly sought after, setting quotas and/or applying a system of national preference. These are all statutory barriers which make it difficult for migrants to enter the labour market
Proportion of migrants who are overqualified for their jobs	A large number of workers of foreign origin are obliged to accept posts for which they are overqualified
Comparative proportion of migrants who are overqualified for their jobs	Over-qualification for posts is more widespread among migrant workers. This is a clear indicator of discrimination at work
Proportion of migrants employed in low value-added sectors	A large number of workers of foreign origin are employed in less well-paid sectors and ones with low added-value (hotel and catering, care provision, domestic services, transport, traditional manufacturing, intensive farming, etc.)
Comparative proportion of migrants employed in low value-added sectors	There is a higher proportion of foreign workers than national workers employed in less well-paid sectors and those with low added-value. A clear indicator of discrimination
Discrimination in recruitment or employment	Numerous surveys have shown that people of foreign origin, even those with the nationality of the country, are subject to discriminatory attitudes in the recruitment process and have to contend with unjustified unfavourable treatment at work (type of tasks, working hours, wage levels, leave, career advancement, appreciation of effort, etc.)
Level of recognition of qualifications obtained abroad and experience of work abroad	Countries of destination have introduced mechanisms to recognise qualifications obtained abroad. There is a low success rate in obtaining such legal recognition. It is very difficult to obtain recognition for work experience in the country of origin

3.1.4. Responses to the stereotype

Such prejudice needs to be combated on two fronts: first, by exposing the flimsiness of the idea that immigration leads to diminished employment opportunities for the indigenous population and second, by offering a counter-thesis to this view, in other words by defending the principle that everyone is equally entitled to compete for the same job.

The studies and assessments mentioned above show that immigrants and indigenous workers seldom compete for the same jobs, even though certain groups of indigenous workers are indeed in competition with immigrants. The fact that there is no real competition certainly needs to be made clear but what is even more important to explain, when seeking to dispel prejudice, is that immigration promotes economic growth and helps to create new jobs. Immigration tends to occur on a large scale in countries and regions where there is a high rate

of economic growth and has the effect of intensifying that growth. This in turn leads to the creation of new jobs, many of which will be filled by indigenous workers, and to growing mobility on the part of these workers across the different job categories.

Although, therefore, some groups of indigenous workers are indeed competing with immigrants for the same jobs, the basic fact is that immigration actually leads to an expansion of employment and helps to increase the pool of available jobs, which would probably be fewer in number if there were no immigrants. The refusal by many European governments to open up their labour market to immigrants could therefore have the effect of inhibiting economic growth and reducing employment opportunities for indigenous workers.

In order to combat the idea that “they take our jobs”, it is important to provide an overarching explanation covering all these points. Also, rather than focusing on migrant workers’ “intention to compete”, the emphasis needs to be placed on the benefits to, and hence the responsibility of, employers, who are ultimately the ones who make the decision to hire them. As has already been pointed out, however, in addition to these awareness-raising efforts, there needs to be active support for the principle that everyone is equally entitled to compete for the same job. This is particularly important when the individuals against whom the prejudice is directed are already in the country or even possess its nationality, as in the case of those commonly referred to as “second-generation” immigrants.

Such arguments, however, offer no defence against the idea of say, a French national of Arab origin by the name of Saïd “taking” the job of another Frenchman. When dealing with prejudice of this sort, the only possible response is to vigorously defend the principle of equal rights through appropriate outreach activities. Any social policies introduced to counter such prejudice should be geared towards upholding equal rights and organising awareness campaigns and training activities, to ensure that equality policies are implemented as widely as possible.

Indicators No. 12: Prospects for change

Average number of applications in order to obtain an interview, based on the applicant’s profile and the job	How may job applications on average does a person with a “typically” non-national name have to submit before being taken on?
Proportion of migrants who manage to obtain work placements	Persons of foreign origin generally have considerable difficulty in being accepted for work placements that lead to qualifications, making them less employable. How many such individuals per year are accepted for work placements in relation to the number of applications made?
Number of jobs in the private and public sector open to foreigners	In the civil service and in state-owned and private companies a large number of jobs are off-limits to foreigners, in particular non-EU nationals (because of a requirement to have the nationality of and/or a qualification issued by the country in question). Overcoming this ban is an important step towards positive interaction between migrants and nationals
Variations in the proportion of nationals employed in skilled and unskilled jobs	For national workers, the tendency is generally towards vertical mobility (skilled jobs). Migrants, in that case, tend to be concentrated in low-skilled jobs. There is no direct competition between the two groups
Machinery for combating the underground economy	Certain sectors of activity rely massively and openly on foreign seasonal workers, many of whom are in an irregular situation. The public authorities can take effective measures to determine the size of the underground economy and to combat it

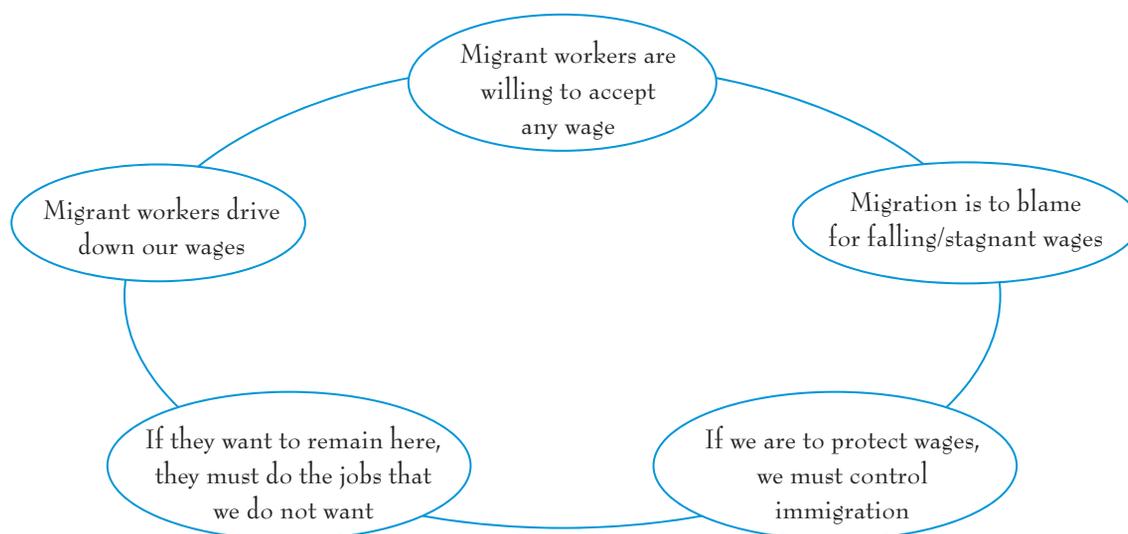
3.2. “Migrant workers drive down our wages”

3.2.1. Description of the stereotype

The stereotype that “migrant workers drive down our wages” is even more prevalent than the preconception that migrants take jobs from national workers. Many people who accept that there is no proof that migrants and nationals are in direct competition for jobs do nevertheless subscribe to the idea that through their presence, immigrants drive down wages. This is particularly true in the workplace and even in the trade unions, among the rank-and-file members at any rate.

Indigenous workers’ rejection of “foreign” workers, an attitude that dates from the early days of the labour movement in the 19th century, did not spring solely from the belief that immigrant workers were liable to “take jobs away from indigenous workers”; it also rested on the idea that any increase in the supply of labour was liable to result in lower wages. This idea is readily demonstrated by citing the law of supply and demand: conditions of employment, in particular wages, are affected by the relationship between the supply of and demand for labour; the more available workers there are on the labour market, the more choice employers have and the greater their ability to drive down conditions of employment, whereas when labour is scarce, workers are in a position of strength and can demand better conditions. This view of labour supply and demand, as a determining factor in working conditions, is the one that has traditionally dominated the labour movement. Marxist theory, which greatly influenced trade union thinking, talks about a “reserve army”, suggesting that companies seek to keep the labour supply at a higher level than demand, so as to force down conditions of employment.

Figure 15: The “migrant workers drive down our wages” stereotype chain



Indicators No. 13: “Facts” underpinning the stereotype

Past trends in wages	Examine the past trends in average wages, in general and in the various sectors. Numerous studies show that, in recent decades, the profits derived from increases in productivity have been used to boost capital and financial income rather than wages
Correlation between the number of migrants and the wage level of native workers	In point of fact, extensive empirical research in various European countries has shown that immigration has very little if any impact on the wage level of native workers
Average wage of migrant workers	A close look at migrants’ wages often leads to the finding that they are the lowest in the population. This can give rise to the idea that it is migrants who accept low wages, rather than employers who offer or even impose those wages, especially in the underground economy
Comparative average wage of migrant workers	Examine the gaps in average wages between migrant and native workers, especially for low-paid jobs. There is a wide disparity, caused by discrimination, which serves to reinforce the image of migrants as being to blame for falling wages
Comparative proportion of poor workers	A poor worker is someone whose earned income is less than 60% of the median wage. The proportion of poor workers is generally higher among migrants than in the indigenous population

3.2.2. Explanation of the stereotype

There is little doubt that this traditional view contains a good deal of truth and that the law of supply and demand, as applied to the labour force, is something that needs to be considered when looking at conditions of employment. Many of the processes at work in the labour market today cannot be explained on this basis alone, however. The fact is that, in a substantial number of cases, the sharp increase in the supply of labour, due to a large-scale inflow of immigrant workers or to very large numbers of young people entering the labour market, does not lead to a decline in conditions of employment. Other factors are involved, which have a more crucial bearing on conditions of employment.

Some of these are structural factors which are unconnected with or predate the effects of immigration, such as segmentation of the employment market, the rate of economic growth, the model of growth or the degree to which wage negotiations have been institutionalised. It should always be remembered that wages in particular are, both symbolically and materially, a direct reflection of the balance of power between workers’ organisations and employers. If the former do not exist, have grown weak or are incapable of marshalling strong, cross-sectoral support for workers’ affiliations and statutory rights, an erosion or stagnation of wages and working conditions as a whole may be expected to occur. Added to these internal production factors are others which have to do with workers’ purchasing power: wages may well be on an upward trajectory, but their ability to be translated into the purchase of goods and access to paying services will need to be measured against inflation in real terms. In the absence of other guides and in a context of populist, xenophobic propaganda, a certain dissatisfaction with living standards and prospects for mobility can serve to reinforce the belief among indigenous workers that migrants are to blame for low pay.

Other factors are related to the position held by immigrants in the labour market. When immigrant workers replace local workers in certain jobs, for example, their arrival will tend to have a greater impact on

conditions of employment, whereas when the immigrants are merely supplementing an existing workforce, the risk that their arrival on the labour market might affect conditions of employment is much lower.

In the European trade union movement, the idea has evolved that immigration has a less negative effect on wages and conditions of employment when the immigrant workers are well integrated and less vulnerable to discrimination, namely, when they are in a position to assert their rights in the same way as indigenous workers. Combating discrimination in employment has accordingly become a primary concern for the trade union movement in recent decades. This is particularly true of the DAB in Germany which has put a great deal of effort into building networks to combat racism and promote equal rights. The German unions such as IG Metal, the chemical and energy union, the transport union and others are endeavouring to develop agreements with companies on equal treatment of immigrant workers (Menz, 2007: 20). In recent years, the DAB has, amongst other things, sought to secure recognition for immigrants' qualifications, the right to family reunion, a reduction in the time taken to issue residence permits and full application of the European directive against racial discrimination (2000/43/EC), in order to give immigrants more opportunities to exercise their rights.

Initially, in the 1950s, the British trade unions showed little interest in combating racial discrimination against immigrants: the TUC (Trades Union Congress) even went so far as to say that it was firmly opposed to the government's plans to introduce anti-discrimination legislation in the United Kingdom (Wrench, 2000: 135). In the 1960s, the idea that anti-discrimination measures were pointless and that it was enough to simply uphold the principle of equal treatment for all continued to prevail. The idea of indifference to racial or ethnic criteria (colour-blindness) was accordingly maintained, as in the United States where it was defended by the civil rights movement (Appelt, 1998). In the course of the 1970s, however, a new approach emerged in the United Kingdom (ahead of Germany), as trade unions began to turn their attention to combating racial discrimination. In 1981, this culminated in the TUC's adoption of a declaration expressly calling for action against racial discrimination, the rejection of racist propaganda, the promotion of workers belonging to ethnic minorities and the inclusion of anti-discrimination clauses in wage negotiations.

Similar developments occurred in other European trade unions but the unions in general were still deeply suspicious about the impact of immigration on wages and working conditions. The German unions expressed support for the Süßmuth report (2001) which called for an end to the policy of "zero immigration", while continuing, however, to oppose the drive by employers' organisations for increased immigration, for fear that it would lead to an erosion of conditions of employment (Menz, 2007: 20).

The Spanish unions expressed similar fears: until 2006, they had had a very open-minded attitude to immigration but, in the course of that year, several trade union leaders spoke of the need to start controlling immigration, on the ground that it was depressing wages. The unions asked the Spanish Government to impose a moratorium on the free movement of Bulgarians and Romanians within the European Union and to introduce a system of visas for nationals of various Latin American countries who had previously been able to enter Spain without a visa. The Spanish unions adopted a restrictive stance on immigration, arguing that it undermined conditions of employment.

To what extent does immigration put downward pressure on the wages and conditions of employment of indigenous workers? Scholarship on the impact of immigration on the wages of local workers overlaps, to a large extent, with other research that examines the impact of immigration on employment opportunities. Many of these studies look at the wage trends in the indigenous population, drawing comparisons, for

example, between towns and cities which have seen a large influx of immigrants and others where immigration has been limited or non-existent. They typically find that immigration, including in cases of major inflows, has only a very slight impact on the wages of local workers. Friedberg and Hunt (1995) contend that a 10% immigration-induced increase in the workforce is required in order to lower the wages of indigenous workers by 1%. Poot and Cochrane (2004: 11) came to the same conclusion when looking at the case of New Zealand, while pointing out, however, that immigration has a more pronounced effect on the wages of indigenous workers when the labour market is a closed one and indigenous workers have no opportunity to adapt to the new environment.

In some studies of the impact of immigration on the wages of the indigenous, economically active population, researchers have sought to categorise the population according to level of skills, in order to determine which categories of workers are the best placed to compete with immigrants on the labour market. Unlike previous studies which sought to determine the correlation between wages and the scale of immigration in different geographical areas (and which found that immigration had very little impact on wages), studying correlations using categories of workers with different skills levels showed that there was a negative impact in the case of indigenous workers who were highly exposed to competition from immigrants (Borjas, 2003: 1352).

Other studies on wage trends in California between 1990 and 2004 found that the level of pay of indigenous workers improved over this period as a result of the sharp increase in immigration. By breaking down workers by level of education, it was found that the highest wage growth had occurred among the most highly skilled indigenous workers, although the wages of less skilled workers had risen as well. Immigrants' wages, on the other hand, suffered a relative decline over the same period, in the region of 17% (Peri, 2007: 14-15).

These findings are echoed by various studies conducted in Europe. Several carried out in Germany and other European countries show that immigration has very little impact on wages (Pekkala, 2005: 18). Researchers looked, for example, at the effects of immigration by workers from eastern Europe, following EU enlargement in 2004, on the wages of British workers. The moratorium on the free movement of workers from eastern European countries which had joined the EU was not imposed in the United Kingdom, sparking much debate and controversy in that country. Two years after EU enlargement, several hundreds of thousands of workers from these countries had entered the United Kingdom and assessments were then published about the "negative effects" of this inflow of immigrants into the UK labour market.⁴⁷ Noting that the number of workers who had entered the UK was not in fact that high,⁴⁸ the authors of these reports were able to show that their arrival had not had any negative effect on the employment opportunities of British workers, or on their level of pay (Portes and French, 2005: 30).

Carrasco, Jimeno and Ortega (2008) looked at the impact of immigration on wages in Spain, based on an official survey on wage structure, and came up with some general findings which show that immigration has no discernible effect on the wages of indigenous workers. The only negative effects observed emerge when the study focuses on particular geographical areas or sectors of employment. Another study looked at the pattern of wages prior to 2001, at a time when migration flows were still moderate, comparing it with what

47. This information, which was released just before EU enlargement in January 2007, was used to justify the introduction of a moratorium with respect to Romanians and Bulgarians. All the EU countries have imposed the moratorium, including the three (UK, Ireland and Sweden) which refrained from doing so at the time of the previous EU enlargement.

48. A large number of immigrant workers who were already in the United Kingdom in an irregular situation were then able to regularise their position, resulting in a sharp increase in the statistics concerning the number of workers from eastern Europe.

has happened since 2001 with the large-scale inflow of immigrant workers and found that there was no noticeable difference between the two periods. The same study also showed that the wages that had risen the least were not in those sectors which had the largest numbers of immigrants (Pajares, 2007: 111-129).

Empirical studies agree to an extent that major inflows of immigrants have very little impact on the wages of indigenous workers. Some authors believe that there are virtually no negative effects, while others report that the effects are felt only by certain very specific categories of indigenous workers. If one adds the fact, however, that immigration promotes vertical mobility among indigenous workers by allowing them to change job category, it may reasonably be concluded that its impact on wages is positive overall. At all events, the studies conducted to date do not support the idea that immigration helps to drive down the wages of indigenous workers.

Indicators No. 14: Statistical, legal and socio-political factors behind the stereotype

Proportion of new jobs created which are unskilled or low-skilled	Examine the downward pressure or general stagnation of wages experienced in certain sectors of activity, owing to the fact that a large proportion of the jobs created are unskilled or low-skilled jobs which command low wages
Annual growth rate of wages by level of job skill	The general wage trend is not very positive in the case of low-skilled or unskilled jobs, whether they are held by migrants or native workers
Trade union membership among workers and type of industrial relations	Assess the influence of trade unions in sectoral negotiations, in the wider context of the country's industrial relations. Since the larger they are, the stronger they will be, a low level of union membership is unlikely to put trade union organisations in a position of strength, especially in wage negotiations
Extent of illegal employment	Assess the impact of illegal employment on wages. Numerous empirical studies show that the sectors of activity where there is downward pressure on wages or wage stagnation are those where companies frequently make use of migrant workers who are in an irregular situation, as such persons have no choice but to accept poor working conditions
Intensity and severity of controls on irregular employment	Examine existing legislation designed to combat the underground economy. Although the law is taking an increasingly tough line on companies which employ illegal workers, in practice, the number of checks carried out and the action actually taken against companies remain fairly limited. The only penalties imposed are fines, as there is no provision for confiscating goods or ordering companies to stop production

3.2.3. Evaluation of the stereotype

It is not difficult to imagine the impact that this stereotype has on the rights and living conditions of migrants. The problems which foreign workers face range from exploitation to new forms of slavery, from lack of social and trade union rights to discrimination in employment, in terms of lower wages for the same level of education and training, etc. All these issues are apt to get pushed off the political agenda, assuming they were ever on it in the first place, because the suspicion that migrants ultimately benefit from being here and that we are really the ones who are being discriminated against, and are the true victims of immigration, prevents any feeling of solidarity from developing between indigenous workers and migrants.

Indicators No. 15: Effects of the stereotype on the rights and well-being of migrants

Employment rate among migrants	Depending on the country and its production structure, workers of foreign origin may have a higher or lower employment rate in comparison with nationals. A higher comparative employment rate is normally to be found in countries where immigration is a more recent phenomenon and/or ones having sectors with low added value, as foreign workers tend to accept jobs which national workers no longer want. A lower employment rate is normally to be found in countries where immigration is a more long-standing phenomenon, since successive generations are increasingly less willing to accept the jobs carried out by their parents, but at the same time they face considerable discrimination at the recruitment stage
Incidence of discrimination experienced at work	Numerous surveys have shown that people of foreign origin, even those with the nationality of the country, are subject to discriminatory attitudes in the recruitment process and have to contend with unjustified unfavourable treatment at work (type of tasks, working hours, wage levels, leave, career advancement, appreciation of effort, etc.)
Proportion of migrants working in the underground economy	Estimated number of people of foreign origin employed in the underground economy in relation to all foreign and national workers
Correlation between migrants' wages, academic achievement and training	For equal jobs, qualifications and education levels, workers of foreign origin are likely to have lower wages than nationals (differential expressed as a percentage)
Annual growth rate of wages among migrants	The wages of workers of foreign origin increase on average less than those of national workers, either because of direct discrimination or because of their concentration in the less well-paid sectors and those with low added value
Social mobility among migrants	People of foreign origin, over the generations, experience lower, less certain and more irregular upward social mobility than the rest of the population. When the whole population experiences a slowing down of mobility and an increase in social disparities, households of foreign origin are affected to a greater extent

3.2.4. Responses to the stereotype

As with the stereotype examined in the previous chapter, the first step to overcoming this brand of prejudice is to question its validity. In response to the very widely held belief that immigration exerts downward pressure on the wages of indigenous workers, it needs to be pointed out that this idea is not borne out by empirical studies. The level of wages is not determined solely by the supply of and demand for labour; it is also related to economic growth which encourages immigration. It further varies according to the category of employment, as immigration can contribute to the advancement of indigenous workers in certain categories of employment, and according to the degree of institutionalisation of wage negotiations which is hardly affected by immigration.

It must nevertheless be recognised that, in various sectors of employment, immigration can have a negative effect on the wages of certain categories of indigenous workers. This is more likely to happen when immigrants have no protection, particularly if they are in an irregular situation or undocumented. The greater the pressure on immigrants to accept poor working conditions, the more likely it is that hiring them will have negative repercussions on wages. It is not immigration as such that drives down wages, but rather the

fact that immigrants find themselves without any protection and are liable to be exploited. A number of trade unions, such as those in the United Kingdom, have woken up to this and have accordingly decided to campaign for the regularisation of all undocumented immigrants (TUC, 2007).

In order to combat this stereotype and in particular its effects, attention also needs to be given to the matter of immigrants' conditions of employment. When considering whether immigrants drive down the wages of indigenous workers, there is a tendency to overlook the wages of the immigrants themselves or, to put it another way, to merely observe that immigration has a minimal effect on the wages of indigenous workers, whilst forgetting that any decline in wages primarily affects immigrants.

The large-scale inflow of immigrants into the labour market, of the kind seen in Spain since 2001, has led to a decline in the average wage, not because indigenous workers have not had pay increases (they have) but because the proportion of low-paid workers has increased markedly. Immigrants fill jobs at the bottom end of the labour market and in many cases receive lower pay than indigenous workers, particularly if they are in an irregular situation. The problem therefore lies not so much in the possible negative impact of immigration on wages as in the discrimination suffered by immigrants in employment. More emphasis should be placed on this point.

The trade unions have a very important role to play here. First, they must do nothing that would help to propagate this stereotype. It is unacceptable for trade union leaders to say that immigration drives down wages; they would do better to examine the empirical evidence on this subject rather than simply echoing the prejudices of society at large. Second, trade unions should focus on drawing attention to the discrimination suffered by immigrants in employment and to the fact that they are paid less than indigenous workers.

The European Trade Union Confederation has attempted to provide a picture of immigration in both the old and the new EU member states, with a study (unfortunately, in no great depth) focusing on trade unions. It showed that "the overwhelming majority of confederations recognise that recent migrants and their descendants face particular problems in the labour market", "with higher levels of unemployment being identified most frequently, followed by lower pay and slower promotion. For women, lower pay was the problem most commonly reported". No surprises here; but it is striking that, at times, in addition to the usual institutional discrimination, we also find trade union discrimination, as is the case in Austria, where it is impossible for immigrants to become union officials, or in Spain, where "regularity" is the condition for such access – forgetting that immigrants certainly do not choose irregularity but are subjected to it (ETUC, 2003).

Indivisible from trade union action and a key factor in its success, however, is the self-activation of immigrant workers and immigrant populations. It is curious that the literature on immigration in Europe has paid so little attention to this phenomenon because, in fact, it is decidedly widespread. To a degree, immigrant self-activation develops on different terrain in countries of old rather than new immigration. In the latter it is inevitable that immigrants spend a substantial part of such activity attempting to give greater regularity and stability to their position; almost invariably, everything that regards immigrants "as immigrants" comes first from residence permits to the search for first employment to housing. But as soon as this "regularisation-stabilisation" has been attained, and in many cases even before this, one finds a growing activation of immigrants as workers, both in the workplace and in trade union organisations.

In Italy, for example, in just a few years, more than 500 000 immigrants have joined unions, thousands of them have become delegates, and we are beginning to see local officials and officers who are non-Italians. Of course, this process has not dissolved at one stroke the entire mechanism of the discrimination that

immigrant men and women suffer in the workplace (and in their work in private homes), in terms of wages, hours, qualifications, tasks, safety measures, food, information in their own languages, their relationship with the company hierarchy and with fellow workers, etc. But in all these fields the self-activation of immigrants represents an essential preliminary condition for changing the spontaneous behaviour of companies, of families and of fellow workers.

The relationship between immigrant and national workers is, indeed, a second important factor of change. That this relationship should be one of solidarity can by no means be taken for granted. But working together day after day, sharing the fatigue, the risks, the malaise, the problems, with the professional but also the human socialisation that this creates and, then, with the immigrants' reaction to the abuses and the processes of inferiorisation that afflict them – all this is now giving rise to a (still very delicate) fabric of solidarity between natives and immigrants, which is opening new areas for labour demands and negotiations. In order for the solidarity and unity between the native and the immigrant worker to progress, it is vital that both workers realise that the world of immigrant labour is not a separate world from that of the natives; that, indeed, in the workplace, there is not a single problem that affects the immigrants without at the same time, at least indirectly, affecting the nationals. On the lowest rungs, the “undocumented” – the weakest and most vulnerable figures in the entire world of immigration – are nothing other than the (extreme) prototype of the casualised worker, who more and more frequently today has white skin and European citizenship. Therefore calling into question the condition of the undocumented means, ultimately, calling into question the entire labour casualisation policy pursued by both the company and the government, and concerns both immigrant and national workers.

Indicators No. 16: Prospects for change

Proportion of migrant workers who have access to support	Do migrants have access to public or private support facilities informing them about their rights, bearing in mind that some employers take advantage of migrants' lack of knowledge to impose discriminatory conditions of employment (especially as regards pay)?
Comparative trade union membership among migrants	Number of members and proportion of migrants in trade union organisations, either in relation to foreign workers or in relation to workers in general
Anti-discrimination legislation	Are there any laws designed to combat discrimination against foreigners or ethnic minorities either in general or specifically in employment? Do they include all types of discrimination, direct and indirect? How are they enforced? Is it possible and easy to challenge discrimination in court?
Legislation relating to the labour market and purchasing power	Bearing in mind that the rights of migrant workers and those of native workers are very closely related, is the general legislation on the labour market and workers' rights capable of defending purchasing power?
Measures to help seasonal workers	Is there a statutory framework for temporary stays by seasonal workers? Is it possible to change status, or to extend or convert a seasonal permit? Have these arrangements helped to reduce the use of illegal workers in certain sectors of activity?
Associations and movements which support the rights of migrant workers	Are there any associations or movements which actively support the rights of migrant workers and seek to bring them into line with the rights of native workers?
State support for organisations which protect migrant workers	State support and funding for such organisations is a sign of the government's commitment to defending the rights of migrant workers

3.3. “Migrants and their descendants are less educated than us”

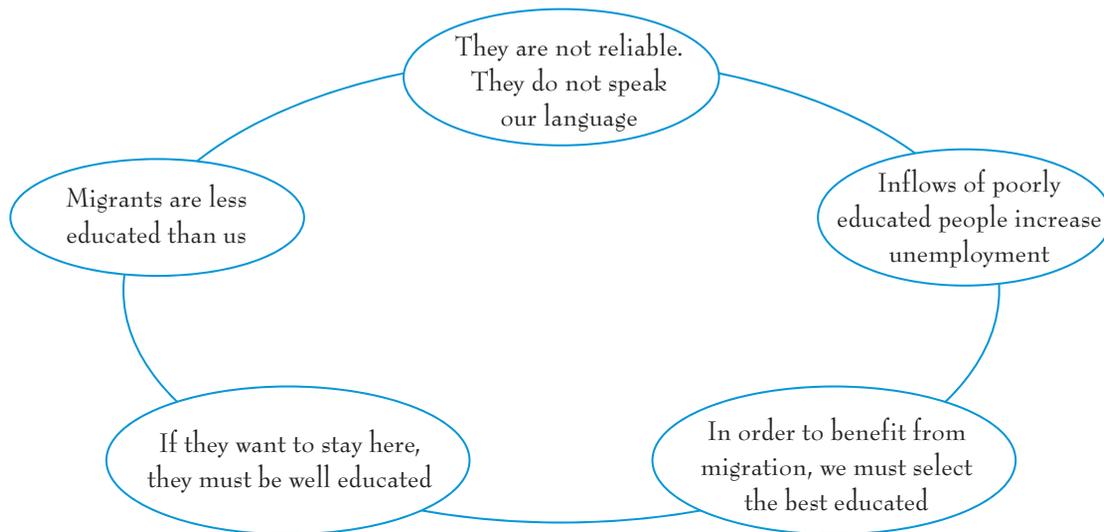
3.3.1. Description of the stereotype

When the perception that people have of migrants on the labour market is a negative one, they are apt to accuse them of “stealing” jobs from native workers, or of being willing to accept all manner of jobs, and the worst possible conditions and pay. To support these claims, reference is sometimes made to migrant workers’ lack of education. Supposedly poorly educated, workers from immigrant backgrounds are assumed to be ill-informed about the labour laws in the destination countries, to have little interest in defending their rights and, in any case, to lack the training required to apply for better, more skilled and highly paid jobs. They emigrate to Europe, it is said, to earn money as fast as possible. Coming as they do from underdeveloped countries, they have few aspirations and are willing to accept anything. Such stereotypes portray migrant workers as being “at the bottom of the heap” in terms of education, training and professionalism, in order to explain their low social status, their allegedly disloyal conduct towards other workers and, in the case of “second-generation” immigrants in particular, their high levels of unemployment.

A similar picture is painted by employers who attribute their reluctance to employ migrants to the fact that, even if they have the same skills, migrants are less willing and reliable than indigenous workers. The reasons given by certain personnel managers for not recruiting foreigners or nationals of foreign origin would appear to be as follows, according to the survey conducted by Van Roost and Buyser in Brussels in 1992 and which is still relevant today: such persons, it is claimed, “do not have the necessary professional qualifications or work experience” and lack “the appropriate language skills” (particularly where the Germanic languages are concerned); they are suspected of having “little aptitude for work, communication problems, complexes, etc.”; they are accused of being “too overtly religious” (but only if they are Muslims), thereby “causing friction”; it is said that they “antagonise the other members of staff” (including the management and the trade unionists), as well as customers and suppliers, who “cannot understand why they have been employed in preference to locals”; they are seen as having “lax morals” and as being “unprofessional, unpunctual and/or unstable”, with previous negative experiences, either first-hand or reported, being cited as proof; lastly, employing them is said to be fraught with bureaucratic obstacles (notably as regards work permits) and the risk that they might not remain in the country.



Figure 16: The “migrants are less educated than us” stereotype chain



Indicators No. 17: “Facts” underpinning the stereotype

Proportion of migrants with no occupational training who are unemployed	Indicate what proportion of the migrant population or persons belonging to ethnic minorities and who have no occupational training are unemployed. This is the biggest contributory factor in this particular stereotype
Level of education of adult migrants	Indicate the level of education attained by the different migrant communities and ethnic minorities in the different countries
Proportion of migrants who have at least an upper secondary qualification	Indicate the proportion of migrants who have at least an upper secondary qualification, by ethnic community and by country
Proportion of new migrants who have at least an upper secondary qualification	Indicate the proportion of new migrants who have at least an upper secondary qualification. Sometimes there are wide disparities between the different generations of migrants in terms of education, with the most recent tending to be better educated
Comparative proportion of persons who have at least an upper secondary qualification	Indicate the comparative proportion of persons who have at least an upper secondary qualification. In some cases, depending on the country, migrants are better educated than the locals

3.3.2. Explanation of the stereotype

In order to understand how these stereotypes come about, one needs to look at the integration problems and the discrimination specifically encountered by workers from immigrant backgrounds. First, knowledge of the language of the country and the ease with which it can be learnt. Second, the arrangements as regards career guidance and schooling or vocational training, since systems that introduce early biases severely limit a person’s chances of finding employment later on. The part played by families and communities also needs to be considered here. Third, work/life balance, in itself a complex issue, in the context of immigrants’ family networks. And lastly, the discrimination in recruitment and employment suffered by persons from immigrant backgrounds, both from employers and from officials and agencies which provide assistance

with integration and occupational training. These assessments can be further refined according to cultural origins: it is a well-known fact that since 11 September, attitudes towards the Muslim community have changed. They can also be refined according to gender: some surveys show that women suffer discrimination as much because they are women as because they are of foreign origin (Manço, 2002b).

The argument about the close correlation between low level of education and proficiency in the majority language is a fairly common one in Europe, especially in the Russian Federation since the first wave of Russian-speaking immigrants subsided and the new arrivals have come to be dominated by other, non-Russian-speaking groups from rural parts of Central Asia. This stereotype actually developed in two stages. The first hints of cultural conflict (and perhaps the starting point for the development of the stereotype) were observed (though several opinion polls) in the mid-1990s in various parts of southern Russia, which saw large inflows of migrants from the Caucasian republics (Armenia, Azerbaijan and Georgia). The stereotype was not yet widespread, however, as the vast majority of migrants who arrived in Russia in the 1990s and early 2000s were Russian-speaking, usually well educated and from urban areas. The IOM (2008) survey of 1 153 migrants in three regions of the Russian Federation in 2006, however, showed that nowadays, the migrants that come to Russia are rather more “remote” from the receiving society in terms of culture and less able to fit into local communities. Some 70% of migrants from Central Asia come from rural areas or small towns and have a fairly low level of education. The IOM sample survey showed that 50% of migrants had no occupational training, 9% did not speak Russian and 28% had only a limited knowledge of it. The stereotype of migrants as unskilled labour, with no education or occupational qualifications, is also actively promoted by the media.

When it comes to the situation of migrants and their descendants on the labour market, a good test of these stereotypes can be performed using the findings of the OECD study *Jobs for immigrants: labour market integration in Belgium* (2007), which is also useful for comparing the situation in other similar European countries. The situation of immigrants on the labour market is in fact fairly complex, because various parameters are involved. The employment rates among immigrants from non-EU-15 countries and migrant women in Belgium, for example, are among the lowest in the region. Only a third of migrant women from non-EU-15 countries manage to find employment. According to the study, the reason for this would seem to be the relatively high level of replacement income. Immigrant women are thought to be disproportionately affected because, as a group, they tend to be less educated than indigenous workers. The unemployment rate thus remains high: unemployment among migrants is more than twice as high as the general rate of unemployment. There is nothing new about these findings: moreover, immigrants and their descendants are affected by unemployment in a way that can now be described as structural, since with the job market in its current weak, fragmented and polarised state, social mobility is extremely difficult at present.

The case of Germany is instructive, too, as it illustrates the role played by educational disparities in low labour market achievement (Hönekopp, Will and Rühl, 2002: 19): unless they invest in education and training for young migrants, new immigration countries are liable to find themselves heading down the same path in a decade or two. In fact, given the fairly high percentage of foreigners under the age of 6 in the resident population of many European countries, it can be assumed that the number of new entries from this group into the labour market will be disproportionately high over the next 10-15 years. It is essential, therefore, for employment, economic and general policy reasons, to substantially increase investment in the education system (Jeschek, 2001 and 2002; Granato and Werner, 1999). The point needs to be made that, with their multiple language and intercultural skills, young workers of foreign origin could make a valuable contribution to pluralist public and private services, and also to export-oriented economies such as Germany.

The percentage of foreign and particularly Turkish employees with low qualification levels has been decreasing over the last 20 years; but with 60% (over 70% for Turkish employees), respective figures are still more than twice as high as those for German employees. Conversely, the percentage of foreigners with medium qualification levels is just half that of German employees. For Turkish employees, the figures are even worse. If one follows the development of qualification levels for younger employees (between 15 and 30 years of age) between 1980 and 2000, it becomes obvious that despite some improvements for foreign and Turkish workers, extreme discrepancies prevail between German and foreign (especially Turkish) labour. It is not only the high proportion of unskilled jobs, but also the still very low percentage of highly qualified workers in this age-group (Turks with only 0.5%, Germans with 5.0%), which demands attention.

For some authors, the explanation seems clear: “all in all, the majority of these unemployed persons lack adequate qualifications” (Hönekopp, Will and Rühl, 2002). This, of course, is also true for all unemployed persons, but in a lower proportion: unemployment among all unskilled persons in Western Germany stood at 19.4% in 2000, compared with 5.7% for persons that had successfully completed vocational training, or 2.6% for graduates of universities and polytechnics (Reinberg, 1999; Reinberg and Hummel, 2002). A look at the qualification structure of the unemployed reveals huge differences between Germans and migrants. For Germans, the share of persons without qualifications in total German unemployment is approximately 40%, compared with almost 80% in the case of foreigners. This means that unemployed foreigners have few opportunities to leave unemployment for more permanent employment. Because of the low qualification level in general and because of the fact that they are to a large extent employed in more sensitive jobs with respect to economic cycles and crisis, “they are usually the first to be fired, but also – till now – often the first to be re-hired” (Hönekopp, Will and Rühl, 2002).

Foreign employees have been affected even more severely by this trend, because of discrimination and prejudice, but also because of the increasing importance attached to formal qualifications, the difficulty of obtaining recognition for skills acquired other than in the national education system, and barriers to access to vocational training and work placements. Achievement in general school education is, contrary to former trends, slowly increasing, participation in vocational training (on the various levels) is still decreasing, and drop-out rates for foreign youngsters are twice as high as for Germans (Jeschek, 2002). Employers, however, increasingly select better qualified school-leavers for training places within this system, with the result that the large number of foreign youngsters who drop out of school have almost no chance of finding their way into promising sectors of the labour market.

Not all groups of migrants experience the same problems, however. It will be observed, for example, that there is a difference between old and new migrants, the latter being typically better educated than the former. Because of the stereotypical belief that migrants are badly educated or less educated than ourselves, it is difficult for them to secure *de facto*, if not formal, recognition of their qualifications. Likewise, new migrants generally seem to fare better on the labour market than the children of older immigrants with few skills. This observation raises questions about the schooling of young people from immigrant backgrounds. Another recent study by the OECD (2007a) draws attention to the fact that second-generation immigrant children suffer educational disadvantage both in Belgium and in the countries bordering it. The gap in academic achievement between indigenous children and children of migrants is definitely greater in Belgium than elsewhere: the effects of this situation are deeply felt in the labour market and ultimately serve to reinforce the stereotype.

Indicators No. 18: Statistical, legal and socio-political factors behind the stereotype

Educational choices as a function of the social status of the head of the household	The fact that children of manual workers are over-represented in technical education and that children of managerial staff are over-represented in higher education shows that there is a tendency for the system of school education to perpetuate existing social patterns. The children of migrants are no exception to this rule
Recognition of formal qualifications	Equivalence and recognition of formal qualifications between countries of origin and host countries are often easier in theory than in practice. Migrants frequently encounter problems, whatever their level of education
Recognition of other qualifications	Migrants have great difficulty in obtaining recognition for qualifications and occupational experience acquired abroad (non-academic skills). Very few of them have access to “credit for experience” type schemes or are simply unaware that such schemes exist
Match between school qualifications and the job market	Migrants and the children of migrants are often steered towards vocational and technical training which fails to equip them with the skills that companies are looking for, severely affecting their employment prospects
Access to in-service training by social group or level of education	Manual workers or individuals with few or no formal qualifications are proportionately far less likely to undergo in-service training than managerial staff or university graduates. Migrants tend to have multiple handicaps (few formal qualifications, low-skilled jobs) and find it difficult to progress in their careers
Comparative unemployment rate based on formal qualifications	Even if they have the same qualifications, migrants have a much higher unemployment rate than natives. This is a clear indication that their difficulties in finding employment are the result of discrimination in recruitment rather than lack of education

3.3.3. Responses to the stereotype

In the past, the employment problems experienced by migrants were considered almost exclusively in terms of discrimination. A systematic evaluation of these initiatives is required as the results are still pending. Compiling clear statistics on the characteristic features of migrant workers and workers of foreign origin from the point of view of level of education and competencies would provide us with a valuable tool for measuring discrimination in access to employment, which is particularly blatant when job applicants have the same education. These statistics should focus more on “life-path indicators” (where a person was born, where they studied and worked, knowledge of languages, etc.), than on “indicators of ethnicity” (origin, nationality, cultural affiliations, etc.), although such information is not without value either. The problem in many European countries is not lack of statistics but rather the fact that they are not being used for specific purposes, to inform policy making.

Recognising migrants’ qualifications and experience is vital. The difficulties experienced by migrants in this area are widespread and well documented. Recognising migrants’ competencies, furthermore, can help to check the spread of defeatist stereotypes. While urgent progress is needed in this area, it would be a pity to consider migrants’ competencies purely in terms of their academic achievements. For in many cases, immigrant workers also have much to offer in terms of socio-professional experience gained in other countries. As migrants, too, they are apt to possess special psychosocial competencies such as “intercultural skills” (Manço, 2002b): adaptability, ability to negotiate, specific cultural and linguistic knowledge, creativity, mobility, etc. These attributes are of potential interest to many companies in a wide range of sectors such as household support services, the retail trade, communications, tourism, development co-operation and social work.

At the same time, it is important to recognise the specific training needs of migrants. Foremost of these is the need for language training. Despite the mandatory courses introduced in some countries, the quality of existing provision is generally deemed to be poor, not only for newly arrived migrants but for others as well. The fact that, in some countries such as Belgium and Switzerland, more than one language is spoken, or the sheer difficulty of, say, the Nordic and Slavic languages, acts as a barrier to social and occupational mobility among workers from immigrant backgrounds. One possible solution would be to have a proactive policy of language learning and courses, combined with employment. Where facilities already exist but take-up by migrants is low, then efforts need to be made in terms of information and awareness-raising. The difference between Flanders, where language training is provided in a highly systematic fashion, and the Walloon Region, where it is provided mainly by local associations, is striking. Since the best way to learn any language is in a specific context, one option here would be to run language courses geared to the needs of various sectors of employment, on the premises of the companies themselves. Such courses could also assist the integration process.

Particular attention needs to be paid to the position of asylum seekers in relation to employment and occupational training. Asylum applications take a long time to process in Europe, during which time the individuals concerned are “in limbo” and their occupational skills and sense of identity, among other things, become severely eroded. Rather than living on handouts and becoming demoralised, this time could be more profitably spent attending classes, doing short-term jobs and receiving training, all of which are likely to prove useful whatever country the individuals in question ultimately settle in.

Foreigners and persons of foreign origin are still under-represented in public-sector jobs, thereby fuelling the suspicion that they lack the necessary skills and are unreliable. The fact that government agencies do not recruit people from migrant backgrounds is often seen as a sign to the population at large that they have nothing to offer. Improving access to public-sector employment, therefore, could be a means of fostering positive interaction and pluralism of services. Measures such as the introduction of anonymous CVs and special recruitment schemes, backed up with dedicated information campaigns and a policy of systematic occupational training targeting migrants and their descendants, should be developed to combat discrimination and break the stereotype.

In the public sector, the way is now open for a discussion about so-called “quota” policies. The most interesting example here comes from Canada (Helly, 2008), where the government has adopted a policy of affirmative action. Eschewing quotas, Canada requires state-owned and private companies with 100 or more employees to implement equality measures to help certain target groups. Private companies taking on federal contracts worth US \$250 000 or more are subject to a clause requiring them to ensure diversity in their workforce. The designated groups are women, visible minorities, Aboriginal Peoples and persons with disabilities. Every year, the firms in question must compile a profile of their workforce based on ethnic origins, qualifications and income. They must also provide details of their future hiring plans, set quantitative targets for recruiting members of the target groups and introduce internal promotion schemes for these same groups. In this way, it is possible to see what action has been taken on the diversity plans which, after all, are merely declarations of intent. Such instruments are signally lacking in Belgium and indeed many other European countries.

Alongside more coercive means of combating discrimination, therefore, there is a need to focus on “diversity building” in terms of proactive measures aimed at the individuals concerned: mentoring, training and awareness-raising for employers, diversification of recruitment channels and self-help networks, etc.

Given the concern over the kind of dead-end jobs that have proliferated in recent decades (Sassen, 2006), the focus now must be on upgrading low-skilled jobs. This might call for something stronger than monetary incentives, namely vocational training, as part of a wider shift in the way work is organised in these sectors. In this context, recognising the value of work done by family businesses will also help to combat illegal employment, although if they are to be effective against poverty and exclusion as well, such moves should also

Migrants and their descendants

include measures to promote “ethnic businesses”. That means addressing issues such as the lack of solvency of entrepreneurs of foreign origin and the difficulties they have in obtaining loans, by creating intermediate support facilities and developing micro-credit networks; the lack of relevant information for entrepreneurs, by providing training in marketing, management, book-keeping, tax, personnel management, specific regulatory issues and labour law, etc.; the lack of awareness, by contacting government agencies and financial institutions and highlighting the sector’s potential; the tendency of migrant entrepreneurs to be concentrated in particular geographical areas and sectors, by providing more information and incentives for them to branch out. And, lastly, there must be encouragement for budding entrepreneurs, starting from an early age.

Indicators No. 19: Prospects for change

Proportion of the national budget allocated to training migrants	What proportion of the national budget goes on training migrants (as a percentage of GDP and as a percentage of total public spending)?
Proportion of public-sector jobs held by migrants	This a test of how committed public authorities are to combating discrimination within their own field
Proportion of migrants who have received suitable language training	Lack of proficiency in the language of the host country is a frequently cited problem. What is needed is a proactive policy of language training tailored to the specific needs of migrants
Harnessing intercultural skills	Are there any measures designed to tap migrants’ intercultural skills (bilingualism, adaptability, negotiating skills, specific linguistic and cultural knowledge, etc.)?
Statutory requirements designed to promote diversity in recruitment	Is there any legislation designed to promote diversity in recruitment by private companies (for example, diversity-in-recruitment requirements for private companies which are awarded public contracts)?

3.4. “Migrants abuse the welfare state”

3.4.1. Description of the stereotype

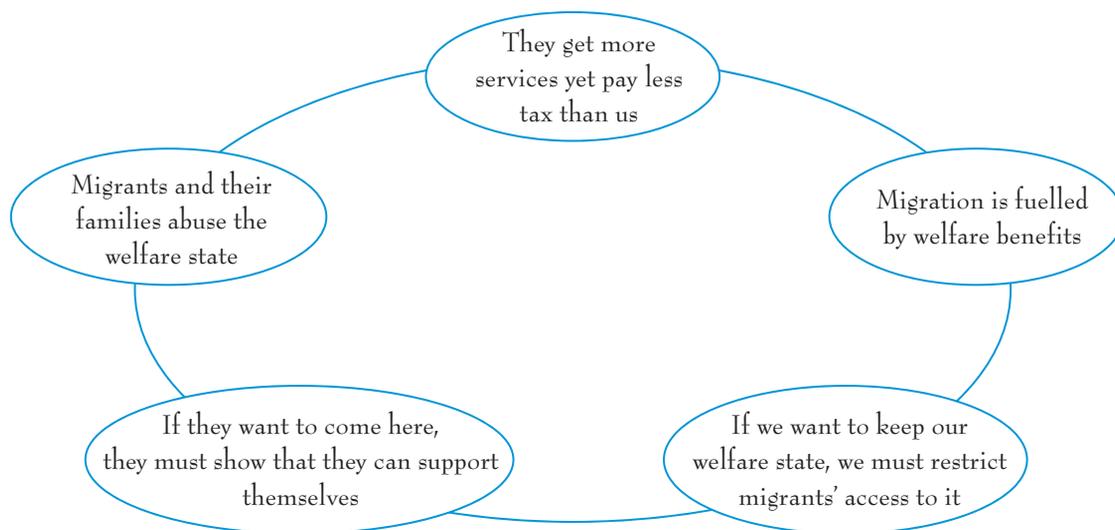
According to this stereotype, migrants and their families are “profiteers”. Unlike other stereotypes which portray migrants as being unaware of, or not understanding, how the host society operates, here the charge is that they are all too familiar with the workings of the welfare state and that they abuse it.

Specifically, migrants and their families are accused of abusing the services provided by the welfare state in three ways. First, it is claimed that they make excessive, unfair use of public services and assistance, to which they are believed to have wider, more liberal and less tightly regulated access than other citizens. Second, they are alleged to have access to provision and services to which they are not legally entitled, and are thus committing out-and-out fraud to the detriment of the indigenous population. Third, it is alleged that during their stay, which is assumed to be temporary and prompted chiefly by the desire to benefit from the European welfare state, they get more out of the economy than they put in. In particular, there is a feeling that, because of their low income, lack of job security and large families (Boeri, Hanson and McCormick, 2002), there is an imbalance between the taxes paid by migrants and the benefits and services they receive. Thus, the argument goes, migrants and their families are ultimately the ones who benefit the most from immigration, which is hardly the outcome host countries are looking for when performing cost-benefit

calculations (Sayad, 2006). Such a state of affairs is also said to pose a threat to the long-term viability of the welfare state (van Oorschot, 2005: 3).

As with all stereotypes, these very abstract and general assertions rest on a number of assumptions and theories about migration, which themselves need to be examined with a critical eye. Leaving aside the issue of the universal nature of human rights in matters relating to health care, education, housing and other basic needs, rights that should be accessible to everyone irrespective of race, colour, nationality or legal status (Cholewinski, 2005; Hammarberg, 2008), there is no evidence whatsoever that foreigners make undue demands on public welfare and services, do not pay tax, systematically flout the labour and social security laws, and come to Europe purely with the intention of benefiting from the largesse of the welfare state and the health care system as “health tourists” or “benefit tourists”. What all this ultimately boils down to is the charge that migrants want rights, in particular equal rights with nationals, without being willing to shoulder some of the duties and responsibilities towards their new host community: essentially, they are accused of abusing the system by “scrounging off the taxpayer” or “living off the locals”, of being less than completely loyal to the host country and hence of not deserving the rights that are bestowed on them.

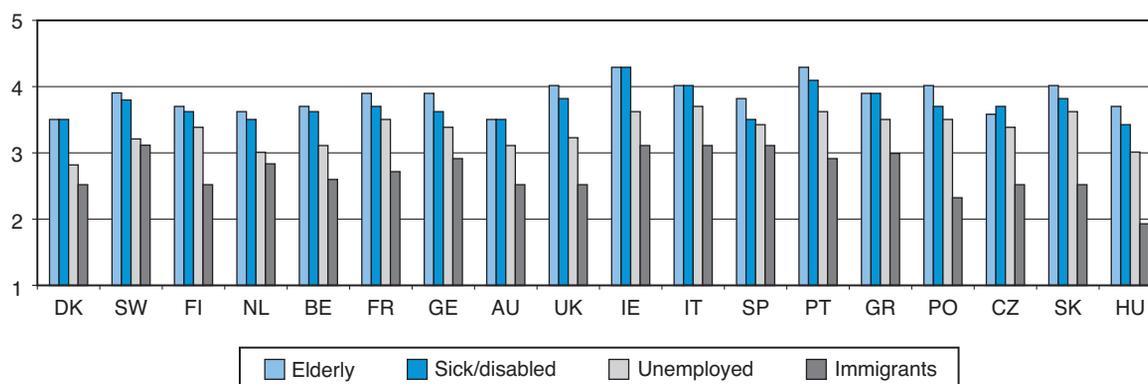
Figure 17: The “migrants abuse the welfare state” stereotype chain



The basic thrust of these arguments is, consciously or unconsciously, to exclude persons of foreign origin from social rights or at least restrict their access to them, by ensuring that the needs of “our own people” are met first. Such an exclusionary impulse is hardly in keeping with the democratic principles of social inclusion and mutual support, whether inspired by a sense of belonging to the human family or by religious faith, and so requires to be justified, which is where the stereotypes about migrants abusing social services come in.

Fuelled by increasingly poor living conditions as a result of reforms to the labour market and the welfare state, in particular the stagnation and reorganisation of benefits and services, the belief that migrants abuse the welfare state is fairly widespread among European public opinion (Bade and Bommers, 2004). Numerous opinion polls seem to bear this out. Significantly, some of these polls show that people care less about migrants than about other “vulnerable” groups (van Oorschot, 2005). Clearly, nationality is a major factor in the recognition of migrants’ and asylum seekers’ entitlement to social rights: immigrants are the new “undeserving poor” (Bommers and Geddes, 2000), who are seen as being least deserving, behind, in some cases far behind, elderly people, the unemployed and the sick/disabled (Figure 18).

Figure 18: Deservingness rank of various vulnerable groups



Source: van Oorschot (2005).

Not all countries have the same attitudes, however. Such variations are, to some extent at least, a reflection of the different types of welfare states. In addition to the three identified in the traditional Esping-Andersen model (1990) – liberal, corporatist-conservative and social democratic – there is the new “residual” type of welfare state (Kennet, 2001; Ferge, 2001) found in eastern Europe.⁴⁹ Thus, in countries with social democratic and corporatist-conservative welfare states, the deservingness rank of migrants is the same as and higher than that observed in countries with liberal or residual models. These models likewise fail to explain the differences that exist between countries which, in theory, have the same kind of welfare state, such as Portugal and Italy, or the Czech Republic and Hungary, and indeed the variations in attitudes over time. More likely, these differences are due to other factors, such as the general political climate, general attitudes towards migrants, internal degrees of cultural and linguistic diversity, etc. It has been observed that the existence of traditional, or even historic, experiences with linguistic diversity is one of the conditions conducive to a narrowing of the gap between migrants and other vulnerable groups in terms of their “deservingness”. What is fairly certain is that there is no direct connection between the willingness to grant (equal) social rights to migrants and the general level of social spending, or even the level of immigration (van Oorschot, 2005). There must therefore be some other explanation.

Whatever the case, this particular stereotype is not only a subject of public discussion and concern, but has attracted attention in academic circles as well. Indeed, it is even probable that, once they entered the political realm, these academic debates contributed to the spread of the stereotype. The investigations have focused in particular on how the existence of a generous welfare state affects both the decision to migrate and the “migration trajectory”. One study, comparing the percentage increase in immigrants between 15 European countries over the period 1970–2000, shows that there is no particular relation with the type of welfare regime. Nor is there any relation with social spending (Menz, 2004). The study suggests that other factors, such as cultural, linguistic, and colonial-historic ties, ethnic networks and geographical proximity, play a more important role than type and size of welfare state. The evidence regarding the question whether, and to what degree, immigrants choose countries with better welfare arrangements, namely whether such countries function as “welfare magnets”, is scarce (van Oorschot, 2005). A causal nexus needs to be established between a more generous welfare state and a relative higher presence of immigrants. Or, possibly, between immigrant numbers and the nature of a country’s social assistance scheme, rather than its unemployment benefits (De Giorgi and Pellizzari, 2003). There is some evidence in the United States of America that states with higher social transfers attract more immigrants (Borjas, 1999), but in Europe the little evidence there is, is contradictory (van Oorschot, 2005).

49. The variables for these models include “the degree to which income and social security is made dependent on participation in the labour market; the role and amount of residual spending, that is, national assistance as a percentage of social spending; their redistributive aims and capacity; their corporatist structure, that is, the differentiation of social security systems according to different occupational and status groups; the amount of private spending for health and pension systems; their conceptual assumption about the main provider of welfare, that is, the market, the family or the state” (Bommes, 2008).

The assumption behind this idea of the welfare state acting as a pull factor or magnet is that, by virtue of their social and cultural condition, migrants have a greater incentive than the rest of the population to avail themselves of the welfare services on offer. “Because migrants from non-EU countries on average have lower levels of skills and education than native-born people, their welfare dependency tends to be higher” (Muenz and Fassmann, 2004).

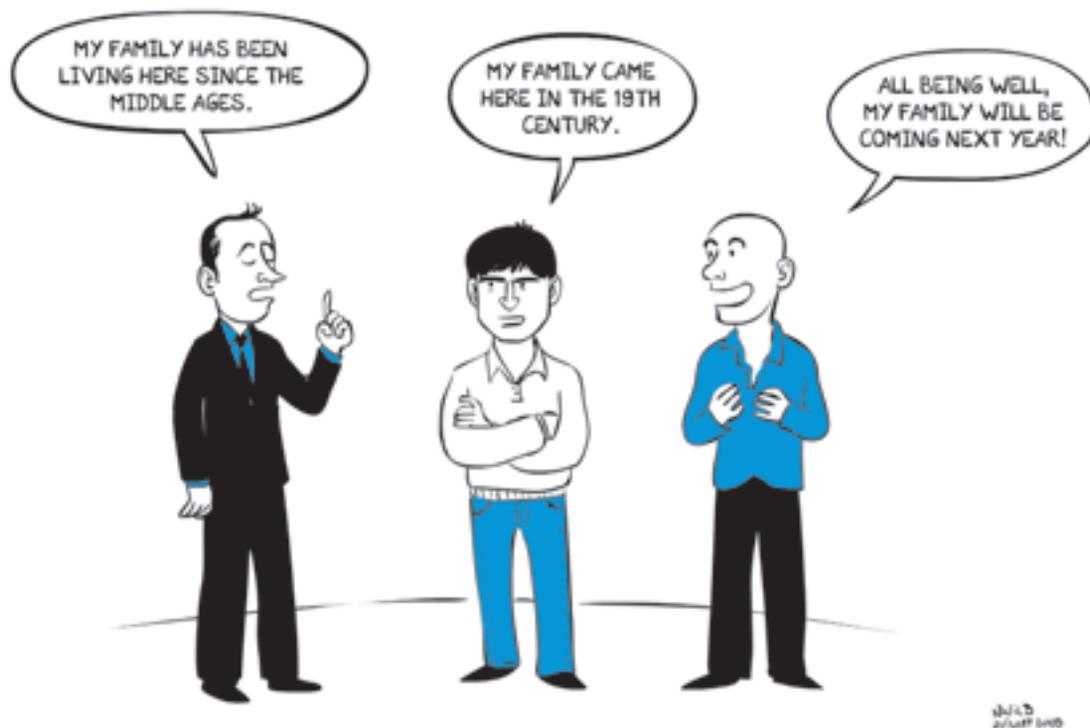
The written and broadcast media, meanwhile, have done much to reinforce the feeling that migrants are “milking” the system, by consistently reporting instances of benefit fraud committed by immigrants. Leaving aside the fact that these alleged frauds are partly the result of increasingly stringent laws that tie residence permits and welfare entitlements to employment and income level (Cohen, 2000), and that similar if not more serious frauds are also committed by nationals, the news items focusing on crimes of this sort are seized upon with particular eagerness, because they help to justify the curbs on migrants’ social rights (Cholewinski, 2005). In most cases, the people at the centre of the stories are asylum seekers (cf. below).⁵⁰ Sometimes the reports are compounded by urban myths about the fortunes amassed (illegally of course) by foreign workers. The suspicion is that migrants are enriching their countries of origin by sending home large sums of money or by returning there to retire, to the detriment of the host countries. The steady growth in these monetary flows and the important role that they play in developing economies (World Bank, 2008) help to fuel prejudice.

The typical response of European public opinion to these arguments, and the one they urge upon policy makers, is to impose restrictions: access to certain types of benefits and services to be subject to an extensive set of requirements – length of stay, normally not less than five years, legal status and hence availability of income and work permit, nationality, criminal record; access to be limited to essential and emergency services and/or subject to rigorous means testing. In those instances where rights are formally recognised, the climate is so hostile and the bureaucratic hurdles such that would-be claimants are deterred from applying in the first place. Indeed, even at the point of entry to the country, the very fact that someone needs social assistance is considered sufficient reason not to admit them, so that, as clearly stated in the European directives on family reunification, migrants do not become “a burden on the state”. Without protection, migrants, particularly if they are irregular, are liable to fall prey to new forms of “slavery” (Cohen, 2008). The basic principle is that, if a person is poor, they do not have the right to enter Europe and if they have managed to get in all the same, it would be better if they went home.

Indicators No. 20: “Facts” underpinning the stereotype

Relation between the stock of migrants and social spending as a % of GDP	A larger concentration of people of foreign origin would result in an increase in the proportion of the GDP allocated each year to the social sector (health services, social security, social welfare, social services, unemployment benefit, family allowances, housing, etc.)
Relation between migration controls and reforms to the welfare state	Restrictions on access to social benefits based on the length of residence and other variables in the legal status of migrants would lead to a reduction in migration because such restrictions would make the country less attractive
Comparative employment rate	People of foreign origin would receive more social benefits because of their lower employment rate and employability
Comparative poverty rate	People of foreign origin would receive more social benefits because of their lower income and their higher level of poverty
Comparative rate of welfare dependency	In general, there are more people of foreign origin than nationals living on state benefits
Comparative rate of benefit fraud	In general, people of foreign origin commit more benefit fraud than nationals, or claim services and benefits to which they are not entitled

50. “Nigerian illegal in £114 000 benefit fraud: a failed asylum seeker who fraudulently claimed more than £114 000 has been jailed” (*Croydon Guardian*); “Asylum seeker’s benefits fraud: an Iranian asylum seeker who falsely claimed £25 000 in benefits despite having £500 000 in the bank has been spared jail but now faces deportation” (news.bbc.co.uk).



3.4.2. Explanation of the stereotype

The majority of studies on the subject are rather sceptical about the possibility of giving credence to the stereotype that migrants abuse the welfare state, thus posing a threat to its financial viability (van Oorschot, 2005). Ultimately, “one is free to believe more or less what one wishes about the economic impact of migration because the facts are so much in dispute” (Freeman, 1986: 60). Nevertheless, the widespread nature of this negative public perception calls for further explanations. These tend to be grounded in political, social and ideological issues.

If one considers modern welfare states as rather “closed systems of individuals sharing social goods on the basis of experiencing fellow feeling” (Freeman, 1986) notably based on national loyalty (Bommes, 2008), it is possible to understand in which sense immigration threatens or, better, may be seen as a threat to European welfare systems. One initial reason is that migration would divide the presumed natural constituency of the welfare state, which is formed by the national working class. Secondly, it would erode the normative consensus about welfare redistribution based on national solidarity by increasing the awareness of plural identities and differences in terms of “us” versus “them”. Theoretically, the solidarity necessary to sustain a welfare system in a multicultural society requires people to identify with strangers and share resources with them (Habermas, 1994). In contrast, immigration in Europe has so far stimulated reactionary and nationalist politics, at the same time helping to shift the ideological centre of European politics in a more neo-liberal and anti-welfare direction (Freeman, 1986). In short, according to this perspective, immigration and the diversity that goes with it would undermine the legitimacy of welfare in Europe, and therefore its viability in the longer run, because it might fragment the sense of a shared community, divide coalitions within an economic class that traditionally sustained the welfare state, and might complicate the formation of new social alliances (Banting, 1998).

The modern nation state is defined by the execution of sovereignty over a territory and a population. This was, right from the start, linked with the emergence of the welfare state (Swaan, 1988). From the beginning, welfare provided by the nation state had a territorial index. The provision of welfare states was initially intended only for citizens, that is, those individuals that were accepted by the state as belonging to its own territory.

National welfare states thus set about, and the issue remains relevant today, creating institutionalised “thresholds of inequality” (Stichweh, 1998) designed to favour nationals and exclude foreigners from these advantages. Since, however, social rights were embedded in many European constitutions as fundamental rights (Ferrajoli, 1994), the post-war welfare states turned out to be rather inclusive, even if that had not been the original intention, allowing as many people as possible, including even non-nationals, to attain these rights depending on how long they had been in the country: the longer a migrant had been living in the country of destination, the more rights they acquired (Bommes, 1997; Joppke, 1998).

This tendency towards inclusion was called into question more by the reforms to the welfare state and the attendant return to the neo-liberal notion of minimal state provision and the conservative ideology of national belonging as a source of civic identity than by the migration flows of the 1980s and 1990s. The reforms were qualitative rather than quantitative in nature: while there was no real reduction in the resources allocated, which remained stable or in some cases even increased and in any event continued to take precedence over other forms of public spending (Table 19), what did change was the criteria for allocating those resources, the way services and provision were organised and, above all, the philosophy of the welfare state, which was now seen as being unduly interventionist and paternalistic, resulting in the “colonisation of the lifeworld” of the persons concerned (Habermas, 1981).

Table 19: Public expenditure by function in 2003 (% of GDP): European examples

	France	Rank	EU 25	Germany	Spain	Italy	Poland	UK	Sweden
Social protection	22	4	19.1	22.5	13	17.9	19	16.1	24.7
General public services	7.4	11	6.7	6.3	5.1	8.8	5.9	4.7	8.2
Health	7.2	1	6.4	6.5	5.2	6.3	4.3	6.7	7.2
Education	6.4	6	5.4	4.2	4.4	5.1	6.1	5.7	7.3
Economic affairs	3.2	24	4	3.9	4.3	4.1	3.3	2.9	4.9
Defence	1.9	5	1.7	1.2	1.1	1.5	1.2	2.7	2.1
Housing and community amenities	1.8	3	1	1.1	1.1	0.7	1.5	0.6	0.9
Recreation, culture and religion	1.4	6	1	0.7	1.4	0.9	0.9	0.6	1.1
Public order and safety	1.3	22	1.7	1.6	1.8	2	1.7	2.5	1.4
Environmental protection	0.8	9	0.7	0.5	0.9	0.8	0.6	0.7	0.3
Total	53.4	4	47.6	48.4	38.3	48.1	44.5	43.2	58.2

Source: Eurostat; INSEE, national accounts, base 2000.

The welfare state reforms pursued under the heading of “activation” since the 1990s stem from a desire to alter, and possibly reduce in absolute terms, welfare provision. The ultimate effect of this activation policy has been a further levelling of the status of citizens and migrants with legal residence status, with the two groups

becoming equally exposed to the pressures of competitiveness as the main criterion determining the position of individuals in welfare states (Bommes, 2008; Santoro, 2008). “Activation” means a reorganisation of the relation between the welfare state and welfare receivers, in such a way that welfare rights are made more and more dependent on duties and on means testing, thereby triggering, even more so than before, competition between individuals and groups for public resources that have been artificially diminished, including in some cases through deliberate policy choices.

All receivers of welfare are confronted by the expectation that they must adjust their way of life to self-responsibility and employment, in order to become less dependent on welfare support. This adjustment particularly affects the less competitive sections of the population, irrespective of their nationality: by downsizing their welfare programmes since the 1990s, welfare states have reduced the social privileges associated with national citizenship, since all clients are treated equally, as being potentially competitive or non-competitive (Bommes, 2008). The report produced by the Independent Commission for Migration in Germany, headed by Rita Süßmuth, accordingly stated: “Integration is a social process that involves everyone in any society. Willingness to integrate is indispensable: it manifests itself if each individual takes the initiative to make an effort towards social integration. This applies to the domestic population and to immigrants alike” (Süßmuth Commission, 2001: 196).

The popularity of the stereotype of migrants as profiteers is primarily due to the increasingly intense and widespread frustration and insecurity felt by European citizens over these radical changes in the philosophy of the post-war welfare state, under the constant pressure of government debt (Bellofiore and Halevy, 2005) and increased global competition (Hemerijck, 2002).

One initial source of frustration is the restrictions on access to monetary benefits in the event of unemployment or low income that many countries have introduced in recent decades in an effort to bolster public finances and become globally competitive again: for a large section of the population, therefore, it is fairly apparent that there has been a reduction or erosion of established social rights, formerly linked to national citizenship and salaried worker status, now something of a rarity (Castel, 2003). A second source of frustration is the stagnation or reduction in public spending on social housing, education and health care, if not in absolute terms then at least in relation to demand for these services. A third source of frustration is the “silent revolution” (Goul Andersen, 1999) that has taken place in terms of the basic political philosophy of the European welfare state, which has gone from being a mechanism for inter-class and inter-generational support, underpinning the community of citizens, to something else: a means of personal rather than community-based insurance, a residual device for combating poverty that is aimed at those excluded from material citizenship (Procacci, 2006), or a factor for control and an incentive to work (workfare, welfare to work), however precarious, badly paid and unsatisfactory that work may be.

Citizens and “indigenous” families, especially those experiencing difficulties of a socio-economic or other nature, consider it unfair that individuals and families of foreign origin are able to obtain, more quickly than themselves, social housing or places in state-run nurseries, two services that are becoming increasingly scarce owing to lack of public investment in the sector. The same is true of welfare benefits, which are seen as being too readily available or over-generous when the recipients are people of foreign origin who have been living in the country for only a short time. Some consider that they have paid far more into the social security system than immigrants; also, at a time when many pensioners are experiencing economic hardship, frustration is apt to be directed at foreigners looking to benefit from the largesse of the European welfare state, the feeling being that really they ought not to be here at all and should go back to where they came from.

Pensioners, especially when they are experiencing economic hardship, hear in the news how the industries where they used to work have been taken over by “foreigners”, or that their former employer is relocating abroad, etc. Local residents sigh when they see houses and shops in their neighbourhood being “bought up by foreigners who have everything handed to them on a plate”. The old industries have gone, and with them, it is claimed, the sense of local identity. “The streets of our childhood have changed beyond all recognition ...”, complain others, quite forgetting that the children they used to play with in these same streets were in fact of foreign origin themselves.

Such frustration is understandable. Less understandable are the efforts to rationalise or justify it, rather than deconstructing it and pressing for further reform of the welfare state. One of the charges most commonly levelled against migrants is that they do not pay tax or pay less than the rest of the population, especially when one considers the benefits they receive (or are said to receive) from the state in terms of services and welfare payments. Given that most European tax systems are progressive and based on income, it stands to reason that migrants, insofar as they hold the least well-paid jobs, will pay less tax, or even no tax if their income is below or just above the poverty line. At the same time, some groups of immigrants, such as work permit holders, are likely to make very large net contributions to the public finances from the outset. Even low-skilled, low-wage immigrants, who we might assume will make smaller net contributions to the public purse, often work relatively long hours, hence paying not insignificant amounts of tax (Sriskandarajah et al., 2005).

The fact is that “migrants are very heterogeneous – differing across many dimensions, and differing at least as much from each other as they do from the population at large’ (Glover et al., 2001: 29) so it is very unfair to generalise about them and their fiscal contribution. Also, their experiences tend to be more polarised than non-migrants, with data showing that they are concentrated at both the upper and lower end of the skills and income spectrums (Sriskandarajah et al., 2005). In order to make a rigorous assessment of the matter, one needs to look at the contribution of each sub-group of migrants.

As for the accusation about tax and social insurance evasion, in the case of migrant workers who do not have a work permit, this is hardly a matter of choice. Moving from irregular to regular status is not usually an option, unless the government introduces a mass regularisation programme. One way to recover unpaid contributions from migrants working illegally would be to give them the chance to regularise their position by turning themselves in. That way, something could also be done to tackle the far more serious tax evasion committed by businesses, by punishing them for every person they employ without a contract. Some other groups, such as asylum seekers, cannot be expected to be net contributors to the public finances, since they are not allowed to take up employment whilst their asylum applications are being considered. However, there is considerable scope for refugees whose asylum claims are accepted to contribute greatly, not just fiscally, but in wider economic and non-economic terms. In many ways, refugees represent a largely untapped source of talent, and work to improve their employment prospects would enable them to contribute financially to their host country, as so many wish to do, as well as assisting their integration into society at large.

Beyond these two specific examples, migrants pay their fair share of tax, and in some cases considerably more (Sriskandarajah et al., 2005). Lilley (2005) argues that as most immigrants are of working age, they are more likely than the population as a whole to be net contributors, but as they age and retire, they will eventually become net recipients, if they remain in the country. Depending on the circumstances, they may even pay more in tax than they receive in entitlements and benefits. An obvious example is pensions: migrants pay their contributions here but have great difficulty in recouping what they paid in should they decide to leave and return to their country of origin. The legislation on the transferability of pension benefits outside of Europe is still fairly rudimentary.

More generally, it is a question of ascertaining which areas of the national budget (cf. table above) migrants do or do not figure in, and to what extent. Their take-up of health care, for example, tends to be lower, whether for reasons related to age and constitution, or because of legal and administrative barriers, which make access difficult (MdM, 2005). At a time when restrictions on welfare benefits are increasingly seen as a way of controlling or indeed discouraging migration, even access to welfare assistance and benefits is by no means universal: on the contrary, it is subject to numerous conditions (Cholewinski, 2005). In the case of migrants who have already left school by the time they arrive and who begin working, the state saves itself the cost of compulsory schooling. Likewise, migrants benefit only marginally from spending on culture, which is generally aimed at the better-off groups, and from grants awarded to private companies, since migrants tend to be more concentrated in small businesses which receive only a relatively small portion of government support to promote innovation and competitiveness.

Among the other policies to which migrants contribute but which do not necessarily benefit them are spending on public security and the prison system (cf. above), and also border controls. Rowthorn (2004: 8), for instance, argues that “any assessment of the fiscal contribution of migrants should take into account the cost of administering the immigration programme and providing for the special needs of immigrants”. In fact, “the problem with this criticism is that spending on the immigration system is not entirely undertaken for the benefit of immigrants themselves. The rationale for having a migration policy is as much about furthering the interests of the existing population as it is about facilitating the entry of migrants into the country. A simple example illustrates the problems inherent in apportioning the entire cost of the immigration system to immigrants themselves: if the government were to operate a ‘closed-door’ policy towards immigration (that is to say, not allow anyone to enter the country on a permanent basis) then the costs of policing such a system would be enormous, but there would be no immigrants to assign this cost to. Conversely, if the government were to operate an ‘open-door’ policy, then the costs are likely to fall while immigration may increase” (Sriskandarajah et al., 2005: 6).

As for the allegation about migration being motivated by health reasons, or “health tourism”, the Second Report of the European Observatory on Access to Health Care, produced by Médecins du Monde in 2008 and focusing on undocumented migrants, clearly shows that “within the survey population, 15.5% of people were suffering (on the day of the survey) from a chronic health problem that they knew about before they left for Europe, with no real differences between countries of origin. Slightly higher proportions of respondents from the European Union and North Africa were in this situation – concerning nearly a quarter of people from these regions” (MdM, 2009: 77).

Furthermore, “these figures must be put into context by a detailed examination of the health problems in question”. Such an examination reveals amongst other things that “commonplace chronic symptoms or minor complaints (digestive pain, bone and joint pain, allergic rhinitis, gout, peptic ulcer, etc.) were frequently cited. We cannot seriously imagine that these conditions could have prompted people to emigrate or to move to a country where they would have to live in the poor living conditions that undocumented migrants face in destination countries” (MdM, 2009: 78). Considering that diagnoses of potentially serious chronic conditions such as arterial hypertension and the two types of diabetes “represent collectively less than 12% of the health problems recognised before migration and concern less than 3% of the survey population” and that “only 6% of respondents cited health reasons among their reasons for emigrating” there appears to be little evidence to support the view that foreigners migrate, including illegally, in order to obtain treatment in Europe. Immigration for health care, then, would seem to be more fantasy than fact.

Indicators No. 21: Statistical, legal, socio-political factors behind the stereotype

Income and taxes paid by migrants in comparison with the total population	Calculate, in absolute terms and expressed as a percentage, the taxes (direct and indirect) paid by people of foreign origin in relation to all the taxes collected annually by the public authorities at all levels
Rate of participation by migrants in public receipts and expenditure, in general and by type of allowance and service	Compare the tax contribution of people of foreign origin with the actual level of use of public benefits (expressed as a percentage). Verify this disparity in the various types of allowances and services: especially in countries with a more recent (and younger) immigration phenomenon; foreign taxpayers pay taxes for services to which proportionately they have less access (social security, retirement pensions)
Comparative rate of participation in public receipts and expenditure, in general and by type of allowance and service	Compare the tax contribution of people of foreign origin and that of nationals in relation to the respective proportion of both in the total population (expressed as a percentage) and in relation to the different types of allowance and service
Proportion of migrants who knew they had a health problem before emigrating	Verify the extent to which the state of health and therefore the need for health care are among the reasons, if not the main reason, for migration
Proportion of migrants aware of their social rights before departure	Verify the extent to which the granting or refusal of services and social rights in the countries of destination is one of the reasons, if not the main reason, for migration

3.4.3. Effects of the stereotype

The main effect of the stereotype has been to make it more difficult for migrants living in Europe to access social rights through various devices: in order to be eligible for certain services and in particular certain forms of social assistance, migrants must have been lawfully resident in the country for a certain period of time, three to five years on average; in the case of certain types of provision, such as social housing, national citizens may be given priority over foreigners; benefits for family members of migrant workers are limited; certain forms of social and monetary assistance are reserved for nationals; and the requirement for public servants, including teachers and physicians, to report migrants who are in an irregular situation discourages take-up of education and health care, which is often confined to emergency care only.

And yet, at Council of Europe level, the European Social Charter and the revised European Social Charter (RESC) and, indirectly, the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) establish fundamental, namely universal rights relating to health, housing and protection against poverty, as rights that are intrinsically bound up with the dignity and physical and mental integrity of the individual. All of these legal instruments provide that the enjoyment of the rights embodied therein is to be secured without discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, health, association with a national minority, birth or other status. At the same time, whereas the ECHR establishes rights for all persons present on the territory of Council of Europe states, including migrants in an irregular situation, the European Social Charter applies to foreigners only if they are nationals of Contracting Parties to the Charter, that is, nationals of a Council of Europe state, and lawfully resident or working regularly within the territory of the country.

Despite this restriction, when it comes to the application of the right to medical assistance to immigrants in an irregular situation and their children, the European Committee of Social Rights responsible for

monitoring the Charter has provided an extensive interpretation which is worth mentioning here. In Collective Complaint No. 14/2003, *International Federation of Human Rights Leagues (FIDH) v. France*, concerning the right to state medical assistance, the committee ruled that the personal scope of the Charter must be interpreted so as to give life and meaning to the fundamental social rights at issue: the fact that foreigners in an irregular situation are not covered by the Charter does not justify infringing rights that are of fundamental importance to the individual, such as the right to life and the right to dignity. The committee accordingly found that French legislation did not violate the article of the Charter defining the right to health care (Article 13) as it did not deprive foreigners in an irregular situation of all entitlement to medical assistance. It did, however, find that there had been a violation of the article on the protection of children (Article 17) owing to the fact that the children of immigrants in an irregular situation were liable to be denied medical treatment, as the law in question limited their right to assistance to situations which involved an immediate threat to life and allowed such children to be admitted to the medical assistance scheme only after they had been in the country for a certain time.

The ECHR contains, notably in Articles 3, 6, 8, 13 and 14, numerous provisions relating to civil and political rights which are interpreted indirectly when dealing with social rights, in particular the right to health, housing or a minimum income. Article 8, paragraph 1, protects the right of everyone to respect for his or her private and family life and his or her home, but does not amount to a right to housing. The combination of obligations under Articles 3 and 8, however, can lead to positive obligations in this area. In *Marzari v. Italy*, the Court considered that although Article 8 does not guarantee the right to have one's housing problem solved by the authorities, a refusal by the authorities to provide assistance in this respect to an individual suffering from a severe disease might in certain circumstances raise an issue under Article 8 of the Convention because of the impact of such refusal on the private life of the individual.

In the case of a typical social right, such as the right to unemployment benefit and welfare benefits for people with disabilities, the European Court of Human Rights has handed down a number of important judgments on discrimination against migrants on the grounds of nationality. In *Gaygusuz v. Austria*, for example, the judges allowed the complaint made by a Turkish worker to whom the Austrian authorities had refused to grant emergency assistance on the ground that he was not an Austrian national, taking the view that the right to emergency assistance was a pecuniary right for the purposes of Article 1 of Protocol No. 1 to the ECHR. Using similar arguments, they likewise held in *Koua Poirrez v. France* that, where entitlement to welfare benefits was concerned, there was no objective and reasonable justification for the difference in treatment between French nationals or nationals of countries that had signed a reciprocal agreement and other foreigners. Since the *Petrovic v. Austria* judgment, moreover, family allowances are deemed to be covered by Article 8 of the Convention, which stipulates that everyone has the right to respect for his or her private and family life, insofar as such allowances are intended to promote family life and necessarily affect the way in which the latter is organised.

Insofar as these judgments are immediately enforceable in the countries concerned, they have led to other major decisions in a number of countries, affirming the social rights of migrants at a time when the tendency is to exclude them. In France, for example, the High Authority Against Discrimination (HALDE), asked to adjudicate on numerous complaints from parents of children of foreign nationality who had been refused family allowances by benefit offices because the children came to France for reasons other than family reunion, cited the relevant judgments of the European Court of Human Rights and ruled that such refusal amounted to discrimination.

Indicators No. 22: Effects of the stereotype on the rights and well-being of migrants

<p>Take-up of welfare benefits by migrants relative to those eligible and to the population as a whole</p>	<p>It is more difficult for persons of foreign origin who are entitled to the different types of social benefit to have access to such benefits than for nationals (because of the lack of information, unclear procedures, direct and indirect discrimination)</p>
<p>Take-up of health care by migrants relative to those eligible and to the population as a whole</p>	<p>It is more difficult for persons of foreign origin who are, in principle, entitled to different types of care to have access to such care (in particular advanced surgery, care for chronic diseases, prevention services and post-emergency care) than for nationals (because of the lack of information, unclear procedures, direct and indirect discrimination)</p>
<p>Comparative state of health and life expectancy</p>	<p>Taking into account differences relating to ethnic groups, social class and countries of residence, people of foreign origin generally have a worse state of health than nationals (surveys on self-perception of state of health). They may also be likely to have a lower life expectancy</p>

3.4.4. Prospects for change

The ability of European countries to defend and revitalise their welfare and social rights systems is of crucial importance for the future of social cohesion in Europe. The same is true of their ability to develop expertise in allocating responsibility between the various parties involved, from the state to citizens, including the private sector and civil society organisations, so as to ensure that access is both genuinely universal and financially sustainable.

In any event, it would be wrong to succumb to the populist view that by their presence, migrants, including those in an irregular situation, pose a threat to the viability of European welfare states and are liable to reduce the pool of resources available to national citizens. This idea of competition for scarce resources is something that we need to put behind us, both because it undermines social cohesion and is incompatible with the practice of genuine shared responsibility and because it creates pernicious doubts. If welfare benefits have shrunk or been subjected to specific restrictions, or if governments have scaled back their spending on quality social housing, this has come about as a result of states' neo-liberal reforms and not because of "excessive" migration in the 1980s and 1990s. The prolonged exclusion of migrants and their families from social rights, or the granting of only limited access, subject to extensive and onerous conditions, is not only a reflection of the kind of "welfare chauvinism" that is deeply damaging to a European identity based on democratic values, but also a source of conflict and insecurity for society as a whole. For lack of state protection makes people more vulnerable and more likely to become involved in crime rings (Cohen, 2008).

The money to finance the welfare state should come from combating large-scale tax evasion and curbing financial speculation, including in the private pensions and insurance sector. The benefits of privatising certain forms of welfare currently provided by the state should be subjected to a thorough public debate, especially in view of the global economic crisis that erupted in 2008. Another possibility worth considering is an overhaul of the tax system, provided it is based firmly on the principle of proportionality and an assessment of the wider impact of previous decisions to cut taxes. The quality of services is a function not of how much public and private money is spent on them, but rather of our ability to put in place well-crafted procedures for joint decision making and joint provision of services between public institutions and citizens, as individuals and as members of organisations that defend their rights.

If, furthermore, we wish to increase the fiscal contribution that migrant workers make to destination countries, we might consider introducing regularisation procedures for all those who are currently working without a residence and/or work permit and so find themselves committing tax evasion, in most cases against their will.

Indicators No. 23: Prospects for change

Legislation relating to universal medical cover	Is there in the country a universal medical cover system, accessible regardless of an individual's legal status and financial resources?
Legislation relating to universal minimum income	Are there any universal institutional arrangements to combat poverty, such as a minimum social income accessible to all those in need, regardless of an individual's legal status?
Legislation to combat the underground economy	Are there any effective arrangements to combat the underground economy and hidden employment, to ensure universal cover and protection of the victims of exploitation?
Associations and movements defending migrants' social rights	Are there any associations, organisations or social movements active in the field of universal social rights?

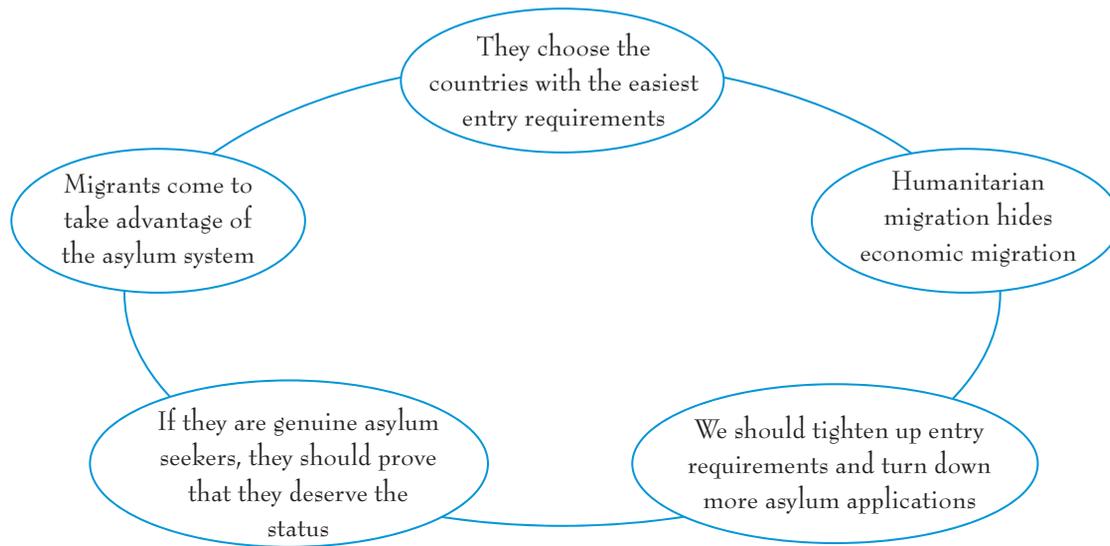
3.5. "Migrants abuse the asylum system"

3.5.1. Description of the stereotype

A year after the adoption of the new Swiss asylum legislation, which tightened up application requirements and entry criteria, and in an attempt to calm the still heated debate on the subject, the head of the "human security" division of the Federal Department of Foreign Affairs (DFAE) said that "today, people immediately think of foreign criminals and those who abuse the asylum system. All the positive components of immigration are forgotten." In seeking to play down the costs of immigration and highlight its benefits, he unhesitatingly employed the utilitarian approach and ended up accepting and unconsciously confirming the stereotype of migrants who come and abuse our asylum system, thereby playing a part in reducing our competitiveness and our security.

The deterioration in the image of asylum seekers in Europe, especially in Western Europe and the European Union, dates back to the end of the 1980s, a period which saw the beginning of the harmonisation of EC member states' asylum and immigration policies. In historical terms, it came at the end of a transitional period during which refugees, who had previously been clearly distinguished from migrants, gradually moved from the status of victims deserving assistance and compassion to that of cheats, under the dual pressure of public discourse that stigmatised "bogus asylum seekers" and legislation that made access to asylum procedures increasingly difficult while constantly reducing the rights of refugees. That period saw the emergence in public opinion of a stereotype which is now common to most European countries, whereby the vast majority of asylum seekers are actually economic migrants who seek to abuse asylum procedures and engage in asylum shopping (choosing the country with the most flexible entry requirements) so as wrongly to obtain the right to stay in Europe and thus also the right to work and be covered by the social protection system. Hence the calls for particularly stringent checks and procedures in the processing of applications, with the implicit (or sometimes explicit) political goal of reducing as far as possible the number of refugees, at least within the meaning of the Geneva Convention, in individual countries.

Figure 19: The “migrants take advantage of the asylum system” stereotype chain



The British example offered one of the first illustrations of the impact of alarmist official rhetoric on the image of asylum seekers. At the start of 2003, Prime Minister Tony Blair expressed public concern about the fact that the United Kingdom was one of the countries in Europe taking in most asylum seekers and promised to halve the numbers admitted over the following months. He kept his promise, with 103 080 applications being registered in 2002, 60 045 in 2003 and 40 625 in 2004 (Eurostat, 2007), while increasing numbers of statements were also made calling into question the United Kingdom’s international human rights commitments: after threatening to rescind its signature of the Convention for the Protection of Human Rights and Fundamental Freedoms,⁵¹ the British Government put forward a proposal to its European partners in March 2003 that all asylum seekers should be removed from the EU and their applications should be processed in third countries.

At the same time, there was an unprecedented campaign of denigration of asylum seekers, who came to be synonymous with cheats and thieves and were exposed to public opprobrium in a flood of tabloid headlines. One example here was the front-page article in the *Sun* during the summer of the same year claiming that callous asylum seekers were setting traps in public parks and gardens and catching swans in lakes and ponds and then barbecuing them. It should be noted that the equation between asylum seekers and outlaws was compounded here by underlying accusations of cruelty and barbarity of a kind likely to provoke revulsion in a country whose inhabitants are renowned for their respect for animals. In the words of the UNHCR (2003), which commented on the claims in its *Refugees* magazine and stated that there was no evidence to back them up – indeed, according to another newspaper, the *Independent*, they were totally untrue – “the barbecue stories were simply part of a deeply worrying daily torrent of often abusive and, at times, xenophobic reports pouring off the country’s tabloid presses as they gleefully reported the ongoing battle – as they see it – between the tides of ‘bogus asylum-seekers’ and a hapless ‘soft touch’ Britain”.

Without always being as provocative as in the British press, attacks on asylum seekers are sometimes very violent and more pernicious when they come from experts and seem to be justified by figures and statistics. This was true of a 2002 French Ministry for Foreign Affairs report packed full with examples of “abuses of the right of asylum” at all the stages in the procedure. In focusing on “forged documents”, “false statements” and “improper”, “delaying tactics”, “multiple” and “successive” applications, the author implied that most of

51. Downing Street press release, 27 January 2003, www.pm.gov.uk/output/page_1321.asp.



the “abuses” stemmed from the fact that the people seeking asylum in France were doing so wrongfully to take advantage of the system. To justify the conclusion that French legislation needed to be completely overhauled, the report inferred from these findings that the substantial increase in applications lodged noted at the time (+17% from 1999 to 2000) “[was] not the direct result of political crises in the countries of origin”, but “[was] triggered by the action of illegal immigration networks” which “took advantage of the protective aspects of our procedures” (Lafon, 2002). However, at no point was any justification given for this breakdown of the possible reasons for the increase in applications (political crises and illegal networks) and the claim of widespread fraud was not backed up by any geopolitical analysis of the causes of people leaving their own countries.

This method, the argument from authority, is one of the main factors in the propagation of the stereotype concerning bogus asylum seekers: it enables policy makers to legitimise a de facto restriction of the right of asylum. After all, “it is not us who are denying the right of asylum, it is them who want to deceive us by abusing the right without being entitled to it”. With discourse of this kind, asylum policy and immigration policy can be lumped together and the public can be persuaded that it is vital to tighten up entry requirements for foreigners in the face of an impending invasion. For instance, a June 2005 report by the French Senate states the following with regard to illegal immigration: “This problem seems to have expanded massively in recent decades. In the 1990s, European states were faced with a veritable explosion in the number of asylum seekers, due in part to the resurgence of conflicts, for example in the former Yugoslavia, but above all to the misuse of asylum by ‘economic refugees’. Europol puts the number of illegal immigrants arriving in the European Union every year at over 500 000.” The same method was used in the campaign by the supporters of the 2006 asylum

reform in Switzerland, where the minister of the interior said the following in justification of the obstacle course asylum seekers now face: "... what we have not resolved are the huge abuses in the area of asylum. Over 85% of asylum seekers are not political refugees."⁵² It also enabled the Italian Government to return a boat full of migrants to Libya without even allowing them to apply for asylum, namely, in breach of international treaties, claiming that "there were no asylum seekers on the boat, only illegal immigrants who had been scientifically selected and put on board by criminal networks".

Indicators No. 24: "Facts" underpinning the stereotype

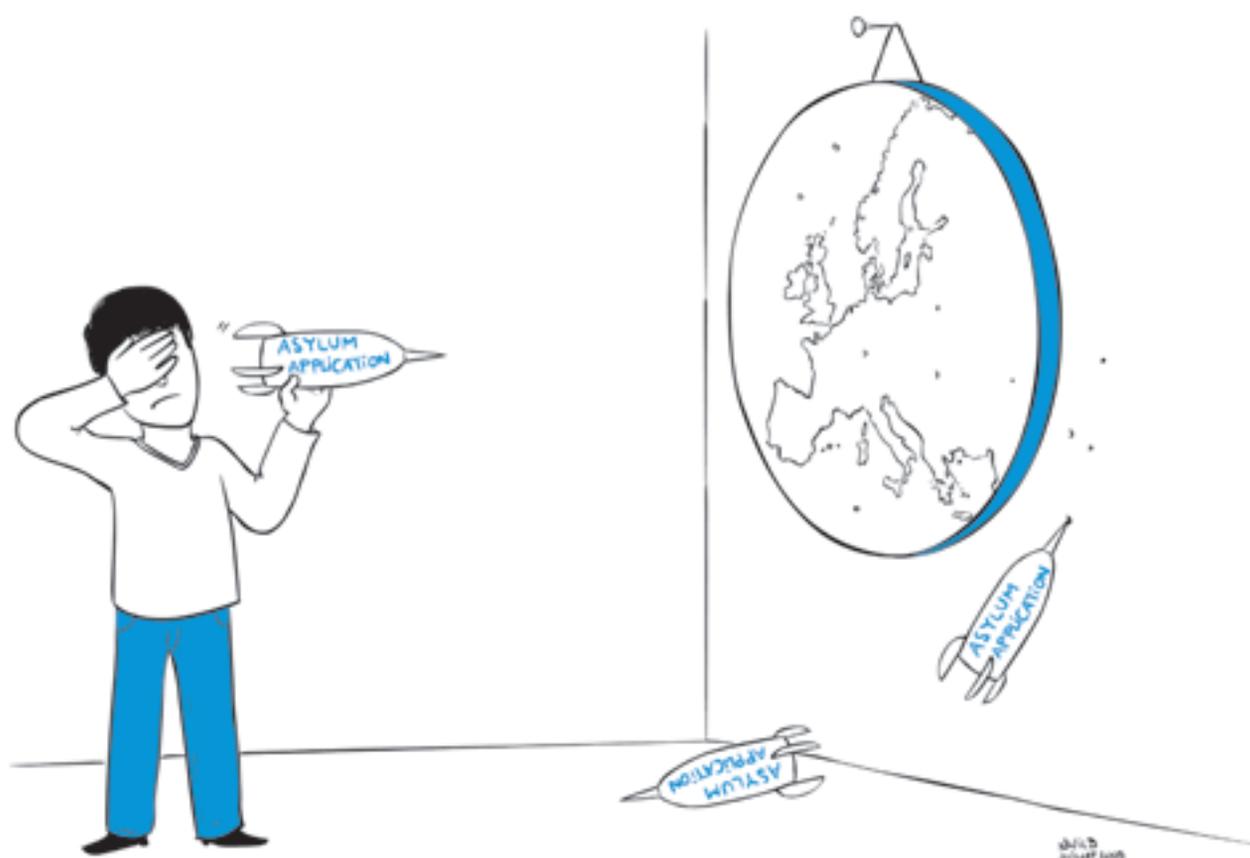
Number of asylum applications	Number of asylum applications by non-EU nationals lodged over a reference period
Rate of rejection of applications	Ratio of the number of asylum applications turned down to the number of asylum applications lodged over a reference period (x100)
Trend in number of asylum seekers admitted over time	The number of asylum seekers admitted to the EU has fallen by a third over the last 15 years. Analysis should therefore be performed on a long-term basis instead of on the basis of annual figures

3.5.2. Explanation of the stereotype

To clarify the scale of the asylum phenomenon and the processes involved, it should be noted first of all that "in the European Union, the number of asylum applications fell substantially between 1992 and 2007, from 680 000 to 220 000, while the number of member states rose from 12 to 27. Between 2003 and 2007, the number of applications plummeted in larger countries like France (52 204 to 23 804), the United Kingdom (60 050 to 27 900) and Germany (50 560 to 19 160), while it rose in peripheral countries (Cyprus: 4 410 to 6 790; Greece: 8 180 to 25 110 and Malta: 570 to 1 380). In 2007, figures for the number of asylum seekers accepted compared to the population varied significantly between the member states (8 ‰ in Cyprus, 4 ‰ in Sweden, 3.4 ‰ in Malta, 2.4 ‰ in Greece, 0.5 ‰ in France and 0.2 ‰ in Spain). In 2007, the refugee status recognition rate was 30% in France as against 1.5% in Poland; in the case of Iraqi asylum seekers, the figure was 85% in Germany, 82% in Sweden, 48% in France, 30% in Denmark, only 12% in the United Kingdom and 0% in Greece. When asylum seekers are granted protection, some states tend to grant subsidiary protection instead of refugee status which offers a higher degree of protection (90% of the cases of protection in the Netherlands, 73% in Italy and 26% in the United Kingdom). In contrast, France afforded protection to 8 781 asylum seekers in 2007: 8 075 were granted refugee status and 706 subsidiary protection (8% of the total)" (Amnesty International France, 2008).

In spite of these figures, the terms "pressure", "inflation", "influx" and their equivalents are recurrent features of the debate about "bogus refugees". Combined with the geographical and/or sociological origins of the asylum seekers, this idea of an invasion was one of the main causes of the gradual reversal of European countries' policy towards asylum seekers once they started arriving in larger numbers. As they include some foreigners who use the asylum procedure to circumvent the increasing difficulties they encounter in entering the EU, references to cheating are used as the second lever in the arguments put forward, with "genuine" abuses of asylum procedures being exploited to discredit all asylum seekers through the deliberate maintenance of confusion between rejected asylum seekers and asylum cheats.

52. Speech by Mr Blocher, Albisgüetli, 2006.



The origin and spread of the stereotype of bogus asylum seekers and bogus refugees fitted in with a general change in European perceptions of migration, which came to be seen as exceeding countries' reception capacity and, indeed, as nothing short of an invasion (see above). In this context, the very concept of refugee underwent a crucial transformation.

From the 1970s, several developments played a part in changing the profile of the refugees seeking protection in Europe. Until then, the 1951 Geneva Convention, which stemmed from the experience of the Second World War and was agreed at the start of the Cold War, had been clearly intended to protect the victims of the totalitarian regimes in Europe. Its application had all the less impact since only few refugees made use of it: on the one hand, very few actually made it through the Iron Curtain and, on the other, those who did usually settled without seeking asylum in Western countries which were open to immigration at the time. Its impact was therefore economically and quantitatively very limited for those receiving countries. The 1967 Bellagio Protocol, which removed the Geneva Convention's geographical restrictions and enabled victims of persecution from anywhere in the world to seek refuge in Europe, changed the position – at a time when the democratisation of means of transport and communication was making exchanges and travel easier. The refugees were no longer just white intellectuals fleeing from dictatorships in eastern Europe and, at a later date, in South America. They came from different regions, including Africa and Asia, they were not always politically aware, were sometimes illiterate and their alleged fears of persecution were harder to understand in a global political environment that was no longer bipolar. And, above all, they came in larger numbers than before and began to be seen as an economic and social burden.

At the same time, several European countries which had made much use of immigrant labour closed their borders, Europe turned inward under the impact of economic crisis and foreigners of all origins ended up bearing the brunt of upsurges in xenophobia. An illustration of this trend is provided by the UNHCR's analysis of Western countries' attitude to the situation in South-East Asia in the 1980s, following a period where those

escaping from communist regimes had been welcomed with open arms: “During the 1980s, Western governments became concerned about the large number of Indochinese people arriving in their countries. They came to view them increasingly as economic migrants rather than refugees. ... The Indochinese exodus tested the limits of Western states’ willingness to provide asylum” (UNHCR, 2001). All European governments of both the right and the left followed the movement, which was reflected in restrictive immigration legislation and also in growth – which although not totally linear nevertheless speaks volumes – in the rate of rejection of asylum claims over a 10-year period from the mid-1980s:

Table 20: Rate of rejection of asylum claims in five European countries (1985-95)

Year	Austria	Belgium	France	Germany	United Kingdom
1985	55	–	57	60	78
1987	69	–	67	88	87
1989	81	51	72	94	67
1991	87	74	80	92	91
1993	92	71	72	95	92
1995	87	68	84	83	94

From the early 1980s, the issues of asylum and refugees and of border controls and immigration came to be widely linked in the related statements and measures. A clear distinction should, however, be made between the two: while states’ sovereign powers allow them to impose restrictions and requirements concerning entry to their territory, such restrictions and requirements may not be applied to people who avail themselves of the right to seek asylum provided for under the 1951 Geneva Convention on Refugees, which all EU member states have signed. For the same reasons, while the entry of migrants into a state’s territory for the purpose of employment may be subject to quotas, the same should not apply to the arrival of refugees which, by definition, cannot be planned.

Nevertheless, although the 1985 Schengen agreement on the abolition of internal border controls between the five states which were signatories at the time did not mention asylum, the issue did receive substantial attention in the convention implementing the agreement (the Schengen Convention) signed five years later. This was because suspicion about asylum seekers had grown in the meantime, turning the refugee issue into a central aspect of the negotiations (Crépeau, 1995). Insofar as immigration and internal security had been discussed in the same forums since the early 1980s (Bigo, 1992), it was only natural that asylum ended up becoming an element of the “security deficit” which European leaders ascribed to freedom of movement, alongside terrorism, drug trafficking, illegal immigration and organised crime. This explains why, in the “matters of common interest” which the 1992 Maastricht Treaty lists in the “third pillar” of the Treaty on European Union under the heading “Provisions on co-operation in the fields of justice and home affairs”, the rules governing the crossing of borders, immigration policy and policy regarding nationals of third countries, combating drug addiction, combating fraud on an international scale, judicial co-operation in civil and criminal matters and customs and police co-operation are set out alongside asylum policy.⁵³

A year earlier, the report by the ad hoc group on immigration (see above), in preparation for the European Council discussions in Maastricht, highlighted the growing “pressure of immigration” and called for the alignment of EU members’ legislation in the two areas which formed the main sources of illegal entry into

53. Article K.1 of the Treaty on European Union (Maastricht Treaty).

the EU by foreigners, namely family immigration and asylum.⁵⁴ In the case of asylum, this harmonisation was presented as being necessary both to avoid inequalities in the distribution of asylum seekers between the various member states and also to rein in the abuse of asylum procedures. In 1992, a number of instruments were developed to organise asylum policy in relation to these two concerns. The Dublin Convention, which subsequently became the “Dublin II” regulation, sought to address the former concern through an arrangement for determining the member states responsible for individual asylum applications that was designed to prevent asylum shopping.

To counter unjustified asylum applications, two concepts were highlighted in a resolution and conclusions adopted in 1992, namely “manifestly unfounded applications” and “safe countries”.⁵⁵ These were initially included in the legislation of most EU member states and then in the EU asylum regulations adopted from 2001, and became instrumental in consolidating the stereotype whereby asylum procedures are the key to wrongful entry into Europe, which they continue to underpin today. It is not a matter here of pointing out the conceptual weakness of the ideas of manifestly unfounded applications and safe countries – that has already been done, with supporting examples, by many authors, by the UNHCR regarding some points and by associations defending the right of asylum (Bouteillet-Paquet, 2001). The issue is rather that their expression in legislation and political discourse, as well as in the press, has played a large part in the gradual establishment of the stereotype of the bogus asylum seeker at all levels – whether in European public opinion or, more seriously, among governments, practitioners and even some NGO players.

The recitals of the 1992 resolution on manifestly unfounded applications heralded a form of rhetoric that was to underpin all subsequent developments in the stigmatisation of “bogus asylum seekers”. They underlined that “a rising number of applicants for asylum in the Member States are not in genuine need of protection within the Member States within the terms of the Geneva Convention” and “that ... manifestly unfounded applications overload asylum determination procedures, delay the recognition of refugees in genuine need of protection and jeopardise the integrity of the institution of asylum”.

The concept of manifestly unfounded applications is not new. In 1983, the UNHCR Executive Committee recognised it as a means of focusing efforts on people genuinely in need of protection: “national procedures for the determination of refugee status may usefully include special provision for dealing in an expeditious manner with applications which are considered to be so obviously without foundation as not to merit full examination at every level of the procedure. Such applications have been termed either “clearly abusive” or “manifestly unfounded” and are to be defined as those which are clearly fraudulent or not related to the criteria for the granting of refugee status laid down in the 1951 United Nations Convention relating to the Status of Refugees nor to any other criteria justifying the granting of asylum”.⁵⁶ Some commentators believed that the UNHCR definition confined the use of the “manifestly unfounded” concept to very exceptional cases where the fraud or unjustified nature of the applications was obvious and there was no room for doubt. If that is the case, the UNHCR has failed to convince its members of its intentions, as they have generally – as in the 1992 resolution – interpreted the concept much more broadly and included applications by individuals whose good faith is not open to doubt but who, before reaching Europe, have crossed countries where they could have found refuge (“safe third countries”).

54. Report of the Ad hoc Group on Immigration, SN 4038/91 WGI 930.

55. Council resolution on manifestly unfounded applications and conclusions on countries in which there is generally no serious risk of persecution, adopted in London by the ministers responsible for immigration on 30 November 1992.

56. UNHCR, EXCOM conclusions No. 30 on the problem of manifestly unfounded or abusive applications for refugee status or asylum, 34th Session, 1983.

The concept of “safe country” supplements that of “manifestly unfounded application” by designating countries which are not likely to “produce” refugees on the basis of a number of criteria such as the existence of democratic institutions. Applications by asylum seekers from such countries will not be deemed inadmissible but, like applications deemed manifestly unfounded, will be dealt with under fast-track procedures which usually lead to rejection. “Safe third countries” are countries crossed by asylum seekers – whose claimed fears of persecution are not called into question – where they could have found refuge instead of continuing their journey to Europe. The fact that they transited through a safe third country within the meaning of this definition is also a ground for deeming the applications concerned to be abusive and processing them under a fast-track procedure.

In this new regulatory environment, the predictable increase in the number of asylum applications turned down – generally in line with the increase in the number of applications submitted – gradually reinforced the belief that a large proportion of asylum seekers are “bogus refugees” or economic migrants in disguise. The link between the two is in no way automatic, however: when asylum seekers’ applications are turned down, this means in principle that the situations they have fled do not meet the criteria of the Geneva Convention, not that the individuals have wrongfully sought to avail themselves of its protection. Unwarranted comparisons in this area were mainly first made by nationalist and xenophobic right-wing parties such as the New Belgian Front (FNB), whose leader in 1998 declared: “One after the other, our towns and villages are being affected by the massive influx of refugees. Who are not actually refugees. The figures prove it. ... Over the last 10 years, 135 103 asylum applications have been processed and 8.9% of applicants have been granted refugee status. In other words, 90.1% of refugees are bogus refugees” (FNB, 1998). However, the link soon came to be accepted as obvious in all analyses. The position stated in a very detailed report by the French National Assembly in 2003 is representative of the language prevailing within EU institutions: “Most member states are facing serious difficulties linked to a massive increase in applications and abuse of asylum procedures for the purposes of economic migration. The growth in ‘mixed flows’ comprising both individuals with a legitimate need for international protection and economic migrants, which are often the result of traffic in human beings, is a fact demonstrated by the increase in the number of applications turned down in all member states. This situation poses a real threat to the institution of asylum and is causing growing public unease” (French National Assembly, 2003).

It will be noted that there are two elements in the reasoning behind this alarming conclusion: firstly, there are more and more asylum seekers whose applications are turned down and, secondly, the proportion of “genuine” refugees among asylum seekers is therefore very low, with the others being “economic migrants”. Apart from the fact that the reasoning is self-referential, each of the two elements, which take the form of incontrovertible assertions, needs to be treated with caution and properly interpreted.

In the case of the increasing rate of rejection of applications, the position is based on the principle that procedures for determining refugee status are impervious to the political and sociological context and, in particular, are in no way influenced by the increasing number and diversity of asylum seekers in Europe. However, many indicators suggest that it is usually this increase which leads receiving countries to be more restrictive. The example of Greece, which saw the greatest and fastest increase in the number of asylum applications from 2004, illustrates the correlation. While the applications submitted in the country barely differ from those submitted in its EU neighbours, it has a rejection rate of around 99%, with refugee status being granted in eight cases compared with a total of 25 113 applications in 2007 (UNHCR, 2008). This approach is quite clearly guided by a concern not to attract an inflow, regardless of the truthfulness of the applications.

For its part, the link between rejected asylum seekers and bogus refugees poses two problems. Firstly, it disregards the very subjective nature of the rulings which “asylum judges” make on claims. To give only

one example of the very relative nature of the “truth” in asylum matters, reference may be made to a survey conducted in the United States by researchers from Syracuse University concerning almost 300 000 files processed from 1994 to 2005: it showed that 10% of the specialist judges had refused asylum in 86% of cases or more, while 10% of their colleagues had turned down only 34% of applications over the same period (Swarns, 2006). The link made also ignores all situations in which, while not granting refugee status, the authorities in receiving countries decide either actively or passively not to act on the rejection of the applications in terms of returning the applicants to their own countries. Examples here include the various types of “B status” which exist in most member states’ national legislation: temporary asylum, humanitarian asylum, subsidiary asylum and “tolerated” residence, etc., as well as simple decisions by the authorities not to execute deportation orders affecting rejected asylum seekers.

These situations, which are far from infrequent, demonstrate the recognition by the states concerned that risks do exist in the event of the return of applicants whose cases are deemed not to be covered by the Geneva Convention. For many years, for example, an orthodox interpretation of the convention led certain receiving countries to exclude from its protection people who had suffered or were threatened with persecution emanating not from state authorities but, for instance, from groups or factions opposing particular regimes. While case law on the “agent of persecution” is now harmonised in the EU, that was not always true and applications could be turned down although the truth of the asylum seekers’ claims was not challenged. If the total number of rejected asylum seekers who might have been recognised had their cases been interpreted differently or heard by a different judge is added to that of those enjoying some kind of *de facto* or *de jure* protection in a receiving country, the resulting figure would largely invalidate the equation between rejected asylum seekers and bogus refugees.

Apart from the media and political leaders, other, more unexpected, bodies have played a significant part in building the stereotype that asylum seekers are opportunists who take advantage of immigration legislation. While it regularly sounds the alarm about the most serious threats to the right of asylum, the UNHCR itself contributed at the start of the millennium to the discrediting of asylum seekers in Europe. In 2002, the Convention Plus programme launched by the UNHCR in order to strengthen the Geneva Convention made provision, in the name of “burden-sharing”, for a system of increased responsibilities for the countries in refugees’ regions of origin so that “the numbers of refugees requiring settlement in European countries [would] be lower”, as High Commissioner Lubbers told European governments at the time.⁵⁷ A year later, echoing the British proposal to outsource the processing of asylum applications, he condemned the fact that the asylum system was being abused by “non-refugees” and “economic migrants” and offered the UNHCR’s services in helping to determine the criteria for identifying these non-refugees, as well as proposing a system for the fast-track processing of their applications with a view to disencumbering domestic systems.⁵⁸ No doubt encouraged by the UNHCR’s display of support for the European plans, some of the NGOs with the greatest influence with EU bodies adopted an uncritical stance throughout the entire process of the drafting of the regulations on asylum by the member states and contented themselves with proposing (in vain) amendments to the most dangerous provisions and recommending at a rather late stage – and unsuccessfully – the withdrawal of the texts concerned. The same comments can be made about specialist academic circles, which were more concerned at the time with analysing the directives and regulations under discussion than with exerting their influence to challenge their adverse effects on asylum seekers.

57. Statement by Mr Ruud Lubbers at an informal meeting of the European Union Justice and Home Affairs Council, Copenhagen, 13 September 2002.

58. Statement by Mr Ruud Lubbers at an informal meeting of the European Union Justice and Home Affairs Council, Veria, 28 March 2003.

Indicators No. 25: Statistical, legal and socio-political factors behind the stereotype

Proportion of applications rejected broken down by grounds for rejection	The rejection of an asylum application in no way means that the applicants are necessarily bogus refugees seeking to circumvent immigration legislation. There are various grounds for rejecting applications, many of which do not cast doubt on the applicants' good faith: applicants from so-called "safe" countries or having transited safe third countries, procedural errors, etc.
Proportion of asylum applications rejected but "B status" granted	This reflects the tightening up of the criteria for refugee status. Most member states have various types of "B status" in their legislation: temporary asylum, humanitarian asylum and subsidiary asylum, etc. Applicants are denied refugee status but the authorities recognise the legitimacy of their applications in another way
Proportion of applications initially rejected but decision overturned on appeal	The arrangements for processing asylum applications vary greatly, which increases the random and subjective nature of the granting or denial of refugee status
Proportion of asylum seekers having undergone psychological examinations	Refugees who have experienced traumas in their countries of origin often suffer from memory disorders which lead to inconsistencies or non-replies that are interpreted as lies or fabrications and result in their applications being rejected
Legislation on access by asylum seekers and refugees to the labour market	To cope with the hardship of their situations, asylum seekers may end up engaging in illegal activities or working illegally. This reinforces the stereotype of bogus asylum seekers
Coercive housing measures	In some member states, legislation requires asylum seekers to live in designated housing facilities, thereby strengthening the feeling that asylum seekers are criminals and should be treated as such
Minimum number of years of residence for obtaining citizenship	The increase in this minimum period of residence observed in many countries has the effect of automatically increasing the number of refugees living in individual countries and thus boosting the impression of there being too many migrants

3.5.3. Evaluation of the stereotype

The prejudice against asylum seekers in general in Western societies has a series of consequences, among which a distinction has to be made between those which harm them directly and those which, because they involve the implementation of public policies, undermine respect for a number of fundamental rights and may ultimately jeopardise the very existence of the right of asylum in EU countries. Both are the result of dissuasive strategies designed to thwart the intentions of "bogus" asylum seekers – namely circumventing immigration legislation and settling in the member states. This ranges from difficulties in obtaining access to asylum procedures and poor living conditions for those already in Europe to policies involving externalised control of the EU's borders to prevent others from entering its territory.

European asylum standards for minimum protection – the EU legislation on asylum drafted between 2000 and 2005 reflects the influence of the talk about "bogus refugees" on European lawmakers, against a broader background of the criminalisation of migrants. The directives and regulations adopted in preparation for the common European asylum system are generally aligned with the most restrictive systems and often seem to be guided more by the imperatives of controlling migration flows than by respect for the principles of the protection of refugees, to the extent that the Council of Europe Commissioner for Human Rights concluded in 2006 that "the right to seek asylum [was] not fully protected in Europe" and felt obliged to point out that "seeking asylum is a human

right, not a crime” (Hammarberg, 2006). Reference may be made here, in particular, to Directive 2005/85/EC of 1 December 2005 on asylum procedures, which confirms the concepts of “manifestly unfounded applications” and “safe countries”, which, as indicated above, were at the root of the stereotype concerning bogus asylum seekers, and Directive 2003/9/EC of 27 January 2003 on the reception of asylum seekers, which allows states to keep asylum seekers in conditions of hardship and impose restrictions on their freedom of movement up to and including their detention. While national asylum systems still vary greatly between individual EU member states, the trend everywhere is clearly towards minimum protection for asylum seekers, one of the effects of which is dissuasion. Three examples give an idea of the situation, illustrating the daily lives of asylum seekers in Europe, from hardship to confinement.

Right to work – asylum seekers’ right to work was one of the key questions during the negotiation of the reception directive; it is central to the issues surrounding “bogus refugees”, as access to employment in the receiving state is seen as the main aim of the asylum seekers accused of abusing the procedures. Denying them such access therefore seems to be the appropriate response. In most member states, asylum seekers accordingly do not have access to the labour market or have access only after a certain period of time: this solution was confirmed in the 2003 directive. This denial of the right to work has two types of consequences, both of which compound the poor image of asylum seekers: when it is not offset by material assistance in line with their needs, it puts them in difficult situations in terms of day-to-day survival, obliging some of them to beg, engage in illegal activities or work illegally to survive, which further strengthens the link in people’s minds between asylum seekers, migrants and criminals. And when they are properly cared for by the authorities or are thought to be, they are accused of taking advantage of the system and being a burden on the national budget. Has the ban on work proved effective? Analysis of the situation in Germany in the 1990s, when the legislation successively removed and then restored asylum seekers’ right to work, shows that it is hard to demonstrate its attractiveness merely by comparing statistics on the arrival of asylum seekers. However, the enforced idleness they were subjected to does seem to have had a clear impact on the public perception of asylum seekers, leading the authorities to take even more draconian and, indeed, humiliating measures such as the subsistence allowance granted in kind and the obligation to do community service work (Plein Droit, 1991).

Right to housing – in several member states, the housing available falls far short of what would be needed to ensure the “dignified standard of living” provided for in the reception directive, forcing many asylum seekers to find makeshift solutions (squatting, sharing overcrowded premises, living on the streets). In Italy and Greece, for instance, the accommodation available accounts for less than 10% of needs, leaving the vast majority of asylum seekers to their own devices with a paltry allowance. In France, costly and unsuitable solutions actually intended for emergency situations (furnished accommodation in hotels) are all too often used on a long-term basis to make up for the lack of housing, drawing criticism from those who believe “too much is done” for foreigners.

Confinement – against the background of a – largely orchestrated – lack of appropriate facilities, combined with the poor image of asylum seekers who are readily seen as a threat, another, coercive, type of “accommodation” may become widespread in future. While the systematic detention of asylum seekers is still rare, it does exist, as in Malta, even though the principles of international law recommend that this solution be used solely in exceptional cases (FIDH, 2004). More frequently, systems of compulsory accommodation are sometimes imposed on asylum seekers, on pain of their losing their right to have their applications considered. This applies in Germany, in particular, and the model could spread. Indeed, the European regulations allow for this type of compulsory residence order for people seeking protection: both the procedures directive (Article 18) and the reception directive (Article 14) offer member states this possibility (STEPS, 2007), thereby compounding the prejudices concerning asylum seekers, as they legitimate the idea that it is normal to treat them as criminals. In line with the same thinking based on distrust and still more worryingly, the directive on the return of illegally staying third-country nationals adopted by the European Parliament in June 2008 enables states to deny asylum seekers

whose applications are processed under fast-track procedures (that is, usually whose applications are deemed wrongful) the right to stay and to place them in detention for periods of up to 18 months where there is a risk of absconding.⁵⁹

Difficulties in and denial of access to procedures – the progression from asylum seekers equal bogus refugees to restrictive regulations has implications for access to asylum procedures and hence for the right of individuals requiring protection to gain recognition as such, either in that they are denied access or that they are discouraged from seeking protection. For instance, the asylum procedures directive adopted in 2005 provides for a large number of situations in which priority or fast-track procedures can be employed to process asylum applications, which results in very short processing times without in-depth examination of the files, as well as in limited or non-existent rights of appeal. Apart from the case of applications deemed “manifestly unfounded” and those by individuals from “safe countries” or having passed through “safe third countries” (see Part I), such procedures may be applied in instances of late applications and the production of forged documents, etc. For the sake of the need to distinguish between “genuine” and “bogus” refugees, the risks of an asylum application being dismissed before it is examined because of the application of these rules are particularly high during controls at borders because asylum seekers are more frequently equated with illegal migrants there, all foreigners without identity documents or visas are regarded as suspicious (even though such documents cannot be demanded from refugees) and the safeguards against administrative decisions taken at border posts are more unreliable. This involves particularly serious infringements of the right of asylum, which have been condemned by organisations defending refugees’ rights. In the run-up to its adoption, most of them called for the withdrawal of the directive.⁶⁰

In terms of dissuasive measures, reference should be made to Regulation (EC) No. 343/2003 of 18 February 2003, which is known as “Dublin II”. Designed to prevent asylum shopping, it authorises the countries where asylum seekers lodge their applications to send them back to the first country where they entered the EU. It is widely agreed that the Dublin mechanism does not allow the full exercise of the right of asylum, in particular because of the major disparities between the different countries in the processing of applications. Several organisations, including UNCHR, have highlighted the risks incurred by asylum seekers returned under Dublin II to countries like Greece, where almost all applications are turned down (NOAS, 2008). Reference can also be made to the case of Chechens being returned by west European countries to Poland, from where they were deported to Russia, the country they had originally fled, following only very cursory examination of their applications or without their being examined at all.

In a June 2007 evaluation report on Dublin II, the European Commission expressed concern about the acceleration and “increase in custodial measures” decided by member states in respect of persons subject to transfer decisions “in order to prevent them from absconding before the transfer is carried out”. As in the case of compulsory residence orders, these measures and the justification provided for them demonstrate the widening discrepancy between the arrangements for managing asylum – modelled on the management of migratory flows – and the obligations to offer protection which the signatories to the Geneva Convention are supposed to abide by.

Given the risks associated with lodging asylum applications – rejection of application without examination, detention, summary return – some people in need of protection, whose number is by definition hard to quantify but is quite substantial, prefer not to approach the authorities of the country in Europe where they arrive. Since the end of the 1990s, the English Channel coastline in northern France and Belgium has

59. For an analysis of the returns directive by a coalition of European NGOs, see: www.directivedelahonte.org.

60. European Council on Refugees and Exiles (ECRE), Amnesty International EU, Human Rights Watch, Caritas Europe, Churches’ Commission for Migrants in Europe, International Lesbian and Gay Association, Pax Christi International, Quaker Council for European Affairs, Médecins sans Frontières (MSF), Save the Children, “Call for withdrawal of the asylum procedures directive”, 22 March 2004.

been home on an ongoing basis to hundreds of exiles whose nationalities reflect the conflicts that marked the end of the 20th and the beginning of the 21st centuries (Bosnians, Kosovans, Afghans, Iraqis, Sudanese and Eritreans, etc.), which on the face of it leaves little room for doubts about the real reasons for their leaving their own countries. However, instead of making themselves known to the authorities, they wait there for opportunities to enter the United Kingdom, as they know that coming forward could lead to their being arrested and deported. In so doing, they help fuel the reputation of asylum seekers as illegal immigrants and vagrants and are also treated as such by the local administrative authorities and police.

Externalisation of procedures – the EU’s strategy for avoiding “bogus refugees” does not just involve restrictive regulations on the requirements for taking in asylum seekers and processing applications within Europe. Since the 1990s, the member states have sought to distinguish between potential refugees and “economic” migrants in “mixed flows” by carrying out controls as far away as possible from their physical borders. Inspired by a model employed at the time by Australia (the Pacific solution), the British Government in 2003 presented its EU partners with a plan for “better management of the asylum process globally” involving the establishment of “transit processing centres” for asylum seekers in certain third countries, where foreigners seeking asylum in a member state could be sent after being held there for a short period following their arrival.⁶¹ What was to be the benefit? Dissuading “bogus” asylum seekers, “economic migrants”, “terrorists” and other groups from “taking advantage” of asylum procedures to enter Europe illegally. The idea was not new: it had been put forward almost 10 years earlier by a working group made up of experts appointed by the countries forming UNCHR’s main financial contributors: “regional reception in the form of temporary protection in such internationally protected areas should dissuade migrants, who are not seeking protection, but a better standard of living in third countries, from abusing this instrument of protection” (van Buren, 1999).

While the British proposal was not adopted by the EU Council in 2003, the externalisation of border controls was established the following year as one of the main thrusts of European policy.⁶² The Hague programme adopted in 2004 made it official with a chapter on the “external dimension” of asylum and immigration, the aim being to establish a partnership in which the EU would assist third countries “in their efforts to improve their capacity for migration management and refugee protection ... [and] build border-control capacity”. In other words, from then on, a set of technical and legal measures were introduced under which controls were relocated, asylum seekers were kept far from Europe’s borders and their fate was left in the hands of the authorities in third countries. Readmission agreements, the Immigration Liaison Officers Network and the Frontex European Borders Agency are among the main features of the “control” side of this policy, while little progress has been made on the “protection” side. Whereas Frontex was set up in 2005, it was only three years later that the European Commission (2008) recommended that the border guards involved in maritime operations should receive training in asylum regulations. For the sake of controlling migration flows, potential asylum seekers can therefore be returned to countries like Libya (HRW, 2006) in the south and Ukraine in the east (UNHCR, 2008), where it is known that the rights of refugees and migrants are rarely respected. This dissuasive policy seems to be having an effect: the number of asylum applications lodged in the EU has fallen considerably, with the figure in the EU 15 (with a population of 400 million) having more than halved, from 375 445 in 2001 to 173 030 in 2006 (Eurostat, 2007). But at what price?

61. Letter from Tony Blair to the Greek presidency of the European Union, 10 March 2003, www.statewatch.org/news/2003/apr/blair-simitis-asile.pdf.

62. Regarding the externalisation of EU asylum policy, see the work of the Migreurop network, www.migreurop.org/?lang=en.

Indicators No. 26: Effects of the stereotype on migrants' rights and well-being

Number of places available in public reception facilities for asylum seekers	Asylum seekers sometimes suffer hardship if the provisions made for them by the authorities during the processing of their applications are inadequate
Average duration of asylum processing procedures	The 2005 asylum procedures directive provides for a large number of situations in which fast-track procedures can be employed for processing asylum applications; the result is very short processing times with no in-depth examination of the files. Conversely, excessively long processing times can lead to asylum seekers turning to crime to survive if no material assistance is provided
Rate of employment of refugees	Refugees having a work contract of at least one year, in absolute terms and as a percentage of the total number of refugees resident in the country
Rate of applications processed in countries of origin (externalisation rate)	Asylum requests processed in the country of origin or departure, in absolute terms and as a percentage of the total number of applications processed in the country each year (x100)

3.5.4. Responses to the stereotype

Is it possible to develop alternatives to the negative trends that have led to the establishment of the stereotype concerning “bogus refugees” and continue to fuel it? Probably. We will begin by considering the means and players capable of changing the preconceived ideas about “bogus refugees”, before putting forward some proposals for an alternative policy.

It is necessary, first of all, to explode the myths and get back to the facts, explain the reasons for people leaving their own countries, put abuses in context and demystify the statistics, drawing on the support of the institutional and private bodies interested in the cause of refugees. However, if substantive solutions are to be found to improve the poor image suffered by asylum seekers in early 21st-century Europe, these initial steps will not suffice.

It has been shown that the two main underlying factors in the stereotype concerning “bogus refugees” are the fear of invasion and the equation of all rejected asylum seekers with cheats. Yet it is possible to refute what are largely myths.

With regard to the former factor, explanations backed up by figures concerning population movements related to conflicts and wars would show that European countries and the industrialised nations in general are far from being the most seriously affected by the intake of groups of people who leave their own countries. The data do exist (Eurostat, UNHCR), but they are rarely communicated to the general public. Similarly, there is no real correlation between certain items which are regularly in the news (for instance, ongoing insecurity in Iraq) and their impact in terms of the “generation” of refugees. To stick to the example of Iraq: who in Europe knows that only 45 000 of the 3 million exiled or displaced Iraqis sought asylum in the 51 most industrialised countries in 2007? Far from confirming the claim of an invasion, the figures actually show that Europe is not only very unwelcoming for people seeking protection but is becoming increasingly so, as it has reduced the number of asylum seekers admitted to its territory by a third in a period of about 15 years. Although they are available, these figures are very rarely commented upon in the relevant decision-making bodies. Steps could be taken to rectify this, with the initiative coming from the European Parliament.

For instance, a regular communication by the European Commission indicating the conflicts which generated refugees worldwide and the nationalities taken in by the various member states alongside other countries could

be submitted to the European Parliament once a year and considered in the EU Council during the discussions on asylum policy. The relevant sitting in the parliament would be an opportunity to hear the views of the UNHCR and the main NGOs concerned and would probably result in the calls for burden-sharing which the EU regularly makes to third countries being put in perspective.

For its part, the misleading equation of rejected asylum seekers with cheats should first of all be banished from public discourse, which is the main vehicle for spreading the idea. As it is unlikely that national and European political leaders will voluntarily give up their main argument for defending the repressive policies they promote, it is up to civil society and, primarily, the associations, NGOs and other groups concerned to call on them to justify their claims other than merely by referring to the statistics on the percentage of asylum seekers turned down. That requires the production and official, regular communication of statistics which are more sophisticated than the mere comparison of cases of protection granted and applications rejected, as well as indications of the breakdown of the grounds for rejection and the number of first-instance rejection decisions overturned on appeal – which would raise awareness of the random and subjective nature of decisions to grant or refuse refugee status.

The key role played by policy makers, often backed up by the media, in spreading the stereotype has already been shown. It is a role which could be performed in reverse, as the weakness of the arguments on which the image of “bogus refugees” is based suggests that awareness-raising efforts by governments could probably partially correct the negative public perception of asylum seekers and refugees in receiving countries. But governments would have to show the necessary will. In reality, however, it seems that the authorities do not always want to combat this negative image and actually sometimes encourage it. On reading the statement in the 2003 French National Assembly report that “this situation [the massive increase in asylum applications] poses a real threat to the institution of asylum and is causing growing public unease”, one might well ask whether the purpose of this type of assertion is more prescriptive than informative. For, by constantly repeating that the more asylum seekers there are the more it is a matter of cheats abusing the system, you end up convincing people, especially when you represent the voice of authority. A claim of this kind is not unmotivated: it serves the interests of a migration policy based on closing borders or, rather, filtering the migrants which the EU seeks to attract in accordance with its economic needs, in which considerations involving respect for fundamental rights (family life, right of asylum) are of only marginal importance.

The technical corrective measures to be identified and implemented in order to restore refugees’ image must therefore also be backed up by political will, which requires the reconsideration of the immigration and asylum policy decisions taken by the EU since the end of the 1990s. In this context, the various declarations of intent and policy statements need to be analysed from every angle. For instance, while it is to be welcomed that the European Pact on Immigration and Asylum proposed by the French EU presidency in 2008 claimed to wish to “construct a Europe of asylum” in order to “offer a higher degree of protection” while stressing that “the necessary strengthening of European border controls should not prevent access to protection systems by those people entitled to benefit under them”, it should be noted that the sections in the pact on making border controls more effective and on controlling illegal immigration called for the continuation and tightening up of the process implemented since 2000, the harmful effects of which on the situation of asylum seekers have already been discussed in this report.

While official statements weigh very heavily in the spread of stereotypes concerning foreigners and asylum seekers in particular, NGOs provide the main checks and balances here and also have a responsibility to bear. As they usually are in possession of relevant data and have substantial analytical capacity, as well as experience on the ground, they can make up for and/or correct or refute inaccurate or incomplete information provided by official channels, in particular to the press, on the actual position in terms of asylum applications and the situation of asylum seekers in their own countries and receiving countries.

The material conditions in which asylum seekers often find themselves are both a consequence and a cause of the stereotype concerning “bogus refugees”. With reference to the positive provisions in the reception directive, which requires asylum seekers to be offered a dignified standard of living, and to the European Convention on Human Rights, which prohibits inhuman or degrading treatment, the associations, NGOs and pressure groups which defend refugees must argue – including in court proceedings – that keeping asylum seekers dependent on welfare benefits that barely ensure their survival or forcing them to live on the street are breaches of these principles. As a solution, the individuals concerned should be granted the right to work if the processing of their asylum applications means their having to stay in the receiving state for at least several months.

Efforts to prevent the detention of asylum seekers becoming a routine practice are part of the same process to rehabilitate their public image. Such routine detention must be combated on principle and with reference to the main relevant United Nations and Council of Europe texts.⁶³ According to the interpretation given by the relevant bodies, at the very most, detention can be allowed for a very short duration, on the arrival of the asylum seeker in a country’s territory, for the purpose of identification, if they arrive there without travel documents, until they have drawn up their application. The fact that national or European legislation permits the detention of foreigners who have entered a country or are staying there illegally is not sufficient to justify its implementation in respect of asylum seekers.

Let us be clear, however. None of the demands by human rights activists and none of the above measures will have any impact in the long term if, as has been the case since 2000, EU immigration and asylum policies continue to be based on the fight against illegal immigration taking precedence over respect for fundamental rights. Believing, or pretending to believe, that the former is entirely compatible with the latter, the policies implemented make the illusory distinction between “good” refugees and “bad” illegal immigrants, who are sometimes contemptuously described as “economic refugees”, and claim to be able to separate the two. But no procedure for determining refugee status is absolutely reliable and they all involve a margin of error, in one direction or the other. Above all, there is no way of distinguishing a refugee from a migrant at first sight – indeed, the exercise will become more and more difficult given the increasing complexity and diversity of the reasons for exile – a fact which invalidates the concept of “manifestly unfounded application”.

Nevertheless, increasingly sophisticated measures are being introduced to make it more difficult to enter Europe. Although they are not really effective – there are many weak points in Fortress Europe’s defences – the policies behind them are expensive in human terms and actually run counter to the goals pursued. In particular, they force all individuals who are determined to migrate to Europe both to take greater risks, as demonstrated by the tragedies which regularly unfold off the coasts of Spain and Italy, and also to exploit all the loopholes in the regulations in attempts to enter Europe, including through abuse of asylum procedures.

In order to overcome the prejudices which asylum seekers suffer, it is therefore necessary to make a conceptual leap, from which there will be no escaping in future if political leaders fail to recognise the need for it. It involves recognising that it is the sealing off of borders which creates “bogus refugees”, as it encourages migrants who do not need protection to use asylum procedures. In addition, by preventing victims of persecution from availing themselves of their right of asylum in breach of Europe’s international obligations, it jeopardises the very existence of asylum. As the vicious circle of repressive measures can only compound the trend, the only way to reverse it is ultimately to move the EU’s policy towards a different approach to the relations between Europe and its neighbours which – based on freedom to come and go – gives fundamental rights precedence over all other considerations.

63. Executive Committee of the UNHCR, Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum-Seekers, 1999; United Nations Sub-Commission on the Promotion and Protection of Human Rights, Resolution 2000/21 on the detention of asylum-seekers, 2000; Committee of Ministers of the Council of Europe, Recommendation Rec(2003)5 on measures of detention of asylum seekers; Parliamentary Assembly of the Council of Europe, Recommendation 1327 (1997) on the protection and reinforcement of the human rights of refugees and asylum seekers in Europe.

Indicators No. 27: Prospects for change

Mechanisms to assess the provision of material assistance for asylum seekers	Are there any accessible and transparent mechanisms for assessing the material and social care provision afforded to asylum seekers (accommodation, education, assistance with integration, etc.)?
Proportion of asylum seekers receiving assistance with administrative procedures	How many asylum seekers are given effective assistance in their dealings with the authorities?
Average length of administrative procedures in asylum matters	What is the average length of administrative procedures in asylum matters? Is there a standard duration laid down in law? What steps are planned to reduce the gap between the average length and the standard length?
Mechanisms to assess the consistency of rulings on asylum	Are there any mechanisms to assess the consistency and legitimacy of the decisions taken? Are there sufficient remedies available to appeal against adverse decisions?
Associations and movements defending asylum seekers' rights	Are there any associations, organisations or movements defending and supporting the rights of asylum seekers?

CHAPTER 4 – HARMFUL STEREOTYPES PORTRAYING MIGRANTS AND THEIR DESCENDANTS AS A THREAT TO OUR WAY OF LIFE

INTRODUCTION

“If migration by non-Europeans to Europe continues at the rate of the last few decades, what will become of us in the near future? And what will become of western, Christian European culture as we have known it for centuries?” That is roughly the tone of the most concerned comments about the long-term impact of migration on our way of life. The latter is perceived to be under mortal threat from the “invasions” of these “new barbarians” represented by migrants, in particular those from Africa and countries with Muslim majorities.

Comments along the lines of “they are too different from us”, “they undermine our national cohesion and identity”, “their values run counter to ours” and “they are far behind our civilisation” are often heard when new migrants arrive, portraying them as a threat to the local population’s lifestyles and customs: a desire for a kind of “reverse colonisation” is also attributed to them, as reflected in claims such as “they want to Islamicise Europe”.

Many factors seem to come together, resulting in the idea taking hold in the collective imagination that migrants threaten the lifestyles of receiving societies.

Firstly, there is the diffuse feeling, which is sometimes fostered and exploited politically, of a growing numerical imbalance between migrants and the local population, which could ultimately completely reverse the reassuring existing balance between the majority community and minorities. From the early 1990s and the end of the bipolar era, there was talk of the invasion of the West by the East (and the South), with Soviet tanks being replaced by the metaphor of the hordes (of poor immigrants) rushing towards prosperity. The metaphor took different forms in individual states, depending on their particular circumstances: there was talk of a “tidal wave” in the United Kingdom (which is, of course, an island), “a hole in the dyke” in the Netherlands (part of which is built on polders), the “great invasion” in France and, more recently, an “avalanche” in Spain. A form of political discourse was built on the image of poverty-stricken and “desperate” immigrants flooding in from the edges to the centre of global society, the welfare states of the West. In France, Germany and the Netherlands, there was talk in 1992 of an invasion from the East, even though, in 1990, demographers, OECD migration experts and internationalists had highlighted the cyclical nature of the flows of the intensity seen at that time. This led to talk in politics, the media and administrative circles about not being able “to take in all the poor people in the world” and hence also about “sharing the burden between developed countries”, as well as the “tolerance limit” of populations who felt that their identities were under attack. While initially confined to the extreme fringes of politics, this thinking was soon adopted even by the most moderate groups.

The issue of the prominence or visibility of migrants is a significant underlying factor in these ethno-cultural prejudices. In European countries, such as Spain and Italy which have experienced rapid growth in the number of migrants, the local populations see radical changes in the physical appearance of certain neighbourhoods. In areas with high concentrations of migrants, the kinds of shops, clothing styles and types of social interaction change quite quickly, giving rise to comments such as “the migrants act as if the place were theirs” and, conversely, “we no longer feel at home here”. These concerns increase in line with calls for action by the authorities, in particular the police.

As a Catalan police chief said in March 2006: “people are disconcerted, a lot of insecurity arises and they ask the police to solve a problem that isn’t just a police problem ... For example, they complain about a North African walking along the street and looking in a shop window, so the shopkeeper is scared ... Or about smells in an apartment block, or people they don’t know going up the stairs, talking in loud voices and they don’t understand what’s being said, or when they pass young North Africans on the pavement and they don’t move aside, or stare at them insolently ...” (Bonelli, 2008a).

Similar cases are also beginning to emerge in the Russian Federation. Newspapers have reported on migrants overcrowding central squares of St Petersburg and Moscow to celebrate New Year’s Eve: “On New Year’s Eve, residents of St Petersburg came to the Palace Square and found crowds of southerners not speaking the Russian language”⁶⁴. In Moscow, a radical nationalist organisation, Movement Against Illegal Migration, maintains a public web-forum, where one of the sections is entitled “There are only Uzbeks on Red Square on New Year’s Eve”. One of the forum participants describes his trip home by underground (on New Year’s Eve): “you can’t imagine what was happening in the underground! A dozen Caucasians in every carriage, all the way were whistling, shouting and spitting on the floor”, etc.⁶⁵

These experiences are not confined to Europe. Exactly the same type of concerns about the balance between migrants and the local population are to be found in the United States with regard to the language issue. In very controversial essays, Samuel P. Huntington, Professor of Political Science at Harvard and former United States security adviser, gave academic credence to arguments that had previously been monopolised by very conservative politicians (Huntington, 2004a and 2004b). In particular, he said that the English language was under threat and went so far as to claim that there was a risk of *reconquista*, or of the Mexicans reconquering areas of the south-western United States. The English language was central to his thesis, as the cultural and ideological assimilation of Mexican immigrants depended on it. Without command of English, they could not become “good” Americans. According to Huntington, “there is no *Americano* dream. There is only the American dream created by an Anglo-Protestant society. Mexican-Americans will share in that dream and in that society only if they dream in English” (Douzet, 2004).

Apparently paradoxically, however, this type of phenomenon also exists in countries where migrants are not increasing numerically in relation to the rest of the population. In France, for instance, there was a time lag between the periods when the percentage of migrants increased (from 1945 to the 1970s) and when language of this kind began to spread (the 1980s and 1990s). This was largely due to the structure of migration. The former period mainly involved single male migrants, who were almost completely invisible in society. They were confined to the world of work and to specific accommodation facilities such as workers’ hostels (Bernardot, 2008), and appeared only very fleetingly on the national stage, for instance during the demonstration in support of the Algerian national liberation front (FLN) on 27 October 1961.

It was only with the advent of family reunion, however, which was partially linked to the ending of labour migration in 1974, that the myth of temporary migration began to crumble and the families began to give real shape to the communities. The development of family housing, initially in the form of large shanty towns as in Nanterre (Sayad, 1995) and then from the early 1980s in social housing schemes, saw this foreign presence take hold in France’s educational, social and cultural landscape. This was all the truer since, under the impact of the social changes affecting the working classes at the time, migrants tended to concentrate in some of these neighbourhoods and actually redefine perceptions of them both by those who

64. “Piter – The capital of guest workers”, Newspaper MK in Piter (МК“в Питере”), 12 February 2008. МК в Питере 12.02.2008, www.mk-piter.ru/2008/02/12/016/.

65. See <http://forum.dpni.org/forum/showthread.php?s=750bc993fa66011b5ffa0a873cbb73cc&t=805&page=2>.

lived there and by those who talked about them (Masclat, 2003). The migrants' greater prominence was also reflected in calls to be provided with Muslim places of worship, connected with their long-term settlement, which triggered – and continue to trigger – heated debate and violent opposition (Kepel, 1991), and their presence as users of public services and, as individuals with welfare rights, in the relevant offices and agencies (Facchi, 2006).

The fear of numerical imbalance between migrants and the local population, who feel that their lifestyles are under threat, is reinforced by the supposed incompatibility of their “values” with those of the host societies, which seems to rule out any possibility of positive interaction or of consensual and collective transformation of society under the impact of migration. This incompatibility of their values with ours is represented by the closed nature of their communities, which is highlighted at the expense of their openness and their efforts, if only unintentional, to integrate. It is reflected in expressions encountered very frequently in certain circles such as “they build parallel societies”, “they like to keep to themselves”, “they don't want to integrate”, “they are not honest with us”, “they show no gratitude”, “they don't like our country” and “they only work to take or send as much money as possible back to their own countries”.

These claims cover an extraordinarily broad range and fluctuate between two poles of interpretation: negative and conservative. In the former case, migrants are seen from the angle of shortcomings: they are said to be “behind” the host countries, especially in terms of democratic practices, secularity, respect for women's rights, public health and occupational safety, etc. In the latter case, which involves the revival of some of the most brutal colonialist thinking, they are merely depicted as “savages” in the sense of uncivilised beings whose place in our societies is questioned. Although this version seems particularly distorted, it is not that rare in public debate. To corroborate the view, types of behaviour closer to animals than human beings are frequently attributed to migrants and, at any rate, they are portrayed in a dehumanising light (Faso, 2008). They are also accused of filling our schools with children who do not speak the language of the country or know the rules of the system and end up slowing down other pupils and ultimately lowering the standard of our schools. The claims are backed up with references to the educational underachievement of certain individuals and certain groups of migrants in particular.

Among the “values” and practices criticised, considerable attention is focused on certain particularly degrading practices such as female genital mutilation (ablation of the clitoris and infibulation). Although they are very drastic, it should nevertheless be pointed out here that they are actually minority practices on the whole and are often combated in the countries of origin. However, moving on from these practices homed in on to make people recoil in horror, attention gradually shifts to other issues such as forced marriages, polygamy and then the bans on eating certain foods, as well as some culinary traditions and social customs that are said to be incompatible with the “national identity” of the host countries. Far from being set in stone, however, this identity is actually the result of a political and intellectual process. In France, for instance, it was constructed for the first time in the 1880s as “the response of the right to the politicisation of the working class by the socialist parties” (Noiriel, 2007: 30). Allegiance to a national identity has a mass appeal (across all social classes) based both on a shared language, a national history, a collective memory, a national culture (anthems, flags and national holidays, etc.) and on the nationality of a given state.

Against the background of multifaceted (social, economic and urban) tensions affecting European states, there is a resurgence in talk about “crises of national identity”, which is often used by conservative political parties to hide the material and philosophical crisis of democratic citizenship. It builds on trivial news items. Real but exceptional events concerning only a tiny part of a community are portrayed as being representative and, above all, as precursors of terrible threats said to be hanging over host societies. The assassination of the Dutch film director, Theo Van Gogh, in 2004 by a deranged individual acting alone suffices to raise the spectre of Islamic

terrorism,⁶⁶ demonstrations by a group of undocumented immigrants that of an invasion of “illegal aliens” and a Muslim woman’s refusal to be examined by a male doctor that of the “rising ethnic threat”.

These views of migrants as a threat to our lifestyles must be combated as major obstacles to social cohesion in pluralist societies. One approach here is to “desubstantialise” the question of migration. To counter the claims of the insurmountable cultural difference of contemporary migrants and their alleged inability to “integrate”, unlike previous groups of immigrants said to have been more in line with national traditions and culture, it is necessary to look at history – in particular, the often tragic history of those previous waves of immigration, which were subject to the same stereotypes.⁶⁷ It is the weight of time that has erased the negative images (or at least most of them) attached to those groups, not some allegedly greater cultural “compatibility”. Coexistence between “settled” communities and new arrivals is always difficult at the beginning.

It is therefore necessary to consider the most tangible aspects of these conflicts to find the areas where negotiation is possible and where there are divides, instead of dwelling upon the talk about “values” that actually hides them. The most effective results in combating discrimination have not been achieved through great anti-racist declarations but through attention to practical competition on the labour and housing markets, for instance. Arbitrarily isolating a community (usually comprising the most recent and most impoverished migrants), together with a single defining criterion (national origin) to the exclusion of any others (sex, occupational group, geographical place of residence, etc.), does not give a full picture of the complexity of social integration.

Paying attention in this way to the situations which make possible claims about foreigners as threats does not, however, mean there is no need to refute the claims. There is a whole range of symbolic work to be done to deconstruct the falsely held beliefs that overload the debate. Showing differences as opposed to unwarranted comparisons, dynamic forces as opposed to static elements and mobility as opposed to excessive stability are ways of resituating migration flows in their actual context of long-term relational processes.

If the claims that cultural diversity is a threat are to be countered, instead of indulging in the rhetoric of diversity as an asset or, indeed, a resource – which only serves to further utilitarian prejudice in the cultural sector – it is necessary to consider the collective benefits in terms of well-being for all of taking systematic account of diversity in public services and, indeed, of transforming them into pluralist but not special or separate services (Facchi, 2006). Institutions must be educated to overcome their ethnocentrism and internal nationalism and move towards a “culture of diversity” or, indeed, formal and substantial investment in the “cultural competencies” of their staff and the bodies themselves so as to combat stereotypes and unequal treatment. Many national and local experiences have shown that implementing a universalist approach receptive to diversity for migrants (services in their languages, cultural mediation, reasonable arrangements, etc.) can serve to raise institutions’ awareness of other types of diversity such as those relating to homosexuals, the elderly and the less able, etc. (Clarke, 2006).

4.1. “Migrants act as if the place were theirs”

4.1.1. Description of the stereotype

The presence of migrants in public spaces and the use they sometimes make of them lie behind many clichés along the lines of “we no longer feel at home” and “they act as if the place were theirs”. Some people have the

66. As his mother said with some dismay, “What is unfortunate ... is that Theo was killed by such a loser, such a confused individual. Murders and killings are always terrible, but being killed by somebody like that makes it particularly hard to bear” (“Moeder Van Gogh: enige juiste straf”, *De Telegraaf*, 26 July 2005).

67. In France, Gérard Noiriel records the “manhunts” organised against migrants of Belgian, Polish or Italian origin, which marked the late 19th century and the first half of the 20th century. For example, in August 1893 at Aigues-Mortes, the local population attacked Italians working in the salt works, killing 50 and wounding 150, despite the intervention of the police (Noiriel, 1988: 257 ff.).

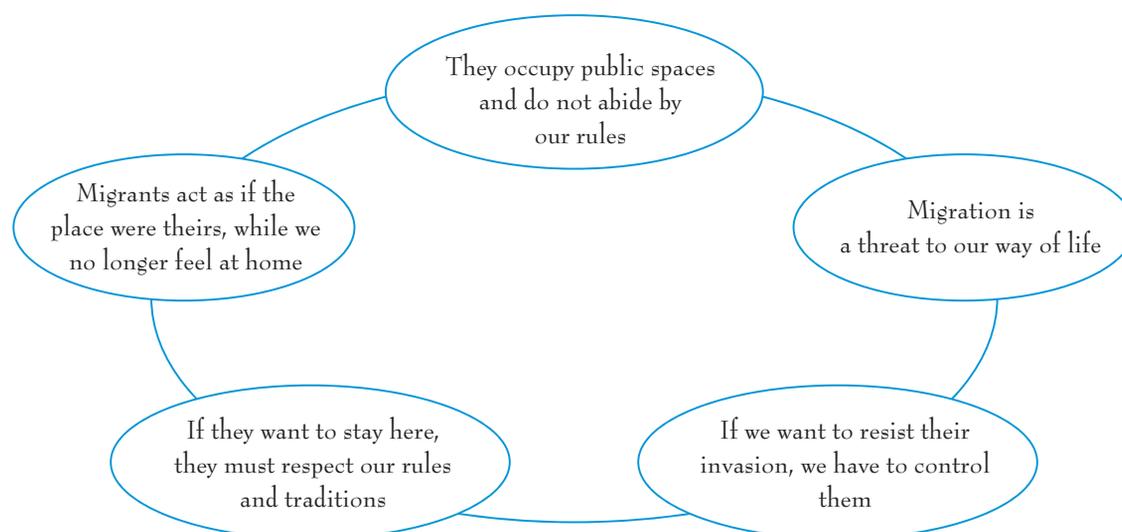


impression that the newcomers do not respect them: they believe that some of their customs and beliefs are being run down and that “migrants’ cultural habits are better respected than ours”. Accordingly, as no one reminds them that they are not from here, “migrants think they can do whatever they like” and “that they are not subject to any limits”.

The conflicts that arise from changes in and different uses of public spaces and the feelings of dispossession that affect some local communities lead quite readily to culturalist (or racist) stereotypes about the way migrants behave in public, both as individuals and as a group. People are quick to accuse them of not knowing how to behave, being antisocial and not complying with rules or making any effort to do so.

The practical implications of these stereotypes involve the spaces concerned being taken over again by nationals, as the group legitimately entitled to occupy them. For instance, this was true of the ban which the Russian authorities imposed on foreigners selling products on markets from 1 April 2007. As V. Postavnin, Deputy Director of the Federal Migration Service, said at the time: “We have succeeded in returning the markets to Russian citizens. Or, rather, in beginning the process of returning them. You have to admit that it is not natural for Russian markets to be invaded – I’m not scared of the word, I say invaded – by people from other states” (Le Huerou and Regamey, 2007).

Figure 20: The “migrants act as if the place were theirs” stereotype chain



Indicators No. 28: “Facts” underpinning the stereotype

Degree of geographical concentration of social housing	Migrant households account for a large share of the occupants of social housing. Such housing is often concentrated in lower-income and/or problem neighbourhoods
Concentration of migrants in lower-income areas	Migrants are usually over-represented in lower-income areas in comparison with their share in the population as a whole. There is a real ghetto effect

4.1.2. Explanation of the stereotype

The first point is probably that there are different cultural and social uses of public spaces. There is nothing surprising in saying that social interaction occurs more frequently in public in Mediterranean and African societies than in Nordic ones, for instance. To see this, you only need to wander through any town or city in southern Europe and observe the great density of exchanges taking place in squares and avenues and outside apartment blocks. However, it is interesting to note that even countries with this type of social interaction are not free of conflict, as demonstrated by the relations between Ecuadorean migrants and the local population in Spain, for instance.

There are also social differences regarding these types of social interaction. In this respect, there is a complete contrast between discriminating, middle-class social interaction, which takes place inside, within people’s homes, and working-class social interaction, which is more indiscriminate and open to the outside. A combination of material and symbolic factors are at play here. On the one hand, the smallness of working-class homes (compared with the size of the families) makes it difficult for different family members all to meet at home. On the other, a whole series of values are attached to social interaction outside, in particular the egalitarianism of public space. Its anonymity (it does not belong to anyone) protects lower-income families from other people’s views about the standard of their housing, its fittings and its upkeep. In this respect, the use of outside spaces offers the poorest groups in particular protection against the social or moral injunctions of the community.

That is fundamentally different from middle-class social interaction, where private space is one of the marks of distinction which ensure the worth of a family and its standing in the community. Here, social interaction is selective, in the case both of parents and of children. The latter usually only come into contact with the public space when moving about or travelling. Besides, the function of sports, music and cultural clubs is to organise young people’s social interaction on the basis of a given community, precisely outside the public space (Pinçon and Pinçon-Charlot, 2003). In this way, upper middle-class families have always succeeded in maintaining their own residential environments, whose architectural forms and urban and commercial infrastructure provide a constant reminder of the fact (both for those living there and for everyone else). The Square du Bois in the southern suburbs of Brussels, the western districts of London and Paris and Puerta de Hierro in Madrid are good examples here. The symbolic (and sometimes physical) barriers which mark out the neighbourhoods concerned and the community of values within them mean that there are almost no conflicts regarding the use of public space.

However, the situation is very different in intermediate neighbourhoods, where population groups from different social (first) and (then) cultural backgrounds live together. It is in these areas that conflicts seem to be most frequent, as they encapsulate a whole series of other tensions.

In many traditional societies (especially rural ones), public space and the behaviour of individuals are under the watchful eye of the community. The limited social relations which change little over time and the clear distribution of the places, roles and statuses of all individuals allow for very tight social control, for instance of children and teenagers.

In urban areas, however, the situation is different. Social relations are more impersonal and this is compounded by the mobility of the residents. Population turnover is far higher than in villages. This frees individuals from the whole history of their families and the roles that were assigned to them, etc. (in the Middle Ages, it was said that “city air makes you free”), but weakens the forms of community control that might have existed in the areas concerned. Misbehaviour among young people which was previously held in check by such social control can therefore develop without being held back in the same way, generating a lack of understanding among those used to such controls and disapproval on the part of those not familiar with them.

However, this does not in itself explain the tensions which may arise between migrants and the local population in certain neighbourhoods and certain countries. Account also has to be taken of the social mobility of the families concerned. A simplified distinction may be made between two scenarios: upward and downward social mobility.

Upward social mobility is reflected in changes both in families’ reproduction strategies and in their patterns of conduct. In lower-income families moving up the social ladder, particularly sustained emphasis is placed on schooling, so that “our children do not have to live like us”. This social advancement, which concerns housing first and working life in the medium term, is reflected in a stronger focus on the domestic sphere, which takes up most of these groups’ energy. First of all, this involves fitting out and furnishing their dwellings, often on credit, to bring them into line with the status they aspire to. It also involves their distancing themselves from people whose mere company they fear would undermine their new social status (“bad company”). Lastly, they change their habits in economic terms and regarding fertility and types of education.

Working in the present to bring about an aspired-for future, they plan their expenditure, unlike other people who seem incapable of resisting material temptations which upset their budgets or who sacrifice their futures to the satisfaction of short-term needs (electrical appliances, expensive televisions, furniture, etc.). The utilitarian calculation behind their “reasonable” behaviour is, however, only a reflection of their new position, especially in employment terms.

In the area of birth-rates, their plans for the future depend on a kind of Malthusianism which involves them focusing their efforts on a small number of children, whereas their neighbours seem to keep up the older working-class and rural traditions of large families. Children – and teenagers – are one of the focuses of the conflicting values between groups living side by side in certain neighbourhoods. The working classes are often accused of “leaving their children to their own devices”, whereas in upwardly socially mobile families, it is through the education and upbringing of their children that parents can achieve the social advancement they aspire to.

This tension is all the more noticeable in that the automatic effect of the difference in birth-rate means that working-class children tend to come quite quickly to be in the majority in the neighbourhoods concerned. It is compounded by the fact that they are more visible. Whereas the company kept by middle and upper-class teenagers depends on factors other than immediate neighbourhood (school friends, in particular), working-class teenagers, who are more confined to their particular neighbourhoods, “take over” their streets and form groups or gangs among neighbours. The effect of this is further strengthened by morphological criteria. As immigrant families occupy the lowest positions in the social hierarchy, it is they who are most prone to reproduce older patterns of fertility, which is reflected in gradual “colouring” of the gangs of young people,

thereby also increasing the divide with upwardly mobile groups. These repeated, daily tensions tend to make coexistence difficult with families who are regarded less and less as “working-class” and more as “awkward”, “problem” or “unintegrated” families. Among certain groups with the ability to act accordingly, they foster a desire for social mobility.

The second scenario is still more conflict-ridden. It involves situations where the position of lower-income families is deteriorating. Unlike in the previous scenario, there is little hope of either social or residential mobility for the families concerned. They are in a sense “captives” of neighbourhoods which they hate all the more since they have to rub shoulders there on a daily basis with groups (mostly migrants) whose very presence is symbolic of their social decline.

The geographical concentration of migrants in previously working-class neighbourhoods is fairly widespread in Europe. Whether because of the effect of the free market (prices there are lower than elsewhere) or of housing policies, migrants gradually come to be concentrated in these areas. Whereas they usually account for less than 10% of the population throughout European countries, figures of over 30% and even 40% are not uncommon in certain neighbourhoods.

In working-class communities affected today by competition in access to resources which have now become rare – stable employment, housing and social benefits, etc. – which exacerbates the tensions within them, the behaviour of some migrants (and their children) comes into conflict with that of the local population. For instance, the constant occupation of public spaces reminds the latter group of the decline in their own social status, causing them to withdraw into their own homes with a deep sense of ill-being.

The many and repeated conflicts between the different groups are compounded by the biological ageing of the native population. When the share of the population made up by each age-group in the neighbourhoods where migrants live is considered, it can be seen that there is a high level of children and 15 to 24 year olds, accompanied by a regular increase in the number of people aged over 60 years. The biological ageing of the residents, as redefined from the angle of their social ageing, accounts for some of the friction experienced on a daily basis in these neighbourhoods. The “older” residents are all the less likely to tolerate disorderly behaviour by young people since the latter and, in particular, young migrants do not correspond to the models of reproduction or share the values that were theirs.

These tensions seem to be most serious in neighbourhoods with large families, however. The constant complaints about the “swarms of kids left to their own devices” are just as much a result of the way that overcrowded dwellings force children and young people into public spaces as of the moral judgment applied to large families. The latter – often of foreign origin – seem to go against the Malthusian morals which used to prevail among working-class communities seeking to advance socially and in so doing actually highlight the way the uncertainties of the labour market have stopped such advancement. The combination of this fate with the visible – and noisy – presence of the children and the “deviant” behaviour of some of them, escaping any family control, is enough to turn the families into “families with a bad reputation”.

In turn, this bad reputation is highly likely to keep the children of the families concerned on the margins of society and not leave them any alternative but to choose a peer group whose values and practices will compound the stigma, including down through the generations. This moral judgment is often combined with cultural considerations. Families “with a bad reputation” are more frequently of foreign origin than in the past. Accordingly, they are still more subject to a series of racist stereotypes (“noise and smell”, for instance) which further increase their marginalisation. The perceived contrasts revive the idea of a (racial) nature in the definition of problems. It is worth noting, however, that depending on the history of the migration, a single group can be both “desirable” and stigmatised.

Indicators No. 29: Statistical, legal and socio-political factors behind the stereotype

Speed and direction of urban change	European cities have seen remarkable changes, turning some of them into polarised, complex and fragmented “global cities”. The feeling of insecurity is greater wherever change has been more rapid and has coincided with deterioration in quality of life
Index of migrant household dwelling occupancy	Calculated as the average number of rooms per resident in individual dwellings, this index gives a measure of the high density of occupancy of dwellings generally observed in lower-income neighbourhoods
Overcrowding of migrant housing	A low average surface area per resident reflects significant overcrowding of migrants’ housing. Such overcrowding can force young people to look for freedom outside, in particular on the streets
Standard of migrant housing	This indicator measures the proportion of dwellings occupied by migrants which may be deemed to be of an adequate standard. It is possible to define grading criteria for housing. A high proportion of migrants live in substandard housing
Difference in average rents between neighbourhoods	The high rents observed in most urban areas rule out the geographical mobility of migrant households, who are condemned to stay in lower-income neighbourhoods

4.1.3. Responses to the stereotype

The factors at play in the stereotypes concerning the presence of migrants in certain working-class and intermediate neighbourhoods mainly stem from the fading dominance of established groups over outsiders. This scheme of analysis developed by Norbert Elias and John L. Scotson gives an insight into the relations between the various groups living in a particular neighbourhood and the way they develop, regardless of ethnic and social origins (Elias and Scotson, 1994).⁶⁸ The groups established for the longest periods tend to join forces against newcomers, whom they regard as intruders and stigmatise as people of less human and moral value.

At the heart of these stereotypes is an unequal balance of power and the tensions inherent in that situation. It is because they hold local positions of power (both formally, in many bodies such as parents’ associations and tenants’ associations, etc., and informally, as “moral” authorities) that established groups can stigmatise outsiders, whom they see as a threat to the norms of the neighbourhood and shared ways of life. They “endanger the built-in defences of the established group against breaches of the common norms and taboos upon whose observance depended both a person’s standing among his or her fellows within the established group and his or her own self-respect, pride, identity as a member of the superior group” (Elias and Scotson, 1994). Among established groups, closing ranks therefore serves the social purpose of preserving the superiority of their group in terms of power and, in particular, power to define norms. Of course, established groups are hierarchical themselves and there are many rivalries within them. Nevertheless, all their members have an interest in maintaining a symbolic barrier in relation to newcomers and in limiting contacts so as to avoid their status being undermined.

For their part, as long as they lack cohesion, the outsiders are incapable of responding to this collective disfavour. The conflicts inherent in this relationship of dominance usually remain discreet when the power differentials are very large; but they can erupt in the form of ongoing conflicts (which happens when the balance of power changes

⁶⁸ The scenario they studied involved English working-class families. While social differences and differences in origins increase the divides and tensions, they are not what causes them. This analysis greatly undermines the basis of approaches in terms of “racial problems” and “class problems”, replacing them with a much more heuristic relational analysis of the interdependence between groups.

in favour of the intruders). This is precisely what is happening in a number of European states with high levels of immigration. Given the departure of some of their members (upward mobility), as well as their greater social vulnerability and ageing, the established population lose the control they used to have over the newcomers. The occupation of public spaces, conflicts between neighbours and the frequency of types of behaviour that clash with the norms of their own neighbourhood constantly remind them of this reversal in the balance of power.

Depending on the circumstances, this all results in them attempting to move away, withdrawing into their homes or even calling on the authorities to restore their previous position of authority. The reversal in approach advocated by this chapter should make it possible to introduce relevant measures to restore the cohesion of these neighbourhoods by focusing on the causes of the tensions rather than on the way in which they are expressed. That will also allow to minimise the culturalist (or racist) rereading of these tensions, especially when they are exploited by political parties.

Indicators No. 30: Prospects for change

Meeting places for young people of immigrant backgrounds in lower-income neighbourhoods	The existence of meeting places for young people in the neighbourhoods can help move them away from public spaces to specific and/or indoor places
Annual public expenditure on the rehabilitation of disadvantaged neighbourhoods	Expressed in percentage of the national budget, this indicator measures the efforts made by the authorities to improve social housing standards in areas with working-class populations
Policies to combat housing discrimination	Are there measures (legal, fiscal or other) to combat discrimination in access by migrants to public and private housing?
Urban policies to foster a greater social mix	Are there measures (legal, fiscal or other) to foster a greater social mix in urban areas?
Urban policies to increase social-housing supply	Are there measures (legal, fiscal or other) to increase the supply of public and private social housing?
Associations and groups defending migrants' urban and housing rights	Are there associations and groups which actively support the urban rights of migrants and their families and their rights to public spaces and quality housing?

4.2. “Migrants build parallel societies”

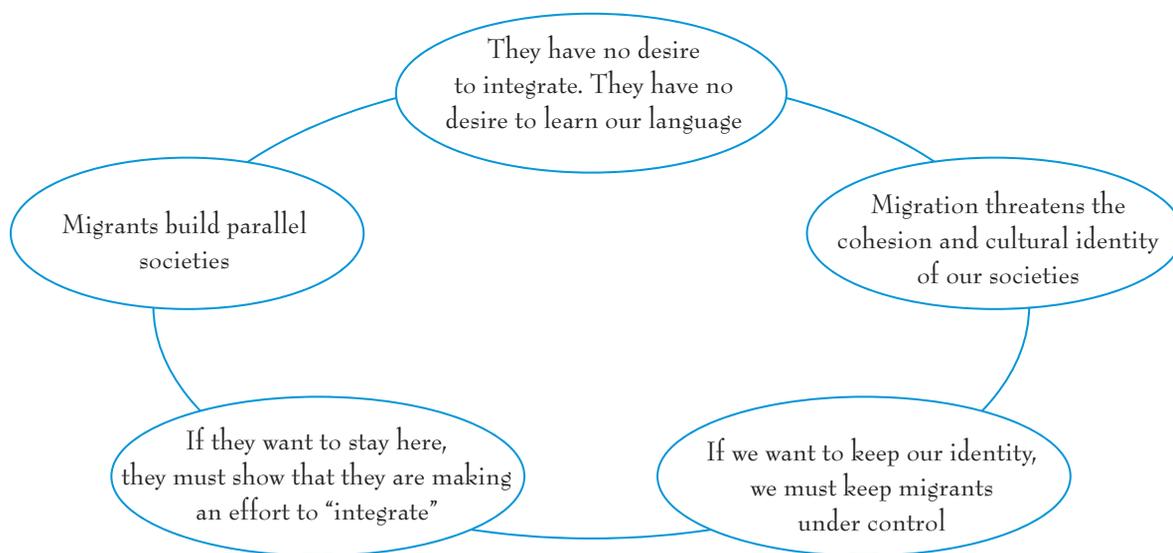
4.2.1. Description of the stereotype

Migrants are often described as a social and political group alien to the members of their host society. The focus is placed on the closed nature of their communities more than on their openness. Among the things that are said about them are that “they like to keep themselves to themselves”, “they have no desire to integrate”, “they cannot speak our language”, “they have no desire to learn our language and our way of life”, “they have no loyalty to us”, “they show no gratitude”, “they do not like our country” and “all they want is rights, without duties”.

The reasons put forward for the emergence of parallel societies are the cultural and linguistic gap and the great difficulty, or indeed impossibility, of bridging that gap. If the conclusion is reached that a group is not capable of being integrated, the effects on the likelihood of recognition of its right to reside in the country are very negative.

The practical implications of the ideas expressed lead to demands for checks – at the border, when permits are due for renewal, when applications are made for naturalisation – to ensure that migrants have a whole raft of cultural and linguistic abilities consistent with the majority concept of national identity. Hence the development over recent years of language and “citizenship” tests on which lawful residence depends, as in Germany and the Netherlands, and even, in France, the setting up of a ministry which combines in its title the terms “national identity” and “immigration”. Everything that is done reflects a concern to test people’s capacity to integrate, that is, to comply with not only the rules and regulations, but also the majority’s traditions and ways of life.

Figure 21: The “Migrants build parallel societies” stereotype chain



Indicators No. 31: “Facts” underpinning the stereotype

Level of knowledge of the language of the country of destination	People of foreign origin claiming to have good knowledge of the language of the country of destination, in absolute terms and expressed as a percentage of the total foreign population
Success rate in integration courses	People of foreign origin having successfully completed integration courses, in absolute terms and expressed as a percentage of the total number of participants per year
Success rate in citizenship tests	People of foreign origin who have successfully completed the citizenship procedures and tests, in absolute terms and expressed as a percentage of all applications submitted per year
Concentration levels of migrant communities in the country	Presence of people of the same nationality and, in general, of foreign origin in a given area (neighbourhood, village, town, province, region, etc.) in absolute terms and expressed as a percentage of the whole population

4.2.2. Explanation of the stereotype

The starting point for most of these expressions is to be found in the grouping of migrants into “cultural communities” perceptible to the indigenous population, which sees the settlement of specific neighbourhoods, the development of so-called “ethnic” shops and specific places of worship, and even, more prosaically, different forms of social practices.

Sometimes rather naively praised as quaint, these communities are usually perceived as causing problems, firstly because of their effect on the orders that already exist within the nation. The presence within the nation of “non-nationals”, according to the explanation given by sociologist Abdelmalek Sayad, “disturbs the partition or dividing line between what is national and what is not, thereby confusing and disrupting the order based on that partition and adversely affecting the integrity of that order, as well as its mythical purity or perfection, and thus the complete fulfilment of its implicit logic”. Thus it is understandable that, without taking to its extreme – that is, to the point of distortion – the implicit logic of this state of affairs, there is still a great temptation to lapse into a universally familiar and universally cultivated and magnified form of fundamentalism, namely national fundamentalism.

In the eyes of national order “purists” (or fundamentalists), immigration, because it is the act of people who should not be there (if the national order had been perfect, this shortcoming, this inadequacy would not have been part of it), but who are there (as the objectification and materialisation of this shortcoming, this inadequacy, this lack of completeness of the nation), is taken to be the cause of distortion of the national social order as a whole, and of its integrity (Sayad, 1999: 397-398). From this perception derives a suspicion, a prejudice about migrants’ loyalty to their host society, particularly if they seem to be more than just workers and become a permanent part of the landscape in their host states. This suspicion is largely responsible for the view that migrants are welfare state “profiteers”. All the more so when this suspicion coincides with the greater tension about access to scarce resources (such as welfare benefits, housing, employment) which arises at times of economic recession, and when it is exploited by political forces wishing to derive electoral capital from it.

The perception of migrants is of course dependent on the viewpoint adopted; this in turn depends on national conceptions of immigration and on relations with foreigners, as well as on the institutional arrangements based on these conceptions and on the public policies adopted to put them into practice.

The situation of African or Maghrebi migrant populations in France is, from this angle, different from that of the Pakistani community in the United Kingdom or the Turkish community in Germany. Here, the familiar contrast between two “models” of integration resurfaces again: the multiculturalist and the assimilationist, more recently described as liberal and nationalist (Parekh, 2000). These general views of the position of migrants very much influence expectations of them, to such an extent that they are sometimes taken to be a veritable dogma reflecting the core values of the national societies of immigration, such as secularism in France and tolerance in the United Kingdom.

In both these countries, the prescriptive idea that cultural homogeneity and diversity represent values in their own right strongly influences the way in which migrants’ particularist values are apprehended. In France, it is tacitly accepted that their values should ideally converge with those which underlie national identity. Cultural particularism is usually regarded as a threat to national cohesion (danger of withdrawal into the community) and gives rise to measures such as the law prohibiting religious symbols in schools, reiterating newcomers’ obligation to conform to the values of the French Republic, an obligation which is at the same time a duty to show allegiance to the state. In the United Kingdom, the aim is to reach a “reasonable consensus” about what is negotiable, with a distinction being made between particularist claims which are a product of a legitimate demand for recognition of the equal value of cultures (such as arranged marriages, the ritual slitting of animals’ throats, the wearing of religious clothing) and those which, such as excision, contravene international human rights standards (Streiff-Fénart, 2006). A European study suggests that the behaviour of migrant populations is to an extent geared to these prescriptive conceptions of otherness and of minority cultures functioning within each national society as “prescribed models of integration” (Krief, 2003).

All these approaches, however, rely on a doubtful assumption that a relatively homogeneous “cultural community” exists on which the grouping is based. Thus many studies based on the multiculturalist perspective posit the

solidity and impermeability of “culture”, on the basis of an – almost – perfect correspondence between it and communities or “ethnic groups”. Applied to migrants, these conceptions ignore precisely the fact that it is the break with the “culture” or “community” of origin which specifically characterises the path taken by their lives. They also ignore the central issue of the production, reproduction and transformation of migrants’ identities.

Let us not forget, nevertheless, that one of the rights of minorities is the right to forego their own culture (Amselle, 1996). For all that, there is another trap to be avoided in the studies celebrating the “hybrid” or “nomad” identities of migrants, which completely overlook the trials and tribulations of people who uproot themselves. We should instead take into consideration a form of belonging specific to migrants. This is hallmarked by removal from the country and “culture” of origin, without this resulting in an unconditional affiliation to the host country and “culture” which would fuel an aspiration to naturalisation. This is what Abdelmalek Sayad famously referred to as “double absence”. In political terms, migrants thus move between conservative forms of community-based life, with the emphasis on opposition with other communities, radical forms of assimilation into the host culture and community-based elements which make new forms of hybridisation possible.

Indicators No. 32: Statistical, legal and socio-political factors behind the stereotype

Social and cultural “mobility” rate of migrants	Children born of people foreign origin occupying higher-skilled and better-paid jobs than those of their parents. Children born of people of foreign origin having a higher education than that of their parents. Children born of people of foreign origin claiming a multiple affiliation, divided between the country of birth or destination and the country of origin of their parents
Proportion of mixed households)	Households with one member of the couple being of foreign origin, in absolute terms and expressed as a percentage of all households (percentage of men and women of foreign origin in mixed households, according to country of origin)
Level of diversity and pluralism in schools	Pupils of foreign origin or born of people of foreign origin by class and by school, in absolute terms and expressed as a percentage of the whole school population in question. Nationalities, languages, religion (possibly) of pupils of foreign origin or born of people of foreign origin by class and school, in absolute terms and expressed as a percentage of the whole school population in question
Level of diversity and pluralism in neighbourhoods and areas	People of foreign origin living in a given area, in absolute terms and expressed as a percentage of the whole population. Nationalities, languages, religion of people of foreign origin present in a given area, in absolute terms and expressed as a percentage of the whole foreign population

4.2.3. Responses to the stereotype

This is an area where we can follow the thinking of Sandro Mezzadra, an Italian political scientist who referred to migrants’ “right to escape” (Mezzadra, 2005). There are two angles from which to view this right. Firstly, it serves to avoid the now common limited view of the migrant as an expression of a “culture”, an “ethnic group”, a “community”, for the right to escape reflects the individuality and the irreducible distinctiveness of the women and men who move from one country to another. This shows how wrong it is to assume that all migrants as a matter of course have their own “cultures” and “communities”, which are shown to be social and political constructs produced and reproduced by processes which need to be called into question. Secondly, the emphasis placed on migrants’ real distinctiveness casts light on the exemplary aspects of their condition and their experience. Defined in terms of an intersection between a powerful subjective tension of freedom and the operation of barriers to which specific techniques of authority correspond, the figure of the migrant bears

within it a number of contradictions structurally affecting the freedom of movement that is fêted as one of the pillars of contemporary western civilisation (Bauman, 1998).

Among these contradictions is that of the link between belonging and rights which, historically and theoretically, is the true point at which a balance is struck between universalism and particularism in any discussion of citizenship. Democratic conceptions of belonging are the bedrock of our modern societies. And in this respect, the labour movement has historically played a truly crucial role through social conflict, providing a route which foreign workers can take to citizenship and rights through work. Recent changes in the sphere of work, and in the pattern of migratory movements, are changing the situation. Mass unemployment and increases in the numbers of workers with uncertain status (temporary work, fixed-term contracts, work in the underground economy, the last-named affecting large numbers of migrants in the agriculture, construction and hotel and catering sectors, for instance) are weakening the link between citizenship and employment, and not just for foreigners.

Some studies point out that migrants' supposed "differences" are not much of an obstacle to what are termed pluralist conceptions of citizenship; they draw attention to the variety of identities, interests and loyalties characteristic of our societies. Recognising that migrants have the same political, civic and social rights as we do would surely enable a feeling of belonging to be generated and conflict to be defused (Spencer, 2006). The objection will be raised that, where belonging is concerned, migration is precisely an "escape" from one political, social and cultural area, but without this involving full affiliation to another political, social and cultural area. And it is not only migrants who are affected by the phenomenon of withdrawal. Far from it. A growing number of individuals within our societies are withdrawing from the practical exercise of citizenship (the "exit" to which A. O. Hirschman refers). The effects of social exclusion combine with those of political (self-)exclusion to the point at which the very foundations of citizenship are now in question. The very presence of migrants in European states certainly offers an excellent opportunity to raise this issue again, a question which is essentially a matter of democracy.

Indicators No. 33: Prospects for change

Legislation and public programmes relating to intercultural competencies and reasonable accommodation	Are there any laws and public programmes promoting an institutional and administrative culture sensitive to cultural pluralism? Are there any laws and programmes to train public service administrators and professionals in intercultural skills, laying down procedures of reasonable accommodation of pluralism?
Legislation in the field of religious freedom	Is their public recognition and equitable treatment of the religion of people of foreign origin? Is the freedom of worship upheld? What are the limitations to which it is subject? Do these limitations apply equally to all religions?
Legislation and public programmes relating to school mobility	Are there any laws and administrative arrangements promoting the school mobility of pupils of foreign origin or born of people of foreign origin?
Legislation relating to citizenship and the right to vote in elections and stand for election	What are the criteria (<i>jus sanguinis</i> , <i>jus soli</i> , mixed forms) and key provisions (eligibility, residential qualifying period, tests of the national culture and language, means testing, average length of the procedure, etc.) of the laws regulating the acquisition of nationality? Is it possible to vote in elections and stand for election (by type and level of election) for long-term residents who do not have the nationality of the country?
Associations and movements supporting the sharing of responsibility between migrants and the indigenous population	Is there a commitment by associations, organisations, trade unions, etc. to develop shared responsibility between people of foreign origin and nationals for the well-being of all?

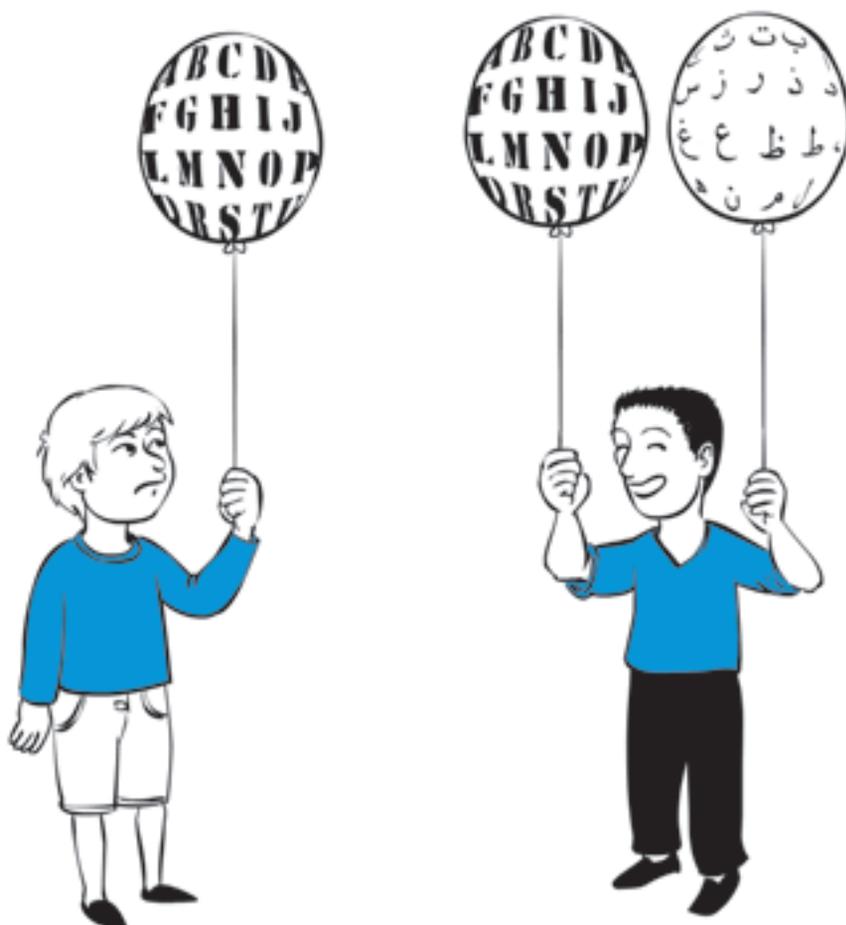
4.3. “Migrants’ children bring standards down in our schools”

4.3.1. Description of the stereotype

There are in Europe several stereotypes about pupils of immigrant origin and their families, both in established countries of immigration and in those where immigration began more recently. Some things are said more often than others. People are frequently heard to say that “migrants’ and minorities’ children bring standards down in our schools”. This statement may be regarded as a prejudiced conclusion, drawn from many preliminary thoughts, some of which may follow each other in causal chains, of which just a few examples are given below.

First of all, families are affected by a prejudice about cultural backwardness, manifested at school. Immigrants’ children are said to “perform poorly at school because their parents lack the skills and education to bring them up properly”. Immigrant families’ parents are said not to give enough attention to their children and to be unable to keep them at home after school and to instil in them the work ethic. Another reason for blaming parents for young migrants’ poor school results is that “they do not talk to them enough, or at all, in the language of their host society”, of which the parents themselves have a poor command. Finally, they push them towards the world of work too quickly at the end of their compulsory schooling, or, worse still, towards “easy money”, rather than making them stay on at school.

Secondly, young migrants are blamed for their own difficulties at school. “They do not speak their host country’s language”; “they enrol at school during the school year” and thereby disturb other pupils’ education; “they do not know to which culture they really belong” and lack properly formed identities. This makes them particularly ill at ease, and their integration into their schools is therefore particularly difficult.

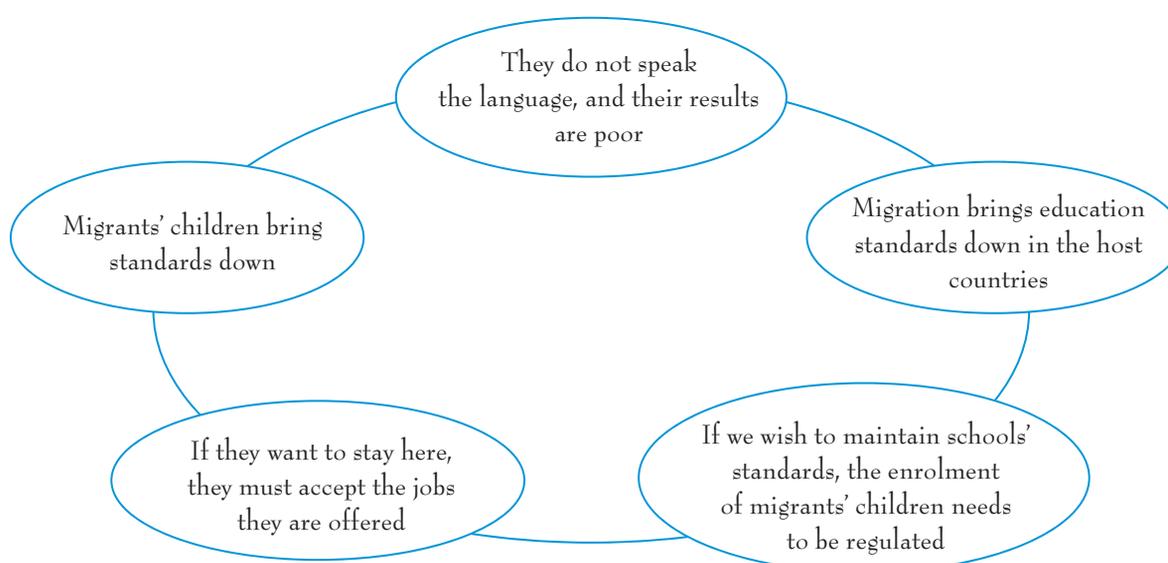


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Finally, as with other stereotypes, the main accusation levelled is that of forcing their way in in excess numbers: “there are too many immigrants’ children in our schools”, and their presence in itself disturbs or delays the learning process of pupils who are nationals.

In support of these affirmations, people often refer to the poor performance of children of foreign origin in terms of the path followed and the results achieved: “they drop out of school in larger numbers”; “their ‘poor education’ leads to a high level of unemployment and socio-economic immobility once young people of immigrant origin enter the world of work”. In order to prevent such negative effects from spreading into every classroom, particularly in terms of diminished performance in the language of instruction and behavioural problems, special – or sometimes separate – classes are increasingly offered, or introductory classes to bring pupils of foreign origin up to the same standard as the others.

Figure 22: The “migrants’ children bring standards down in our schools” stereotype chain



Indicators No. 34: “Facts” underpinning the stereotype

Proportion of pupils of immigrant origin in schools	Studies conducted in various European countries show that the concentration of children of foreign origin in neighbourhood schools, particularly those in lower-income neighbourhoods, is a contributory factor to poor performance at school
Proportion of pupils of immigrant origin experiencing serious difficulties in learning the majority language	The language handicap is very often the major cause of the educational difficulties experienced by young people of immigrant origin. These difficulties relate both to access to knowledge and to relationships with education staff at their school (particularly the teachers)
Proportion of pupils of immigrant origin recognised to be performing poorly at school	The combination of multiple obstacles to and difficulties in integration, linked to the lack of employment prospects frustrating learning efforts, leads to a higher academic failure rate among pupils of foreign origin or born of people of foreign origin. There are also differences in terms of the success of these pupils according to country of origin and destination, and according to sex (girls often succeed better than boys, but this is true of all sociocultural groups)

4.3.2. Explanation of the stereotype

The first element, along with similar sentiments of invasion and disappropriation of our spaces, contributing to this stereotype is the growing number of migrant students in European education systems. Among 15-year-old students, the proportion who are foreign born or have foreign-born parents is now greater than 10% in Germany, Belgium, Austria, France, the Netherlands and Sweden, as well as in partner countries Croatia, Estonia and Slovenia, and the figures are 15% in the United States, 17% in Jordan, between 21 and 23% in Switzerland, 36% in Luxembourg and 37% in Liechtenstein. These percentages may be much higher, between 50 and 70%, in certain urban areas with particularly high migrant concentrations. In any case, it should also be borne in mind that these migrant students constitute a very heterogeneous group with a diverse range of skills, cultural and social backgrounds, prospects, attitudes and motivations. So it is particularly counterproductive to speak in general terms about migrants' children when addressing some of the new challenges that schools have to face today, in a pluralist Europe which has experienced irreversible development.

Moreover, we have to distinguish very carefully between the disadvantages that migrants' children suffer in the education system, which can be measured in terms of higher drop-out rates, lower educational achievement, difficulties in accessing vocational training and the skilled labour market, etc., in comparison with national students, and the negative effect that this may have on the performance of classes, schools and the education system as a whole. According to the most accurate study of the subject available to us, the 2006 PISA report, "there is no cross-country relationship between the proportion of foreign-born students in countries and the average performance of countries" (OECD, 2006). So, generally speaking, the stereotype of migrants' children lowering standards in our schools lacks any empirical basis.

But this does not mean that a relatively high proportion of immigrant students with particular educational, linguistic and training needs will be absorbed and catered for automatically, without adjustments, efforts and innovative practices. It is not enough to criticise the stereotype and fail to deal with any problems actually arising, through the provision of teaching and the organisation of schools; the important thing is that these problems should be addressed, with the ultimate aim of getting students to the same standard, and not to leave those with greater needs and difficulties behind. This is, moreover, an old educational principle: give more attention to students in need than the others, more autonomous and privileged, partly because of their more favourable family and social background.

The first fact to consider is pupils' level of achievement. In the countries with significant proportions of 15 year olds with an immigrant background, first-generation students – those born outside the country of assessment, and whose parents are foreign-born – lag, on average, 58 points behind their native counterparts, a sizeable difference if we bear in mind the fact that 38 points are roughly equivalent to the OECD's average figure for the difference in score between one school year and the next. The figures are still high, even after taking into account socio-economic factors and the associated lower level of cultural capital (OECD, 2006a).

In order to list the various factors which foster the development of stereotypes, it may be useful to study the situation of young people and families of immigrant origin in host countries' school systems, on the basis of the situation in Belgium. Researchers studying young people of immigrant origin in that country usually observe perceptible signs of permanent settlement, including acquisition of Belgian nationality and giving up any thought of return. The majority of young people of immigrant origin were actually born in Belgium. A demographic shift also seems to be under way, with the size of families of foreign origin coming closer to the local norm. Such settlement, however, does not mean cultural assimilation, in so far as parents' religious beliefs and linguistic and cultural practices are to some extent retained.

Kaya and Kentel (2008) made the same findings in their study of the population of Turkish origin in Belgium. The authors also found, however, that Turkish young people's social networks seemed to be centred on their own community, and this had a detrimental effect on their command of the host country's languages. Yet the quality of their schooling seemed to be improving slightly, at least at secondary level, although the type of schools attended (vocational) was not changing and their unemployment rate was not coming down.

It should be noted that the most positive developments are occurring precisely because of two regulatory changes: Belgium has made access to naturalisation easier and made schooling compulsory until the age of 18. Other than in those respects, few positive effects of state structures in the field of integration can be identified. The quality of young people's schooling is hardly improving, nor are their command of the host country's languages and their access to employment. This virtually stagnant situation is invariably regarded by the young people concerned as an expression of exclusion, pushing them to strengthen their community links. It is also accompanied by a "feeling of being discriminated against", a feeling which seems to have spread widely in recent years.

The age at which new immigrants arrive may have a negative impact. The older they are, the greater the effort required to integrate in their schools. The reunification of families should not therefore be delayed, although this is the effect of some new and excessively complex legislation, and greater advantage should be taken of the experience gained at previous schools. Language training should be the subject of particular attention, amongst other things through appropriate teaching methods (language of instruction as a foreign language) and arrangements for parental participation.

We can start our explanation of the stereotypes connected with the education of children from immigrant backgrounds by taking a look at the paths that their schooling follows. A study carried out in the French-speaking community of Belgium in January 2005, covering the previous 15 years (Crutzen and Lucchini, 2007), found that, where the number of pupils repeating a year was the same, those of foreign origin were placed in a "B" (basic education) class more often than Belgians at the start of their secondary education. Where such pupils are of foreign mother tongue, this often consigns them to vocational education. While a change from one course to another is possible by law, it almost invariably never happens in practice. In order to improve schooling, it is therefore necessary to give new thought to the arrangements for course options.

According to the authors, teenagers are largely guided by their emotions and pay little heed to reason. At the same time, many teachers try to focus solely on cognitive aspects and deny this psychological dimension. An approach in the relational sphere reveals a sometimes circular process of denial between teachers and pupils, and between teachers and families, teachers and school heads, etc. This is particularly important where the families concerned are of migrant origin and have channels of communication with their host society which are already limited. While priority must be given to the pupil as protagonist, it is clear that the effect of social background is important in many areas of learning, and particularly the relationship with the written word.

Another key question is that of command of language and communication skills. It was clear from the Belgian study, for instance, that indigenous French-speaking children from well-off families had some interesting characteristics lacking in immigrant children. Especially in terms of their strategies for managing relations with adults. Four strategies emerged more clearly: expressing lack of knowledge, maintaining contact with adults, using replacement terms and taking part in dialogue. Indigenous children differed from immigrants in the opportunity that they had, as a result of their environment and their situation as native French speakers, to provide a personal and creative response to their teachers' expectations. Thus

language is no longer for communication only, but also a means of manifesting an extra-linguistic kind of knowledge. While French-speaking pupils manage to divert the attention of an adult questioning them, immigrant children seem to lack the means of engaging in a relationship. Hence they may feel devalued, and a negative stereotype may ensue.

A different question is that of the capacity of immigrants' children to learn the majority language speedily. It would appear that the language spoken at home has an effect on their results at school. In many countries, the link between language spoken at home and student science performance is as strong as that between foreign birth and science performance. In Belgium, Austria, Denmark, Luxembourg, Germany, Switzerland and the Netherlands, and in partner countries Liechtenstein and Bulgaria, students who do not speak the language of assessment/instruction, other national dialects or other official languages at home attain between 82 and 102 fewer points on the PISA science scale and are at least 2.4 times more likely to be in the bottom quarter in respect of their science performance (OECD, 2006a). Furthermore, bilingual development and the resultant cognitive capacity depend on the languages' relative status: if both languages – that of the parents and that of the host country – are valued in the places frequented by the child, this will be wholly positive for his or her cognitive and general development. Thus the poor results of migrants' children who speak only the language of origin at home are not contradictory either with positive results in the event of “additive bilingualism” (Manço, 2006c), whereby the skills of migrants' children and bilingual children in general are valued, or with negative results in their mother tongue among the children of families which prefer the host country's language to that of their country of origin.

Children attending classes in their languages of origin improve their skills in the majority language, increase their capacities of linguistic analysis *vis-à-vis* both the majority language and their mother tongue, enhance their conceptualising abilities and develop greater powers of observation of their conversation partners' expectations, etc. (Crutzen and Manço, 2003). A survey carried out in Belgium (Manço, 1998) shows that Turks with a good command of written French also have the highest standard of written Turkish, which is highly significant. There is a similar, though less marked, trend among Turks in Flanders: most of those with a good level of written Dutch are also fairly good at written Turkish. On the other hand, in the Moroccan community, those who claim to have a good command of either written Dutch or French also have the lowest level in written Arabic (Manço, 2006a).

For the purposes of an effective languages policy, an exclusive logic (either language/culture of origin or local language/culture) is not therefore the most useful where the education of migrants' children is concerned. Inclusive logic (leaving room for the culture of origin and the local culture as well) would be far more effective and would facilitate the sometimes difficult interlinking of the various elements. There would be a shift from a binary reality to a more complex, more paradoxical representation in which the patchwork of identities and languages would be legitimised by educational objectives and facilitated by teaching methods.

In this context, researchers generally agree that *interculture* refers to ways commonly used by workers from different fields or institutions and by immigrant and native communities to posit and deal with common problems on the basis of negotiated standards (Manço, 2006b). The structure and outcomes of this *interculture* imply that the other person (the other worker, the foreigner) is no longer regarded as just the bearer of another culture, which should be respected, but as a partner, or if applicable as an opponent, but in any case as a valid person to deal with in the identification and resolution of problems and conflicts. *Interculture* also has a political aspect, in that it involves a redistribution of power among partners acknowledged as such. However, the dominant model remains that of homogenisation and denial of differences. On the other hand, one of the possible objectives that could be set for initial and in-service teacher training could be to show that there is an

alternative to discrimination, i.e. prevention of the symbolic and institutional violence inflicted on populations of immigrant origin. The principle of making a distinction still applies, but not in order to exclude: on the contrary in order to recognise and strengthen personality through plural identities.

The socio-economic dimension of immigrant children's difficulties and their falling behind at school is clear if a comparison is made with other pupils of working-class origin. In both cases, the fundamental cause is the overall crisis affecting the education system in several European states, which are attempting to redefine the system's social function, particularly in terms of social mobility and emancipation. It seems, especially in primary schools, that teaching is unable to bring success to children who are "different". It is equally clear that the high rate of poor performance observed in schools with large numbers of children of foreign origin strongly demotivates their teachers. But poor performance is not due solely to the large numbers of children of foreign origin attending schools in disadvantaged neighbourhoods: another reason for it is the inability of the education system to recognise, manage and value the sociocultural diversity of those for whom it caters. In particular, the inappropriateness of teaching methods and syllabuses to the real world in which children live and the lack of communication between schools and families are factors in poor performance to which attention needs to be drawn.

Young people with poor levels of academic performance are increasingly to be found in schools in disadvantaged neighbourhoods, and in the vocational training sections of those schools. Even in countries where there is a statutory right to enrol oneself or one's children at a school of one's choice, without any restriction, it is a well-known fact that there are schools where exclusion is practised. Schools attended by large numbers of foreigners are of a lower academic standard than others. Many young people leaving such schools find it fairly difficult to integrate into others.

Far from recognising the nature of the problem, we ultimately regard it as a matter of culture and take an almost medical approach to it. As a result, some children whose performance has fallen short on one or two occasions at primary school end up being diagnosed as having various deficiencies and learning difficulties. Yet the psychological/medical/social centres producing these diagnoses know little of the social situation of migrant families. They apply rather reductionist cultural patterns to the different cases put to them. Thus some children are sometimes hastily directed into the system for less-able children, from which it is notoriously difficult for most to escape. This practice enables a number of "problem" pupils to be removed from ordinary schools. Parents are given little information and ultimately agree to send their children to special schools.

Families certainly play a role which may contribute to their children's poor performance, or not do enough to prevent it. Children of immigrant origin who do not obtain a certificate of basic schooling are always placed in the vocational education sections of secondary schools. By attending such poorly regarded sections, these large numbers of young people will have fewer opportunities on the employment market. Those who are given the option base their decision on such minor matters as the school's proximity ("it was the nearest one") or reputation ("it was the easiest one"), having received little advice from their family circle. In such conditions, even those who have obtained qualifications find it difficult to integrate, increasing families' distrust of schools. A similar situation arises for young people of immigrant origin who have obtained university degrees, as increasing numbers are doing. But large numbers of young people of foreign origin perform poorly or drop out during further education. Although some of them report that they have experienced racism, the main cause of their poor performance is of course their lack of preparation for the rigours of academic work. It is also true that very few receive support from their family and friends.

Some teachers' experience has shown that certain families of immigrant origin take a rather hesitant and fearful attitude to schools. This may be accounted for by factors such as lack of command of foreign languages, low level of schooling and psychological and economic priorities focusing on values other than education.

Hence, where there is a lack of individuals or agencies capable of playing a “mediation” role, there are few quality contacts between schools and parents of migrant origin. Teachers in some cases, when such exchanges prove necessary, seem to be, if not exactly resistant, then pretty much powerless. In addition, social workers of immigrant origin sometimes lack occupational training. And some of them find it difficult to position themselves between two cultures, that of their origins and that of their job.

As we look at these considerations, we should always bear in mind the fact that immigrant parents waste a lot of energy trying to solve family problems in the socio-economic or cultural spheres. As a result they may well be unable to take an effective interest in their children’s schooling. Worse, some parents with little schooling regard the school as being solely responsible for educating their children, and this can, paradoxically, cause other difficulties. For its part, placed in difficulty where its teaching role is concerned, the school expects parents to play their part in their children’s education. Thus children find themselves without support when they are performing poorly, causing them to become demoralised and to drop out. Some centres and local associations also endeavour to solve problems such as absenteeism and to promote the positive development of young people through cultural or sports activities. It is nevertheless clearly impossible for schools, associations or families alone to resolve the difficulties of educating such a broad range of children.

While certain stereotypes prove true, particularly those relating to children in difficulty or who perform poorly or decide to leave school, there is no justification for fearing that young people of immigrant origin will adversely affect the education system’s performance as a whole (Manço, 2006c). On the contrary, many studies note that the mixed nature of a class helps to even out opportunities for the greatest number of pupils (Crahay, 2007).

The OECD/PISA study referred to (2006) confirmed these observations on a wide scale with reference to 15 developed countries, where the mathematics skills of 15-year-old pupils were tested. It was found that the number of migratory movements into a state was no impediment to the quality of the schooling of migrants’ children. While children of immigrant origin are at least as motivated to study maths as indigenous groups, in most of the countries surveyed, they fell between one and two academic years behind local students’ capacities. A graduated effect was noted: migrant children had greater difficulties than young second-generation immigrants. Almost a quarter of young immigrants lagged behind in their learning sufficiently for this to be detrimental to their chances on the employment market: difficulties in problem-solving and logical reasoning and a low level of formal mathematical knowledge. It is lower-income immigrant populations which are in the greatest difficulty in Europe. It is noteworthy that the countries where skills differences between natives and migrants are greatest (such as Belgium) lack a language support policy for young people of foreign origin. The services provided by schools account for a considerable proportion of the skills differences between pupils. Prejudice against migrants may thus be associated with an inadequate allowance for their specific needs by agencies in the host society.

An explanation is still needed of the prevalence of prejudice in the school context. It may be supposed that the continuation of this kind of prejudice serves an ideological purpose at several levels. For teachers in the context of the school meso-system, burdening young people and their parents with responsibility for poor performance avoids the need to call their own work into question, thus enabling illusions as to the fairness of the system to continue. Furthermore, the existence of these stereotypes may also enable policy makers to avoid making more incisive assessments and developing fairer policies, taking account of migrants’ real difficulties. The non-existence of a policy in this respect offers immediate advantages, although this method is a disaster in terms of the improvement of the skills of the greatest number. The stereotypes under examination of course have long-term effects not only on the self-image of the population groups concerned, but also on the host countries’ economy itself, in the current competitive international situation. In social terms, discrimination at school is also a threat to the cohesion of the societies which take in migrants.

Indicators No. 35: Statistical, legal and socio-political factors behind the stereotype

Comparative proportion of young people from lower-income backgrounds leaving school without any qualifications	These three indicators show that the difficulties experienced at school by pupils from migrant families fit into a far more general pattern of poor performance at school in those classes and those lower-income neighbourhoods where migrants form a large proportion of the population
Comparative proportion of pupils from lower-income backgrounds recognised to be performing poorly at school	Verify the impact of social class on the academic success rate of pupils of foreign origin or born of people of foreign origin
Comparative proportion of young people from lower-income backgrounds repeating their year at school	Verify the cross-sectoral nature of the class factor in relation to sociocultural factors, and to national origin
Migrant households with children of school age living below the poverty threshold	This indicator too reflects the level of the risk of poor performance associated with children's social conditions
Educational guidance policy on admission to upper secondary school	Where pupils are experiencing the same degree of difficulty at school, those of immigrant origin are more systematically guided into vocational courses than those who are nationals. These pupils find themselves following poorly regarded courses in large numbers, and it is difficult to change course subsequently
Self-censorship	Large numbers of pupils from lower-income neighbourhoods are not very ambitious where secondary and further education are concerned. There are a variety of reasons for this self-censorship: lack of reference point or support in the family, poor self-esteem, influence of the community, etc.

4.3.3. Responses to the stereotype

Several studies have shown that migrants' bilingualism seems to have a positive effect which can counter the stigmatising effect of their background, except in respect of vocabulary. It is probably the development of the linguistic processes common to both languages (of the family and of the school) which accounts for the beneficial effects of one language on the other.

The question arising is a more general one, how to ensure that cultural diversity can be regarded as a resource and as something to work on, rather than as a threat or a handicap. Despite the rhetoric about diversity being an asset, difference is in practice still widely perceived to be a handicap at school, particularly by the teachers who are among the main stakeholders of relevance here. Their negative perception then justifies the very negative view which they tend to take of the mixed backgrounds of their students. While many studies have shown that diversity within a class may contribute to the success of all the pupils concerned (Crahay, 2007), it nevertheless needs to be a diversity which is welcomed, structured and worked on.

There is a need to move actively from a compensatory and paternalistic perception of diversity as a handicap to a perception that varied resources are of value. It is important to influence the mutual representations in play in relationships in the school context and to look at the questions raised by ethno-sociocultural diversity from all sides. The discussion must therefore be thrown open to the other parties inevitably involved: families and pupils. Crutzen and Lucchini (2007) draw attention in this context to the six lines along which

educational action could be taken to counter exclusion and to promote cultural diversity as a subject of learning: the intercultural project method, institution-based teaching, art-based teaching, teaching through non-verbal language, teaching through play and filming, and teaching the local language as a foreign and second language.

Teachers nevertheless seem ill-equipped to understand the difficulties experienced at school by pupils from lower-income backgrounds and of immigrant origin, as well as the sociocultural dimensions of learning and of the relationship with schools. The variable to which the positive effect on education of schools with classes from mixed backgrounds can perhaps be attributed lies in implicit “lateral” learning, that is, among peers, which is said to be even more effective than explicit learning. This raises expectations of arrangements whereby various players, such as teachers, pupils, parents, authorities and other regional educational bodies (including migrants’ associations), link up in regular dialogue. Discussions of this kind may take place in special fora for consultations and joint projects.

A second theory explaining the relationship between heterogeneous/homogeneous classes and pupils’ results emphasises the role played by teachers’ perceptions of their pupils, and the impact of these on interaction at school. It would be helpful to use the same curricula over a period of years and evaluate processes and arrangements intended to enable the school to meet the challenge presented by classes from mixed backgrounds. These recommendations point towards genuinely pluralist schools, foregoing the “illusions” created by mere lip service to equal opportunities focusing solely on equal results, and consequently recognising the inequality of needs and capacities and the fact that unequal responses must therefore be given. There should be no more misplaced requirement for years to be repeated, a process clearly both educationally ineffective and discriminatory. Teachers’ activity should be regulated by a system targeting key skills. Pupils’ learning should be organised in flexible groups according to need. Schools should be transformed into learning communities based on co-operation involving some external contributors.

Five approaches need to be developed in order to prevent teachers from being required to bear the main burden of change: public affirmation of the complexity of the equal results objective; dissemination of data illustrating social inequalities vis-à-vis the school; the raising of teachers’ awareness of cultural diversity in relations with both knowledge and the school; research into the diversity of relations with knowledge and into the most effective teaching strategies for pupils from disadvantaged backgrounds; and an effort to combat the segregation between schools fostered by the context of what is almost a “market” in education.

The key issue seems to be teacher training. It should not be forgotten in this respect that applied and pure research are frequently worlds apart, divorced from one another and from the practical teaching context, which develops independently. It would therefore be an important step to create one or more cumulative and balanced resource “banks” for teachers. These repositories of expertise and experience could meet teachers’ initial and in-service training needs and demands more effectively. They could also show off and disseminate information about all that teachers do, for there is no shortage of dedicated and ingenious schoolteachers who, sometimes working alone, endeavour to find solutions to such challenges as coping with children who do not speak the language of instruction (Manço and Harou, 2008).

Specific research into the relationship between schools and immigration is relatively rarely commissioned. One of the reasons for this is an ethical concern to avoid stigmatising immigration as such and to take the opposite line to some all too prevalent biased or simplistic explanations. The requisite changes to the organisation of education and training, if they are to take root and spread, necessitate a calling into question of the ethnocentrism of our educational and cultural systems. Our systems of thought have developed a veritable intellectual distrust (sometimes even a denial) of the ethno-sociocultural issue, which continues to create

fundamental problems for the operation of schools and is still all too often viewed by educational professionals as a threat to prevailing standards in the context of both schools and society.

Yet our societies became multicultural a long time ago. This being so, “intercultural skills” would make possible – and not just for families of immigrant origin – efficient management of manifold cultural reference points in contexts of inequality. Manço (2002b) refers to three in particular: the capacity to negotiate with others, and also with oneself in particular (internal dialogue within oneself); a mixed system involving a variety of sociocultural practices and behaviours juxtaposed and interlinking without being mutually exclusive; and the paradox-based approach whereby it is possible to manage/come to terms with contradictions creatively and comprehensively.

Thus many parties involved at international level, including the European Network Against Racism (ENAR), are calling for “integrated schooling”, bringing equity into education. Other methods of combating discrimination within school systems exist, making expertise available in most industrialised countries, one example being the ACODDEN network (A Classroom of Differences – Diversity Education Network), a platform in the field of intercultural education, the work of which is publicised by the European Jewish Information Centre. Other work is done by the European Peer Training Organisation (EPTO), which deals with the training of young people by young people with a view to combating exclusion.

The parties involved in education interact at the point where three linked spheres representing survival, culture and system intersect. The way in is often through culture, and the need is to render the implicit explicit. It is clear to anyone entering a school that the fundamental problem is not the meeting of cultures, but the terrible emotional state of pupils and teachers brought about by distrust and anger. This is why “survival” is the major theme here. Learning cannot take place in such a situation. Once a conflict has emerged, anything that has been learnt is forgotten. Hence the need to develop a systemic approach as we work on aspects of this “survival” dimension. The prime need is to restore trust and an atmosphere in which communication channels are open, before even beginning to give thought to the art of intercultural teaching.

Various organisations are developing teaching tools to use when working with children and adults on this issue, one associated with the meeting of “cultures” but not necessarily that of “ethnic cultures”. More frequent references will be made to “social and institutional cultures”, and especially the culture of the school, with work being done to explain its rules and customs, for instance. So the system itself must also be called into question. The most difficult areas are interpersonal relations and communication within the team, which may be multicultural. The main aim is to restore trust and dignified relations between teachers, as well as between teachers and their superiors, pupils’ parents, etc. Thus the question arises of how to operate and manage school structures in the face of internal and external diversity and the use made of resources outside the school, such as associations.

Relations with families are often limited to exchanges of complaints between teachers and parents. Each group, without really knowing the other, is highly prejudiced against it. Work must be done to overcome this clash through partnership. There are numerous examples of projects reflecting this approach, with some schools using a network of mothers as mediators in a system of parent-teacher co-operation within which each respects the other’s territory.

There are other projects designed to develop positive exchanges with pupils. These target areas such as the prevention of violence, language learning (especially for children not proficient in the language of instruction), building “bridges” between the family’s and the school’s culture, and so on. The latter area is one where the least work has been done, and it involves a shift from official curricula to “intercultural gateways”. The direct and implicit syllabus of subjects such as history, geography and literature provides openings for

diversity. The desired aims in every case are to communicate more positively within the system and to find out how to manage this multiplicity. In most European countries, however, diversity management is not part of teachers' initial training, and it scarcely features in their in-service training in some countries.

Thus it is clearly important to develop a range of teaching and assessment methods geared to different children, thereby boosting pupils' status and that of their families. The aim of course is that all should achieve the same results and acquire the same basic knowledge. Children lacking proficiency in the language of instruction, for instance, should be able to attend proper reception and adaptation classes making it easier for them gradually to fit into school life. It is also important for nursery schools to focus on oral language and enable children to move towards the written culture through play and on the basis of the pleasure provided by children's literature. Schools should not only enable young people to acquire basic skills such as reading, writing and arithmetic, but also help them to develop the most efficient working methods and to have the most positive possible relationship with knowledge.

In many European countries, much could clearly be gained from re-examining the curriculum in order to highlight the essential and make it meaningful for children and families of foreign origin. In this context, it can also be enriching to incorporate aspects of families' cultures and languages into the approaches taken and the educational content, thus "opening" the school up to the world about it. This is where young people of immigrant origin who have been educated in Europe can help. It is therefore important for the public sector to be open, in particular, to teachers, youth workers and other social workers of foreign origin.

It is also absolutely essential for something to be done about working conditions at certain educational establishments, which may be particularly difficult for some teachers. In order to give teaching staff new motivation, it is also necessary to have greater flexibility in the management of their careers. While this will require new investments in some places, the main need is to find new synergies with the whole network of public services and associations which exists around the school; this will require a considerable co-ordination effort. And it is high time to start giving consideration during teacher training courses to the issue of minorities of immigrant origin, and to centre teachers' in-service training on the practical problems that they encounter in their work.

In the face of the disheartened attitude of some young people who have fallen behind at school, it is vital to constantly bear in mind the fact that, whatever career they might wish to take up, training will enable them to achieve a degree of independence and awareness synonymous with success – especially as qualifications are often a statutory requirement for those wishing to take up certain careers. Anyone unable to keep up should, rather than giving up, have the opportunity to start again or change direction.

For the purposes of this kind of socio-pedagogical approach, there is a need to introduce consultation and co-operation between all schools and related institutions and the local population. This in turn requires a progressive and cautious approach necessitating continuity between educational practices at home and at school or in other institutions. Any contradictions need to be resolved and any friction converted into positive steps, so as to transcend stereotyping and rejection and ensure that, for example, intercultural and inter-institutional mediation takes place.

It is also time to give foreign parents an appropriate description of the school and its objectives, to listen to their grievances and to make it clear to them what is expected of them and what is available to them. This "opening up to the world outside" also implies co-operation and negotiation with the voluntary sector. Such encounters should certainly not be envisaged in an unproductive spirit of rivalry. All the parties concerned – teachers, parents and social workers – are entitled to respect for what is specific to them. Only in these conditions can schools provide an education that will combat the spread of prejudice.

Action also needs to be taken against certain schools' discriminatory policies. The principle must prevail that enrolment is open to all, if necessary via the courts or press campaigns. Various trade unions and associations are willing to help with complaints about enrolment policy. Legislation exists in several European countries to ensure the socially mixed nature of schools. It is necessary to do more, however, to make parents and young people aware of the disadvantages of schools or school courses attended by too great a concentration of pupils of one and the same origin. Action also needs to be taken against differences in the achievement levels of schools, through the development of common assessment methods and comparable curricula. Extra material support for schools in difficulty is also necessary, provided that such assistance can be managed by all the educational partners concerned. Racism and xenophobia can be combated only through shared experiences which are pleasurable, enriching and solidarity-based. Support therefore needs to be given to any initiative fostering mutual understanding and a degree of cohesion.

In conclusion, the recommendations are, firstly, socio-pedagogical support for the groups concerned: the raising of families' awareness about education systems and their shortcomings, the provision of positive models to boost self-image, assistance with the development of realistic and fulfilling school and career projects geared to the employment market, combating tendencies towards community-based concentration, raising awareness of the need for a variety of skills within communities, identifying and supporting immigrant communities' symbolic resources (the bold steps taken by the original migrants), and assuaging the fears of cultural assimilation felt within these communities.

Secondly, there should be action with and on school systems in conjunction with family-based action: action against the causes and/or effects of community-based concentrations according to locality; specific action to develop proficiency in the languages of instruction (example of Flanders); creation of schools which are socially mixed (pupils, staff, sections, etc.); identification and publicising of the success strategies of populations of immigrant origin; provision of opportunities for dialogue between pupils and teachers, teachers and teachers, pupils and parents, teachers and other parties; work during initial and in-service training on the school's perception of those whom it serves and of its duties; identification and publicising of the good practices, intercultural skills and know-how of education's stakeholders and systems; development of a culture of progress assessment and success; combating of schools' standardising tendencies; assuaging of teachers' fears and feeling of being victims of an invasion; higher status in schools for pupils' languages and cultures of origin.

In this context we face two obvious empirical facts. First, studies such as the one by OECD/PISA show that states which acknowledge their role as countries of immigration have the smallest divergences between the success rates of indigenous and migrant pupils. This is probably so because these countries, such as Canada, the United States, Australia, the United Kingdom and New Zealand, operate their school and employment integration systems in a way which makes provision for the "foreignness" of some of their population groups, offering appropriate language lessons, etc. There is therefore a need for a "country of immigration" status, and the countries of mainland Europe, such as Belgium, need to adopt policies accordingly (on residence, access to their territory, integration, schooling, the granting of regular status for the purposes of employment, and so on). Second, there is a hierarchy of "cultures", with a child who speaks English in the family being considered by the school, and by society at large, to be "at an advantage", whereas one who speaks Kurdish will be regarded as being "at a disadvantage" at school. Until such time as we change our stereotyped views of "others", discrimination will continue to flourish.

Indicators No. 36: Prospects for change

Taking account of the specific needs of pupils of immigrant origin	School curricula are designed to standardise knowledge through standardised teaching. Relatively few schools take account of the specific needs of pupils of immigrant origin (for example, help with languages)
Strengthening of dialogue with parents	Action to remedy poor academic performance can sometimes take the form of greater parental involvement in monitoring progress. Many migrants are unable to help, having little or no command of the language, being unfamiliar with the cultural references needed for school work, etc.
Presence of advisers and vocational guidance staff in lower-income neighbourhoods	This indicator shows the importance of the education system having human resources specifically to provide guidance to pupils in the lower-income neighbourhoods where the children of migrants are concentrated. It can be compared to the equivalent indicator for the whole country or for the reference population
Existence of teaching teams at schools	Proportion of all (primary and secondary) schools in lower-income neighbourhoods which have a multidisciplinary team focusing on the teaching approach (team teaching, psychologists, teachers, social workers, guidance staff). This indicator assesses the education system's efforts to gear teaching to the specific conditions in lower-income neighbourhoods
Proportion of pupils of immigrant origin experiencing difficulties and benefiting from access to personalised support at school	Unlike pupils from better-off social backgrounds, migrants' children seldom benefit from individualised support at school (in any form) when they experience difficulties

4.4. "Migrant women live as a minority"

4.4.1. Description of the stereotype

For many years, women migrated to Europe when families were reunified or after decisions to migrate had been made by men. Most of the women who migrate today do so independently, looking not just for work, but also to escape the traditional role assigned to their gender, their lack of prospects and the discrimination experienced in their countries of origin (Kofman et al., 2000: 21-22). While they might have done so in the past, they will no longer put up with another person's migration project, but set off on their own. It has been noted that many women from eastern Europe between the ages of 30 and 45, whose case is typical, leave their partners and children behind in their country of origin and support them by making cash transfers, without any plan to settle in the long term. Younger women without partners do intend to start a new life abroad (Grzymała-Kazłowska, 2001). Similar patterns are found among women from Latin America. These new arrivals have come, over the past few decades, to live in the same countries as those who emigrated with their partners and the women of the "second" and "third generation" who were born or grew up in Europe and are seeking fulfilment in "two worlds", their parents' and the one in which they are living (Salih, 2003).

It is perhaps surprising, in this fairly dynamic and variable scenario (Vicarelli, 1994), that a stereotype persists along the lines of "migrant women live as a minority", in a position of subjugation, oppression, subject to restrictions on their freedoms and life opportunities because of "patriarchal institutions", symbolised by their husbands or "communities of origin". Based on women's status and the nature of relations between the sexes in populations of foreign (particularly non-European) origin, these harmful stereotypes are of a twofold, or

sometimes threefold nature: they involve at one and the same time a portrayal of migrant women as passive “victims”, a representation of migrant men as violent chauvinistic tyrants, and the view that the cultures to which they belong and their ways of life are “behind the times”, “out of date”, or indeed “incompatible with democracy”.

The mere possibility of a lack of perfect equality in relations between the sexes in groups of foreign origin comes to be regarded as a threat to European society as a whole, a threat of which the ultimate cause is alleged to be migration from certain countries, particularly those with a Muslim majority. This over-dramatic generalisation leads to the conclusion that, “if we want to protect gender equality, we must save women from their communities of origin”, so, at the same time, “if migrant women wish to stay here, they must free themselves from their own family and cultural background”. The order of the day is equally clear for the persons considered responsible for this “minority” situation: “if we wish to protect gender equality, we must restrict migration from certain countries and adopt strict criminal-law provisions on this subject”. It is asserted at the same time that, “if migrants wish to stay here, they must respect gender equality” by forgoing the cultures and religions regarded as fuelling their chauvinism. It is even stated that “anyone who wears the veil or forces another person to wear it has no place in our countries”: emancipation and Westernisation tend to be one and the same thing.

Underlying these harmful ideas about non-European population groups regarded as “backward” in terms of civilisation, in general, and in terms of gender equality, in particular, is a specific prejudice about Islam and the Arab world. This prejudice is now advancing against the background of a wider-ranging political debate in which the fear generated by the attack on the Twin Towers is being exploited by people breathing new life into atavistic clichés about Islam and Arab/Muslim culture (EUMC, 2001).⁶⁹ Now that terrorism is automatically associated with Islam, all Muslims are suspect until proven innocent, and find themselves in a paradoxical and vulnerable position in which they need to “prove” what they “are not” and “could not be”, and justify their Muslim identity, a burden they have to bear and which is becoming increasingly difficult to manage. Muslim women are experiencing a similar process.

The situation of women in Islam and in European Muslim communities still has a central place among the issues constantly resurfacing in public debate. The very widespread statement that “women are oppressed by Islam” is an attempt to encapsulate the out-of-date and undemocratic nature of Muslim civilisation, and particularly of the “intransigent and barbaric” laws of Sharia. In this context, the very term “Muslim woman” is immediately evocative of a devalued and unacceptable situation in terms of “European standards”. Some of the clothes habitually worn, such as the various kinds of hijab, are taken to be symbolic of the subjugation of women imposed by the patriarchal society of Islamic origin. Consequently, references are made to a number of phenomena of very different origins, practised to varying degrees, such as the obligation to wear the Islamic headscarf, the requirement for women to be virgins on marriage, endogamous marriages, “arranged” or “forced” marriages, polygamy, “crimes of honour” and infibulation, so as to alert public opinion to the actual and symbolic violence said to be suffered by women in their own countries and in Europe.

The crucial issue of gender equality is thus entrapped in a binary and over-simplified ideological argument about the negative effect of religion and non-European (for example, Muslim) traditions on human rights and freedoms in a European society which claims to be “secular”. Thus a sympathetic view may be taken of migrant women, who are very often responsible for achieving their own emancipation. The benevolent attitude taken

69. The term “Islamophobia” is used in this context, and this is not a new problem. ECRI had already turned its attention to this issue 18 months before the terrorist attacks of September 2001, in its General Policy Recommendation No. 5 on combating intolerance and discrimination against Muslims. It is a feeling which has existed for a long time and has run through the whole course of modern European history (Daniel, 1993; Geisser, 2005). Several observers have pointed out that, following the tensions of the 1960s during decolonisation struggles, it was when the “communist threat” came to an end and the first Gulf War took place in the early 1990s that Islam again became a source of constant concern to the West (Habermas, 1991).

towards them may lead to a degree of paternalism, or to feelings of superiority over women elsewhere in the world among emancipated Western women. Women of Maghrebi origin are said to “deserve great credit”, as opposed to their brothers, those “lads from working-class neighbourhoods”, disaffected and in difficulty, incapable of integrating like their sisters (Bonelli, 2005).

Much opposition has been voiced to such ideas over the years. The questions raised are numerous. The stereotyped image of Muslim women, whether in Europe or in countries where there is a Muslim majority, is surely a vehicle of Western cultural hegemony, intended to discredit a system of values and assert the superiority of the “universal” model of the liberated Western woman over that of the Muslim woman “still needing to be freed”. Accusing Islam of “oppressing women” is surely an excessive simplification of a far more complex reality, ultimately making diversity a “crime” in a way not conducive to gradual mutual adaptation of ways of life. Embarking on a “mission” of liberating foreign women, particularly Muslims, from their oppressive communities might well be used as an “excuse” for tightening up immigration controls and identity checks and making them more discriminatory, or serve as justification, subsequently, for such controversial international undertakings as the war in Afghanistan. If the emphasis is placed solely on the cultural and religious aspects of migration, does this not mask other crucial social and economic issues such as the exploitation of women on the open or underground domestic service and sex markets? Finally, does the image of migrant women as submissive and culturally backward not increase the discrimination already faced by all foreigners, particularly in terms of access to employment, school and university education and public services?

Indicators No. 37: “Facts” underpinning the stereotype

Violence against migrant women	Complaints of and investigations into offences relating to violence against women of foreign origin (by type of offence and nationality of perpetrators)
Occurrence in “immigrant communities” of practices regarded as contrary to the dignity and freedom of women	Survey on the occurrence of certain practices (polygamy, wearing the Islamic headscarf, arranged marriages, forced marriages) giving rise to criticism (with the distinction being made between criticism coming from women themselves), in absolute terms and expressed as a percentage of women in the same group. Survey on whether these practices are voluntary or imposed and on the “motivations” (tradition, religion, etc.)
Occurrence in “immigrant communities” of practices violating the physical integrity of women	Survey on the occurrence of practices such as infibulation (specifying the type) of girls of foreign origin, in absolute terms and expressed as a percentage of women of the same group (specifying whether infibulation took place before or after arrival in Europe). Survey on the “motivations” (tradition, religion, etc.) of this practice

4.4.2. Explanation of the stereotype

The evidence usually quoted to prove that migrant women are oppressed and submissive relates first and foremost to the violence which occurs in immigrant households, especially if they are of the Islamic faith or of Maghrebi origin. Also included are perfectly peaceful practices, such as the wearing of the Islamic headscarf, particularly in countries like France, which have prohibited it and all other “religious symbols” in public places. As in the stereotyped view of migrants as “criminals”, a crucial role is played by the media and extreme right-wing populist propaganda in cases in which women have been subjected to violence. The attention given by journalists to such incidents is out of all proportion with their true frequency, heightening the perception that “crimes of honour”, “forced marriages” and “punishment” or “segregation” of women – to name just the offences most commonly under discussion – are the rule, and not the exception. In actual fact, domestic violence against women in all European states affects the population as a whole, cutting across all nationalities,

origins, and cultural and religious affiliations. Thus we can see that these problems are an integral part of societal and family dynamics, and that giving religious or cultural explanations for them is an expedient.

It is of course sensible to avoid ever attributing to any nationality, culture or religion full responsibility for practices which are regrettable in human rights terms, or even lethal. Such practices are in any case challenged and rejected by women themselves, sometimes using cultural, religious or legal arguments. This is even more frequent among emigrants, whose new situation is usually an invitation to take a more moderate attitude to and reinvent their traditions. It is therefore important to make a careful distinction between what the Koran and Sharia actually require and the way in which this is interpreted in different countries and in different historical periods, as well as the way in which it becomes mixed in with local traditions, or even with previous patriarchal family structures and cultures. There has always been interference between the rules of the Koran, secular law and social tradition, as well as a degree of leniency, particularly in rural or disadvantaged areas.

There is a whole tradition of feminist interpretation of Islam whereby the religious texts subordinate to the Koran, such as the Tafsir and the Ahadith, have introduced a patriarchal culture based on a largely egalitarian ideology: this relies on the fact that God is just and cannot therefore tolerate discrimination against women; on the contrary, He advocates fundamental equality between the sexes (Barlas, 2002). What we can say today is that, generally speaking, Muslim women are becoming more aware of, and now have a strong desire to assert, the rights granted to them by the Koranic tradition itself. From the outset, the Koran improved women's lot, allowing them to have their say about their own future, granting them goods to ensure their material independence, opening up their path to knowledge and to shared responsibility in the family and society. The problem remains of application of this "egalitarianism in principle", for in Islamic lands and Europe alike, seldom is the existence of a culture of discrimination against women actually admitted.

Where polygamy is concerned, or, to be more precise, polygyny, that is the marriage of one man to more than one woman, it should be borne in mind that this has been common in human societies since the most ancient of days. For centuries, the different religions either explicitly accepted or tacitly tolerated it, until it started to be prohibited, as in Judaism and Christianity. In early 7th-century Arabia, some men had up to 10 or more wives, depending on their wealth. Islam changed this state of affairs, limiting each man to four wives at any one time, and then only if he complied in principle with certain conditions regarding a suitable life and fair treatment. In the course of the 20th century, in the face of simultaneous pressure from feminist demands, nationalist movements and civil society, some states introduced mechanisms to keep the system of polygamy under control. Overall, this was fairly ineffective, being based on inevitably qualitative criteria which left the courts a large measure of discretion.

In order to overcome the inequality built into polygamy, reserved for men, and to lessen the negative effects of polygamy on women and children, women's associations in the Muslim world are calling for stricter application of the instructions on this matter laid down in the Koran, and even the prohibition of polygamy. According to some interpretations, this is completely achievable within the principles of Islam. Indeed, according to the verses of the Koran concerned, the practice of polygamy is lawful only if the exercise of the husband's rights does not infringe the rights of the other members of the polygamous household, which are protected by the other rules and principles of Islamic law. On the other hand, if the inevitable result of the practice of polygamy is shown to be a violation of these rights (thus causing significant effects more harmful than beneficial to the families), it could legitimately be prohibited.

In most Islamic societies today, polygamy is on the wane as a result of socio-economic changes and improving levels of education and literacy, including those brought about by migration. It now occurs in fewer than one tenth of households and is more widespread in rural than in urban areas. Rates of polygamy are particularly high in low-income families with low levels of education, whereas elsewhere the rates are falling considerably.



However, the relevant codes in Morocco (*Moudawana*) and Algeria (Family Code) still allow polygamy, whereas Tunisia's Personal Status Code and the Turkish law on the subject prohibit it. While it is allowed in Benin, Burkina Faso, Cameroon, the Central African Republic, Gabon, Mali, Mauritania, Senegal, the Comoros, Egypt, Pakistan, Sri Lanka and Cambodia, it is prohibited in the Ivory Coast.

The prohibition of polygamy in Europe raises more complex issues. Before being cited for ideological/cultural reasons as a source of women's subjugation and a cause of poor child-rearing (Khiari, 2006), it was in the context of immigration controls that polygamy was not recognised, or was regarded as a real crime. The avowed aim was to restrict the number of admissions and reduce the numbers of resident foreigners of Arab/Muslim origin. Moreover, prohibition came fairly recently, following a period of *de facto* tolerance. In France, for instance, polygamy was not prohibited until the Pasqua Law of 24 August 1993. It is currently a ground on which residence and family reunification can be denied, or a residence permit can be withdrawn. Thus, current immigration policy prevents the exercise of a right acquired by polygamists under private international law: the right to take advantage of a union validly celebrated abroad. The rules on this subject deny polygamists' wives the right to come to the country to live with their partners, while those who have obtained residence permits for the purposes of family reunification live in uncertain or irregular conditions.

On the subject of female circumcision and the more extreme version of this, infibulation, it is helpful to remember that these practices, albeit of uncertain origin, certainly predate Christianity and Islam, going back to the age of the Pharaohs. Two simple facts should dispel the association between infibulation and Islam: firstly, in the countries where this practice is most widespread (for example, those of northern and central Africa), it is common to Muslims and Christians; and, secondly, these traditions are unknown in some of the countries where Muslim civilisation was born, such as Saudi Arabia, Iraq and Iran. It is nevertheless true that female circumcision is allowed by Sharia, although neither compulsory nor praiseworthy, criticised nor defended. However, a distinction needs to be made between different kinds of circumcision: the more invasive kinds are covered by the strict prohibition under Sharia of the cutting of any part of the human body, other than for medical reasons or in other specific circumstances, such as male circumcision.

One of the other disputed practices is forced marriage, which is prohibited in all Muslim countries, marriage being recognised only on the basis of consent freely given by both spouses. Forcible marriage is not justified by religion, but is viewed as an alternative to the loss of the group's cultural identity which might otherwise occur. This may explain why a practice which is on the wane in countries of origin is increasingly common among immigrant populations in Europe. Endogamy (a formal or less formal requirement for a Muslim woman to marry a person from the same religious community as her family), choice of future husband and virginity at the time of marriage are issues which are more complex and less clear-cut. These practices seem to be the focal points of the defence by some parents of their traditional collective identity.

In many cases the "identity" element of religion makes its return, as happens, *inter alia*, in a context of integration problems and difficulties in obtaining social recognition through work: "overburdened by immigrant status, with his former certainties shaken and contradicted by all that surrounds him, the father is completely overwhelmed by the changes occurring in his immediate circle, as if unable to cope with the changes that he detects in his own children" (Sayad, 1999). So parents may draw on religious ideology to provide a sacred basis for support for the principles which they are applying to the upbringing of their children, when these are in doubt. Furthermore, this kind of "return" of the religious element is a global phenomenon (Casanova, 1994) also affecting Christian Europe, when very sensitive subjects which need to be discussed and regulated arise, such as abortion, end-of-life decisions, the use of artificial insemination techniques, and the biomedical use of embryos (Rodotà, 2006). In this context, European societies need to preserve their independence in the face

of any religious challenge to the secular principles of coexistence and of equality between human beings, faiths and cultures, in a situation in which pluralism prevails and the rights and freedoms of all are honoured.

Nevertheless, the stereotype of women, especially Arab/Muslim women, subjected to the authority and abuses of their communities of origin is not the only one hanging over foreign women and reinforcing their “minority” status. Migrant women are stereotyped in other ways which reveal deep-rooted chauvinistic and discriminatory attitudes in host societies. Generally speaking, this casts some light on the function of the stigmatising views expressed about women and puts into perspective the actual concern that host societies attach to gender equality for immigrants.

Women from eastern Europe and south-eastern Asia are therefore often, in contradictory fashion, portrayed at one and the same time as the passive and helpful “domestic cleaner” type of woman and the sexually active and attractive “prostitute” type (Keeler and Jyrkinen, 2002). The point has even been reached at which certain nationalities are treated as synonymous with one or the other of these kinds of work (Ebron, 2002), probably because some of the female immigrants from these parts of the world who arrive in certain countries, in particular, can find no work in any other sector, at least initially. This ambivalence also extends to Muslim women or women from Muslim countries, referred to as “whores” just because they do not comply with the whole range of traditional family rules (Amara and Zappi, 2003).

In both cases, the view taken tends to be that of the dominant male, unconnected with any specific cultural or religious affiliation, based on reification of socially inferior foreign women’s bodies for his own benefit. Thus, the cultural degradation of migrant women is a result of their being regarded as suitable solely for the world of domestic work and caring from which “emancipated” Western women have “escaped” (Ehrenreich and Russell Hochschild, 2002), the sex industry or the “mail-order brides” network (Berglund, 2005). In this context, it is vital to do away with the mechanisms which give rise to “multiple discrimination” against women, on the basis of gender, origin and social class (Parella Rubio, 2003). If this angle of approach is taken, the minority situation of migrant women no longer seems exceptional or in complete contrast with that of European women, who regard themselves as emancipated, for both situations can be attributed to the chauvinism which persists in democratic societies.

According to certain field studies, the thing which attracts men to foreign prostitutes is not price or beauty, but very much the desire of customers, whatever their class or job might be, to conquer and dominate the young women concerned. Immigrant women with coloured skin, in particular, are regarded as true “wild animals” (Dal Lago and Quadrelli, 2003: 231). Generally speaking, “foreign women can be insulted, teased, hit, violated and used as sex objects. They may attract or provoke disgust, but ultimately they are there to do with as we like” (ibid.: 238), and even more so if they have no residence permit. The brutality with which foreign prostitutes are treated by some men in host societies, like the over exploitation of domestic staff by some women in host societies (Morini, 2001), is ultimately part of a fairly widespread “neo-colonial” cultural code which accepts migrants only if they are “submissive” and in an apparently weak and defenceless position. This code is so widespread that it is not even perceived as deviant or ethically reprehensible, but ends up being accepted as normal (Dal Lago and Quadrelli, 2003: 238).

Looking beyond these explanations, there are according to some authors anthropological reasons for Western societies’ difficulty in engaging in non-conflictual relations with Arab/Muslim societies. This difficulty is, furthermore, destined to diminish as the latter establish themselves within “demographic modernity”, as they are currently doing, with falling birth-rates and rising literacy rates, particularly among women (Todd and Courbage, 2007). The Arab/Muslim family structure presents a unique combination of egalitarianism and community aspiration. This specific type of anthropology extends beyond the Arab world into countries such as Iran, Pakistan, Afghanistan,

Uzbekistan, Tajikistan, Kyrgyzstan, Azerbaijan and parts of Turkey, but not into Indonesia and Malaysia or to the peoples under Islamic influence of the African seaboard of the Indian Ocean. The very lowly status of women in this type of family is just the most striking thing about it. "The father-son relationship is not truly authoritarian ... and it is the horizontal association between brothers that really counts" (Todd, 2002: 49).

A comparison of the typical Arab/Muslim family with other models reveals a fundamental tension: "the American family is nuclear, individualist, and reserves a high place for women as wives and mothers. The Arab family is extended, patrilinear, and places women in a situation of maximum dependence. Marriage between first cousins is particularly taboo in the Anglo-Saxon world but preferred in the Arab world". Thus "In the United States, feminism has become over the years increasingly dogmatic and aggressive, and genuine tolerance for the real diversity in the world is forever waning, in a sense destined to come into conflict with the Arab world and the rest of the Muslim world where family structures resemble those in the Arab world" (ibid.: 136).

If we truly want to help to improve conditions for Muslim women, it is vital to grasp the importance of these anthropological questions and the psychological challenges that they entail for the Islamic world, for which women are the last bastion of an identity under heavy fire. This fear corresponds to the European fantasy that the assimilation of Muslims involves women first of all, who are thought to be more successful in both the school and work contexts, to be gentler and more law-abiding, and to be the bearers of a social emancipation dynamic, injecting modernity into this new barbarian world of "urban estates".

This goes some way to explain the Muslim world's refusal to discuss the subject of women in Islam, for Western criticism, even if sometimes justified to a certain degree, is nevertheless perceived as an unacceptable interference in local cultural life. A particular result of the Muslim world's efforts to protect itself from colonisation was the seclusion of women, who, while playing their own part in the fight against colonisation, rejected the liberation advocated by a particular type of Western counterpart. For a long time, the path to emancipation taken by Western women was – and in some places is still – regarded as a colonialist one which should be resisted, since any support for this model indicated a degree of betrayal of the Muslim identity.

The dynamic processes involved are clearly in play on the matter of the hijab, the Islamic headscarf. Its adoption is not just a step back into the past and its traditions, for behind it stands a new kind of Muslim woman: educated, urbanised, asserting her claims, and no longer submissive and relegated to the private sphere or confined to the home just because she has opted for the hijab (Göle, 1993). Seemingly paradoxically, some of the girls most fully integrated into French culture and society are taking to wearing the hijab. It is unsurprising that the girls "most integrated" into French society through their studies and socio-economic role are wearing it and publicly demanding the right to do so (Gaspard and Khosrokhavar, 1995: 45-46). There is a complete lack of comprehension of the French girls who wear it, because they are, in essence, proclaiming "I am French and I am socially and culturally integrated, but I wish to be able to affirm my religious beliefs in public". They often choose this path despite parental disapproval and fears of exclusion.

During the public debate preceding the introduction of the French law on the hijab, some girls agreed to appear before millions of television viewers to claim their right to cover their heads. The variety of shapes and colours of their scarves, far removed from the uniformity and austerity of the Iranian chador, showed that appearances did matter to them. While they may, to justify their decision, refer to "the modesty and restraint that all Muslim women have a duty to show", it is interesting to note that they spoke confidently, daringly and with a hint of mischievousness. Ultimately, these young French women who wear the hijab provide living proof of the fallacy of the binary and stereotyped view of Muslim women as, on the one hand, "objects of desire and pleasure", and, on the other, "submissive, confined, dominated by Muslim men".

Indicators No. 38: Statistical, legal and socio-political factors behind the stereotype

<p>Relationship between amount of media coverage of “intra-community offences” and the actual proportion of violent offences against women that they represent</p>	<p>The social alarm generated by certain practices regarded as contrary to gender equality is the result, amongst other things, of media overexposure of instances of this type, which constitute only a part, often very small, of instances of violence against women as such, all national origins combined</p>
<p>Literacy rate of migrant women according to country of origin</p>	<p>The inferior status in which some women of foreign origin live can be correlated to the literacy rate of these women and, in general, women in the country of origin. There is a link, confirmed throughout history and in all societies, between “emancipation” in the broad sense and women’s literacy</p>
<p>Employment sectors of migrant women and women of foreign origin (according to education level and country of origin)</p>	<p>The difficulties which women of foreign origin encounter in their path towards emancipation are often linked to their lack of independence (not having a job) or to the low level of their employment. Integration into the labour market varies according to the level of education and country of origin</p>

4.4.3. Evaluation of the stereotype

The stereotype according to which migrant women are submissive and dominated, or objects of men’s desire, has several negative effects not only on the women immediately concerned, but also on the men of their communities of origin, all tarred with the same brush as chauvinistic oppressors.

The first is that women are viewed as inconvenient “victims”, frequently receiving no real protection or assistance from the authorities. While politicians claim to give priority to dealing with these “humanitarian situations”, the measures actually taken to protect women of foreign origin often prove ineffective and inadequate. On the one hand, women harassed in their own country because they do not conform to the predominant social model (being divorced, single mothers or lesbians) find it extremely difficult to obtain refugee status in Europe. The violence perpetrated against them is relegated to the private rather than the political sphere, so it is regarded as part of everyday life, despite being a product of a discriminatory culture. On the other hand, the inadequate numbers of hostel places for migrant women subjected to violence and, in particular, a lack of legal support and assistance to achieve social and financial independence leave victims feeling isolated and cut off, which is not conducive to positive interaction between them and the other members of society. What is more, if the implicit model for such action is separation of women from their families, no preventive action is taken and no incentive offered to alter households’ internal gender relationships by giving women their say and their independence.

It is very difficult for migrant women in an irregular situation to obtain protection, even if they are the victims of violence by men within the family and/or elsewhere. Some members of the police may refuse to register a complaint on the grounds that no residence permit is held (whereas an identity document is all that is needed to make an official complaint), while others agree to register it in principle, but also warn that the victim’s irregular situation will be reported. In both cases, women’s rights will go unrecognised, while the perpetrators of violence will not be prosecuted, or may even take advantage of this situation to reassert their authority over their victims. When complaints by women without residence permits are registered, their good faith is sometimes called into question, as they are suspected of complaining just to obtain regular status.

The second negative effect is that the prohibition of certain kinds of controversial, but ultimately legitimate, behaviour, such as the wearing of the hijab in public institutions, involve use of criminal law to increase the

extent to which women of foreign origin are stigmatised and excluded. There is a risk that pure and simple prohibition of even more controversial practices, or practices such as genital mutilation which clearly violate human rights, will “confine” the problem to families’ private worlds, beyond any supervision or encouragement to make a collective change in customs.

The third such effect is the addition of new forms of discrimination based on gender, culture and religion to the discrimination already practised on the basis of nationality and origin. Such discrimination occurs in the context of access either to a country or to employment and services. Employers feel that the stereotype makes it legitimate for them to prefer other applicants, whom they regard as more reliable, and to ignore migrant women’s qualifications and give them arduous and low-paid work (Ehrenreich and Russell Hochschild, 2002). In the social and health services, these women’s special requirements, such as their request to be treated by female doctors, are not considered legitimate: they are felt to be asking for too much, seeking privilege through a legacy of an out-of-date culture. The end result is different levels of access to health care, including maternity services.

Finally, the “culturalist” interpretation given of inequalities, including those based on gender, leaves aside their structural causes, which occur in the context of immigration controls and give rise to the dependence of women reunited with their husbands in order to obtain admission and a residence permit, and in the spheres of social mobility and access to education and employment. And this interpretation overlooks the complexity of the changes that migration brings with it in terms of identity and gender balance. Having migrated, a family is no longer in the same cultural situation as in its country of origin, so relations between husbands and wives alter as power shifts within the couple. Women specifically, if they do not go out to work, bear sole responsibility for household management, giving them a greater domestic and child-rearing role. Like a large proportion of indigenous women, those who do go out to work have to cope with fatigue as they try to reconcile working and family life, but do thereby gain significantly in terms of independence.

Indicators No. 39: Effects of the stereotype on migrants’ rights and well-being

Cases of aggression against migrants wearing the hijab	The stigmatisation of women wearing the hijab as submissive and anti-modern women may result in verbal or even physical aggression against them
Applications for asylum or residence permits refused to female victims of violence, divorced women, etc.	The legislation in force in the field of immigration does not always take into account the case of women who, having been the victim of violence, request and obtain a divorce but do not have a residence permit independent of their spouse. The legislation therefore incorporates the same “minority status” of women of foreign origin claimed and criticised in public opinion
Discrimination against women (particularly those wearing the hijab) in recruitment, at the workplace, in public services, etc.	The stigmatisation of women of foreign origin as submissive and/or anti-modern women may give rise to multiple forms of discrimination: when seeking employment, at work, in public services, etc. Verify whether the effect of wearing the hijab reinforces discrimination against these women
Comparative rate of over-qualification in employment among migrant women and local women	A comparison of the relationship between educational level and type of employment shows that women of foreign origin have a significant over-qualification rate, including in comparison with local women. Verify whether the fact of wearing the hijab boosts the over-qualification rate of these women
Comparative unemployment rates of migrant women and women of foreign origin, according to country	The unemployment rate among migrant women is an indicator revealing their difficulties integrating in general, but does not specify the cause. A comparative analysis of the situation of women according to country of destination and origin may provide some insight in order to have a better understanding of the problem

4.4.4. Responses to the stereotype

The first step that needs to be taken to consign to the past both the stereotype and its negative effects on the well-being and rights of migrant women is to drop the oversimplified distinctions made between Europe as a land of democracy, modernity and gender equality and the non-Western world as an area of backward cultures where women are oppressed, and between emancipated European women and dominated non-European women. Migrant women are in fact very active and dynamic, capable of making their own way as they move between two or more worlds: “immigrant women themselves are autonomous and able to develop an identity which is neither that of their past nor the one that Western women want; immigrant women adopt their own attitude to migratory processes, to inclusion processes within host societies, and, in particular, to the coexistence between their culture and the changing culture of their host countries” (Vicarelli, 1994: 9).

Obviously, this kind of change can come about only if fairer conditions of access to countries and their labour market are created for migrants, particularly migrant women, and if, in addition, strong voluntary movements and networks are organised which can offer support to individuals during these complex and sometimes painful processes of emancipation and identity variation. If Muslim women are conspicuous by their absence from the debate, how can we speak of the “modernisation of Islam” and equality of opportunities and results?

As already stated, large numbers of Muslim women – intellectuals, academics, practical women – living in Islamic lands or in the West have been trying for decades to speak out, express their beliefs and take over responsibility for their own lives, extricating themselves from the control hitherto exercised by Muslim men. Koranic sources are now being interpreted from a new female perspective, with a view to determining a fair and independent personal status for Muslim women: rights which are understandably feminist are being claimed, but in and through Islam, not against it. The attempt to emancipate women on the basis of a specific Western model set up as the universal model outside the Islamic reference framework resulted in a huge failure in most Arab/Muslim countries, and at least a partial failure in the diaspora as well. Hence the benefits and effectiveness of this kind of internal dynamic process, whereby specific ethical principles are advocated at the same time as universally agreed egalitarian principles. This new interpretation of Islam from a female perspective is therefore one that is full of hope, both for Islam and Muslims and for the coexistence of different cultures.

The challenges which lie ahead for Muslim women and migrant women in general are huge. They are emblematic of the general state of a pluralist society: every person needs to restrict his or her demands in relation to identity and realise that far-reaching processes of social and political change foster or limit individual and collective development. Everyone, irrespective of gender, approach to religious matters and cultural background, should be given the right both to play a part in defining the well-being of society and to share responsibility for the corresponding policies and action.

Among the structural aspects to be taken into account in order to emancipate migrant women are amendments to the rules on admission and residence, the creation of a new welfare state and recognition of the social and economic importance of the caring professions. It is true to say, in the current context, that “many European families consider the undeclared and low pay domestic work that immigrant women are carrying out as a ‘solution’ to balance their work and home life” (European Women’s Lobby, 2004). The opposite line should be taken, urging all movements which defend foreigners and all feminist movements to make greater efforts in their activities and when they make their demands to combat the twofold oppression to which foreign women are subjected, to encourage women in immigration and emigration countries to work together for the cause, and to forge links between women’s groups in these countries. Only together can something be done about the oppression of women, which cuts across national borders, for the sake of the rights of all women, freedom of movement, economic development and gender democracy.

Fairly specific action will need to be taken: financing of universally applicable social and education policies; setting up of more support programmes for women subjected to violence and discrimination, even those who have no papers; general training for members of the various key professions (doctors, teachers, judges, police officers, public service executives, civil servants) in the gender dimension of social problems and migration trends; introduction of a right of asylum for women subjected to harassment; extension of the protection of the law to women in an irregular situation; separation between the legal status of women reunited with their spouse and that of their husbands; specific and reliable statistics on violence against immigrant women.

Indicators No. 40: Responses to the stereotype

Specific and reliable statistics	Is medical information systematically collected about contacts with the health services identified as being made because of violence against women? Are there systematic references in police statistics to the victims' and perpetrators' gender?
Information about women's rights, legal and protective measures, services for victims, etc.	Are there any arrangements to raise awareness of and provide information on women's rights, on legislation providing protection against violence, and assistance to women who are victims of violence?
Code of conduct for media professionals and media monitoring bodies focusing specifically on violence against women	Has a code of conduct relating to violence against women been drawn up for media professionals? Does a media monitoring body exist which deals with issues relating to violence against women and sexism, as well as the stereotyped representation of women?
Assistance programmes for women subjected to violence and for men who perpetrate violence	Ensuring that all migrant women subjected to or likely to be subjected to violence are entitled to renewal of their residence permit despite the ending of their conjugal life. Achieving independence by providing housing and an adequate income
Prevention of violence	Procedures whereby the free and informed nature of the consent given by those who wish to marry can be verified (without any obligation based on country of origin or religion, as this would be discriminatory). Provision of information about the negative consequences, including under criminal law, of genital mutilation. Harmonisation of the age of marriage at 18. Etc.
Initial vocational training	Which of the groups of professionals in frequent contact with immigrants are given specific and appropriate training about violence against women, the prevention of such violence and the action to take?
School mediators and support for the setting up of mixed clubs	Increasing the number of school mediators in the team of adult contact persons so as to help parents monitor their children's schooling, facilitate dialogue between the generations and strengthen the parental role. Promoting initiatives which encourage girls and boys to co-operate and help one another, particularly through the setting up of young people's clubs
Services providing assistance with integration through action against multiple discrimination	Raising awareness among human resources managers, the key players in companies, representative bodies and inspectorates of the obstacles created when discrimination occurs on two different fronts
Services providing support for business start-ups	Enabling women, particularly those living in "difficult" urban areas, to benefit from the support of a promoter – a business leader, executive or retired person – when they start up a new business. This should go hand in hand with legal facilities, loan support, training, etc.

CHAPTER 5 – STEREOTYPES PORTRAYING MIGRANTS AND THEIR DESCENDANTS AS RESOURCES FOR OUR COMPETITIVENESS

INTRODUCTION

“They take our jobs”, and “immigrants drive down local workers’ wages”: these are stereotypes which lead to a rejection of immigration. Other stereotypes relating to the effect of immigration on the labour market are sometimes put forward in reply, offering a different explanation in terms such as: “they take the jobs that we do not want” or “in the long term it is immigrants who will pay our pensions”.

The argument of those who say that “immigrants take the jobs that we do not want” is based on a very different view of immigrants’ rights from the one which underlies the first two stereotypes. While the prejudice expressed by those who say “they take our jobs” leads to the adoption of openly xenophobic attitudes such as rejection of immigration, support for immigrants’ deportation or for the closure of borders, for instance, the idea that “they take the jobs that we do not want to do” or that “they are needed to do the intermediate or specialised jobs for which there is a shortage of local workers” is used, in principle, in defence of immigration. It is a fact that many NGOs and human rights defenders adopt this utilitarian viewpoint to oppose the predominant view that immigration has negative effects, although the result may be a new stereotype or a new prejudice. From the utilitarian viewpoint, immigrants do jobs which cannot be filled by the indigenous population, thereby fostering the progress of not only businesses, but also the economy as a whole, which is why immigration should be accepted in society.

The utilitarian approach is also reflected in some statements made about, for example, the demographic effects of immigration (“immigration makes it possible to compensate for the decline in the birth-rate”), which are supposed to have knock-on positive effects on the socio-economic system (“it is immigrants who will pay our pensions”). If the effects of immigration on the birth-rate are viewed positively from the utilitarian angle, this is because European societies’ birth-rate is well below the level needed to keep the population stable. Here again, there is an element of truth in the prejudice, namely that, when immigrant families initially settle in their host country, they have a number of children above the average in European societies. A consequence of a low birth-rate in the European Union is a reshaping of the population pyramid, with far higher numbers of retired persons and a fall in the working population. In other words, the percentage of retired persons is rising, accompanied by a fall in the percentage working, namely those who are contributing to social security and whose money is used to pay for such items as pensions and health services. According to the utilitarian approach, immigrants provide a safety net for each country’s working population, mitigating the decline in the percentage of people in work. Their contributions are described as vital to the maintenance of social security systems.

These arguments are appearing ever more frequently in official policy documents, in an attempt to give shape to the governance of migration in the context of the competitiveness of European socio-economic systems.

The Süßmuth report (2001), written by an independent committee of German MPs and representatives of several institutions, is one of the studies which has had the greatest impact in this respect. It emphasised the need to bring an official end to the so-called “zero-immigration policy” applied in Germany since 1973. It said that the country now needed immigrant workers, emphasising the positive effects of immigration on the labour market and the economy. Another official document, adopted more recently in the United Kingdom, by the House of Lords (2008), takes a rather different approach, advancing other arguments. In practice, there is not so much emphasis in the United Kingdom as in Germany on the negative side of the equation between anti-immigration (“they take our jobs”) and pro-immigration (“they take the jobs that we do not want”)

stereotypes. In trade union circles in the UK, as in other social sectors, much progress has in general been made by the idea that immigration has a positive effect on employment and wages; anti-immigration measures do not enjoy the same institutional support in the UK as in Germany. The recent House of Lords report nevertheless still takes a fairly negative view of the effects of immigration.

The two reports are illustrative of the approach officially taken by certain governments regarding the effects of immigration on the labour market. Neither official reports nor academic studies, however, can prevent more openly xenophobic stereotypes from influencing society's view of those effects. Nor can they prevent the most obviously populist factors from playing a decisive role in this respect. This difficulty is not really surprising: such thinking all stems from the same logic applied to migration, in terms of costs and benefits for the host society (Sayad, 2006). This vision, inevitably regarding individuals as mere workers or economic resources to increase the system's competitiveness, with all human dimensions being ignored, does not foster a relationship between nationals and migrants as equal members of society. Furthermore, the idea that unwanted people must be "put up with" just because they are economically useful is not a viable argument: it can easily give rise to frustration, or to a highly ambivalent feeling expressively summed up by those who speak of migrants as "needed but not wanted".

5.1. "Migrants do the jobs which local workers no longer want to do"

5.1.1. Description of the stereotype

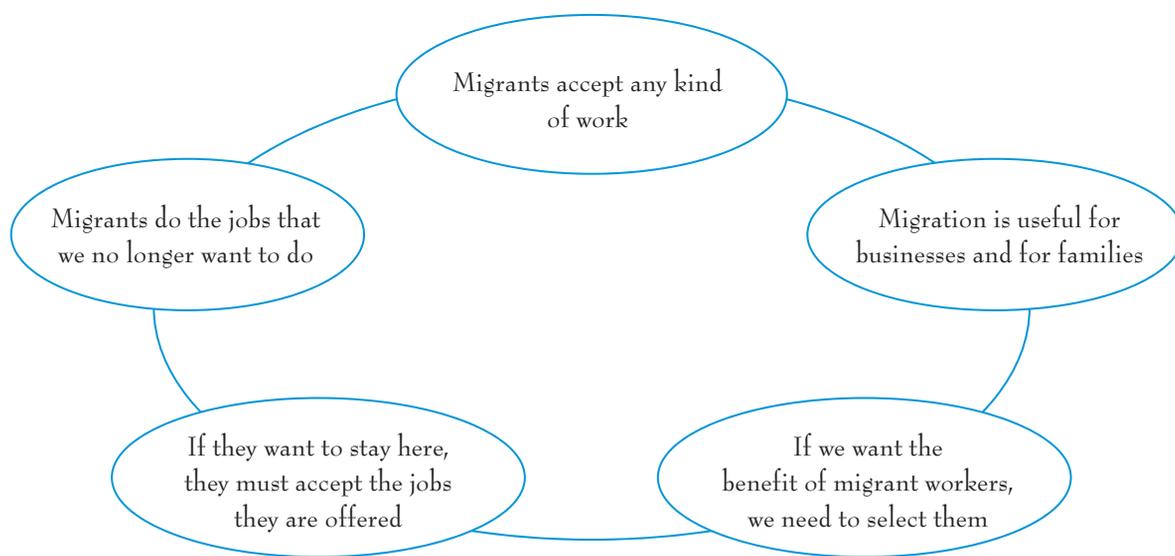
Social prejudice often involves the application to a whole category of people of certain ideas which may contain an element of truth in relation to just some of the members of the category concerned (Jubany-Baucells, 2003). When people say that "immigrants take our jobs", for instance, they are voicing a prejudice which is true for only a very small proportion of the population: generally speaking, it is absolutely untrue, although it is indisputable that jobs are lost by a very small percentage of local workers to the immigrant workers competing with them on the labour market. Yet when people say that "immigrants do work which local people no longer want to do", the proportion of the population now effectively able to corroborate that statement is far higher.

This prejudice is part of a wider public view which could be described as utilitarian. It may manifest itself in various forms: the first is the idea that immigrants hold jobs requiring few skills ("immigrants accept low-paid low-skilled jobs, which local people would turn down"). This goes hand in hand with the idea that migrants have a kind of "predisposition" to certain jobs, or with other reasons why they must do certain kinds of work and not others: precisely those that nationals no longer want, thus making them "migrants' jobs" by definition. This creates an expectation that everyone regarded as a migrant (cf. above) will accept any kind of work offered. It is on this readiness to accept lowly social positions not necessarily commensurate with their actual qualifications that social acceptance of immigration is based: "if they want to stay here, they must work (in the sectors we leave available for them, and where we need them)".

The second is the fact that immigrants hold some higher-level skilled jobs ("immigrants are needed to fill intermediate and specialised jobs for which there is a shortage of local workers"). The specialised jobs concerned are those such as equipment operators in the construction industry, welders in heavy industry, mechanics and workers in other sectors who have acquired their skills through vocational training. The corresponding training paths are not very attractive in European states, resulting in a shortage of workers. And finally, this prejudice may also apply to higher-ranking jobs and skilled labour and be reflected in active migration policies attempting to attract and select the desired human resources: "we must bring in highly skilled workers", or "we must endeavour to be more attractive and competitive at global level, in order to get the best specialists to come here".

This train of thought thus concerns largely engineers, IT experts, doctors and members of other professions for which a degree is required, particularly in the fields where shortages exist, as they do in many European/Western countries. Not only does this have negative effects in terms of the “brain drain”, but it also implicitly penalises all who do not qualify for this “selective migration”, namely those with few skills and the descendants of previous generations of migrants, regarded as surplus to requirements and as an “inappropriate posterity” (Palidda, 2008), especially when they refuse to do the same work as their parents and legitimately aspire to social mobility and to fair treatment on the labour market and in every other sector of society. The result of this highly restrictive vision can be seen in EU members’ immigration policies, which increasingly tend to focus solely on the arrangements for admitting highly qualified immigrant workers, excluding or very much limiting lawful admissions of less highly trained workers, who are still needed, even if only temporarily.

Figure 23: The “migrants hold jobs which local workers no longer want to do” stereotype chain



The various statements or expressions of this prejudice are based on ideas which are to some degree true, at least in respect of a certain segment of the population concerned. Some jobs are effectively held by immigrants because it is impossible to find local workers to fill them, and this can happen at every level: work requiring few skills as well as intermediate and highly skilled employment. Prejudice is nevertheless involved, as shown by the failure of the statements made to hang together: if immigrants “do work which local people do not want to do”, low-paid work requiring few skills should logically be done exclusively by immigrants, and when references are made to the need for highly skilled immigrant workers, the fact is ignored that, in EU countries, most immigrants are in employment requiring few or no skills, as many studies have shown (Escriva, 2000).

Indicators No. 41: “Facts” underpinning the stereotype

Migrant employment sectors	Numbers employed and proportion of all working migrants
Comparative employment sectors	Numbers employed and proportion of all working persons

5.1.2. Explanation of the stereotype

In high-income societies, a conjunction of factors makes it very difficult to find local workers to fill less prestigious posts offering poorer working conditions. Among these factors are demographic changes in

those societies, where the number of young people entering the labour market is falling year by year and their level of education is rising, generating higher individual expectations of employment. It is a fact that immigration has, to a certain extent, made it possible to fill these jobs, in which local workers usually have no interest.

A similar development is occurring in the societies of eastern Europe, where income is lower than in the west, but where demographic trends are fairly similar. Russia has the second highest number of immigrant workers in the world, having received large numbers in recent years. Studies of the effects of immigration on its labour market are few in number, but those which do exist show that immigrants are doing jobs which local people do not want (Andrienko and Guriev, 2005: 21).

Immigrants also do certain extremely specialised jobs which, for various reasons, are not in demand from local workers either. There is in European states an imbalance between vocational training/university education and labour market needs, making it impossible to find local people to fill certain specialised posts. This is not the only factor, however, in the arrival of immigrants on the labour market. On account of the international competition that exists among highly qualified professionals (Süssmuth, 2001: 3), many businesses prefer to employ foreigners even when qualified professionals are available on the national labour market. Top academics and scientists, for example, are in great demand, and there is strong competition to attract the “best minds” (Süssmuth, 2001: 7).

All this evidence seems to confirm the stereotype under analysis here. Yet when immigration is defended on the basis that it is necessary in order to fill the jobs which could not otherwise be filled (either jobs requiring few skills and which “we do not want” or highly skilled jobs which “we are unable to do”), this argument eliminates the right of migration. Immigration is accepted in so far as immigrants are useful to the host society, which needs them to fill specific posts, but not if there are none of the labour shortages which alone would justify it. The stereotype concerned is based on a utilitarian approach to immigration, unlike the two previous ones, which express a xenophobic attitude to immigrants.

Indicators No. 42: Statistical, legal and socio-political factors behind the stereotype

Higher level of education received by young people in the host country	In Western countries, the proportion of young people obtaining degrees is constantly growing. Their improved level of education brings with it higher career aspirations, and puts them off some categories of employment requiring few skills
School dropout rate among migrants' children	The difficulties young people of foreign origin have in finding employment relate, amongst other things, to their academic success or failure
Relationship between employment and qualification among migrants	The difficulties that migrants have in obtaining employment often lead them to accept posts for which they are overqualified. This adverse relationship between qualification and job reinforces the stereotype
Comparative probability of unemployment for a young person	Where their qualifications are equivalent, a young migrant is significantly more likely to be unemployed than a young national. The difficulties that young migrants have in obtaining employment lead them to accept jobs requiring few skills
Selective immigration policies for economic reasons	Some countries have adopted quota policies to restrict the number of migrants admitted on the basis of occupational qualifications in order to fill jobs which the national labour market cannot fill. These quotas may apply to jobs requiring few skills just as much as to highly specialised profiles. They often make it impossible for migrants to change from one employment sector to another

5.1.3. Evaluation of the stereotype

It is sometimes stated that the right of migration is recognised in international legislation, but this is not really true. The 1948 Universal Declaration of Human Rights recognises individuals' right to leave their own country, but is silent about their right to enter another. A discussion is currently taking place about the need to include the right of migration as a fundamental human right. Sutcliffe (1995: 20) backs this idea, pointing out that, as for the right to work and other rights, recognition of the right of migration would have no immediate effect, but would usefully set down a desirable principle of governance. He says that immigration lacks the protection of the standards of legitimacy in people's minds because it is not, as such, among the recognised fundamental rights. When a minister, for example, refers to "zero immigration", this has no legitimacy under human rights instruments.

In order to progress along the path of recognition and affirmation of the right of migration, it is necessary to dismiss the utilitarian approach to immigration and bring society round to the idea that a person may migrate because this is a right, and not because his or her presence in a country benefits the national economy (Pajares, 2005a: 37). Furthermore, if immigration is regarded as justified solely on the basis of the existence of jobs which cannot be filled by local people, immigrants will be accepted only in so far as they take the jobs concerned. Consequently, their right to improve their job prospects and make career progress will also be denied.

The currently prevailing idea that immigrants hold jobs which are difficult to fill, although inspired by positive intent, eliminates all reasons for defending equal opportunities in terms of access to every employment category, at every level. It is a certain fact that immigrants largely hold low-paid low-skilled jobs which are unwanted by the local population. However, as numerous studies have shown, including that of Jubany-Baucells (2004), it is also true that their education and training are inappropriate for those jobs. More often than not, their education and skills levels would enable them to take jobs at a higher level if certain conditions were met. It should be made possible for them to compete for any job or employment category on exactly the same conditions as workers born in the country concerned.

It is precisely immigrants' right to compete that is called into question by the utilitarian approach to immigration, according to which immigration is justified only where it does not bring competition for local workers. This approach emphasises the way in which locals and immigrants complement each other and the mutual advantages of immigration to both categories of workers, since they perform different duties on the labour market. As authors such as Rolf Hansen and Sabine Hornberg (1996) have said, however, if this idea is true, it can only be so during an initial stage, as the situation cannot stay the same for ever, with these complementary roles disappearing once immigrants are able to move into employment sectors and categories more appropriate to their level of qualifications and skills. Indeed, the more often this idea is repeated, in fact expressing a prejudice, the more difficult it will be to make local people realise that immigrants can make career progress and hold posts at a higher level, and can sometimes even move into job categories far higher than those of their non-immigrant colleagues.

Indicators No. 43: Effects of the stereotype on the rights and well-being of migrants

Comparative rates of social mobility	Proportion of migrants working in a higher socio-professional category than when they arrived in the country. Because of the discrimination from which they suffer on the labour market, migrants find it difficult to make career progress
Rate of inequality between migrant and local families	Social mobility difficulties cause stratification as generations succeed each other, causing persistent inequality between households of foreign origin and the rest of the population
Comparative proportion of young people obtaining training to improve their career prospects and places in higher education	The idea that workers of foreign origin “must” occupy the jobs which national workers have abandoned has repercussions on access by young people born of immigrant families to training to improve their career prospects and to university. Such young people are proportionally fewer in number than other young people at these higher education levels
Comparative proportion of workers with access to in-service training	The idea that workers of foreign origin “must” occupy the jobs which national workers have abandoned has repercussions on access by these workers to in-service training. Such training would enable them to move on from the low-skilled jobs in which they often begin their working life
Discrimination at the recruitment stage	The idea that workers of foreign origin “must” occupy jobs abandoned by national workers easily gives rise to discriminatory attitudes towards immigrant workers applying for posts which are not intended “for them”
Discrimination at work	The sectors in which most workers of foreign origin are to be found or also often those in which discrimination rates are the highest

5.1.4. Responses to the stereotype

Equal opportunities must effectively be guaranteed so that immigrants have the right to change their job and make career progress. Recognition of this right is not enough. Social obstacles to equality also need to be eliminated. As numerous recent studies have shown (Colectivo IOE, 1995; Solé, 1995; Wrench, 1996; Pajares, 2005b), racially motivated decisions can stand in the way of immigrants’ career advancement. From the racist viewpoint, immigrants are “useful” only in certain types of job (the lowest categories, of course). Consequently, an emphasis on the complementary role played by immigrants on the labour market, not in competition with local workers, helps to strengthen this kind of viewpoint or argument.

We suggest that, as the main way of combating this prejudice, the idea of a right of migration should be consolidated. The prevalent opinion in host societies is that any immigrant arriving from a foreign country is entitled not only to enter the country, but also to move around freely. This is not currently a recognised right (other than for member states’ nationals within the EU), but action could be taken at least to increase its recognition by society. To this end, the utilitarian approach should not be overused to justify immigration. There is something constructive about placing the emphasis on the benefits of immigration both to host societies and to the immigrants themselves, but immigrants’ right to move from one country to another should not depend on the view taken of these benefits, but be recognised as an absolute right. This is the idea which we must put forward in any discussion of immigration.

The right of migration should apply not just to certain categories of workers, but to every human category, not necessarily linked to employment in every case. This would mean a change of direction within the EU and the preparation of a set of rules and regulations on the admission of foreign workers. Since its abortive attempt to introduce a general directive on the admission of foreign workers (proposed in 2001), the

European Commission has been working on a proposed text of more limited scope, covering only the admission of highly skilled workers, to the exclusion of every other category.⁷⁰ This is very much in line with the tendency observed in many member states, which refer only to the admission of highly skilled workers, as if no other immigrants existed.

The promotion and recognition by society of the right of migration as an individual right would encourage respect for the other rights of migrants after they have settled in the host society. The right which particularly needs to be given full support is the one which is subject to the prejudice under consideration in this chapter: the right to take a job in any employment sector or category. This is the right to which our strongest support should go. All the current obstacles, in the shape of immigration controls and impediments in the social and employment fields, which restrict immigrants' access to certain employment sectors and categories should be removed. Within firms, posts should be assigned strictly in accordance with the principle of equal opportunities. To this end, anti-discrimination instruments and specific measures promoting equality need to be developed and brought into operation.

This requires all European countries to include standards in their employment legislation which regulate firms' promotion systems, with a special emphasis on objectivity. Any discriminatory act against a worker on the basis of his or her origin, appearance or cultural characteristics (including religious affiliation) would thus be made unlawful. The standards concerned should be in addition to those on discrimination based on gender, sexual orientation, disability and age. Wage negotiations in every employment sector and in every firm should encompass anti-discrimination clauses and measures to promote equal opportunities in terms of both recruitment and promotion.

Access to training (vocational training, lifelong learning, etc.) deserves particular attention, as training offers one of the main routes to career advancement. In particular, care should be taken to ensure that access to training is not subject to any discriminatory conditions, and that persons of immigrant origin have access to an adequate number of courses.

Finally, all these measures might well remain superficial if they were not related to one of the structural questions of the current production model, linked to the type and nature of the jobs being created in the service industries. These jobs require large numbers of workers and are often low paid, arduous and difficult to automate or move abroad: cleaning, child care, caring for the elderly, nursing, jobs in the retail trade, catering (kitchen and waiting staff), taxi driving. Our societies need workers for these jobs in situ. The evidence suggests that the increase in these kinds of low-wage job is in good part a result of new labour market policies, notably deregulation, and the creation of new types of job. All our economies have begun to deinstitutionalise the employment relationship, which allows the market more leeway to shape earnings distribution.

The fact that a low-wage job is also a dead-end job means that many natives do not want those jobs. A big issue is whether we will be able to upgrade those jobs to make them more attractive: that would address at one and the same time youth unemployment and the wastage of the talents of immigrants, even those who have been well educated, who are trapped in low-wage jobs. It is not to the advantage of society as a whole to have a disadvantaged part of the workforce with no hope of escape from its dead-end sector.

The trends described and the creation of low-wage, dead-end jobs in our economies give rise to an awkward situation. This should be the focus of our regulatory efforts, so that we can manage effectively certain aspects

70. The directive includes another three proposals relating only to a few aspects concerning certain specific categories: seasonal workers, transferred workers and remunerated apprentices and trainees. Most immigrant workers are thus excluded, as they are neither members of the categories concerned nor highly skilled.

of immigration while at the same time allowing immigrants to play a part in the life of our society instead of fuelling poverty. Upgrading the dead-end jobs our society needs is one way of making them more attractive, to native workers as well, and reducing unemployment (Sassen, 2006b).

Indicators No. 44: Prospects for change

Public programmes combating youth unemployment	Are there any specific public programmes to combat unemployment amongst the young generations in general, and young people of foreign origin in particular?
Public services, firms and NGOs including diversity in their staff selection and governance policies	Proportion of public authorities and services, companies and NGOs including diversity in their principles of governance and selection and management of staff
Legislation regulating equitably the right to human mobility	Is immigration legislation able to ensure equitably the right to human mobility, and to prevent the creation of “irregular” migration flows and the exploitation of migrants in the underground economy and hidden labour markets? Are border controls and the criteria for obtaining legal residence status consistent with respect for human rights and with the actual dynamics of contemporary migration?
Legislation and programmes to combat the underground economy	Are there any legal and judicial mechanisms able to combat effectively the underground economy and the exploitation of workers of foreign origin (and national workers also)? Are there any regularisation systems directly accessible to the people concerned which recognise the right of residence for those living and working in the country for a given period of time who have been victims of exploitation as “immigrants in an irregular situation”?
Legislation and programmes to combat casualisation of the labour market	Is the labour market legislation able to ensure that employment flexibility does not result in insecurity and a reduction of the rights of workers, both national and non-national?
Associations and movements working to promote workers’ rights	Are there any associations, organisations and movements promoting the rights of workers, regardless of their nationality, origin and legal status?
Associations and movements promoting the right to mobility	Are there any associations or movements calling for reform of immigration policies in order to ensure that the rights of migrants are upheld more effectively and to promote their positive interaction with the rest of the population, for the well-being of all?

5.2. “Migrants will pay our old age pensions”

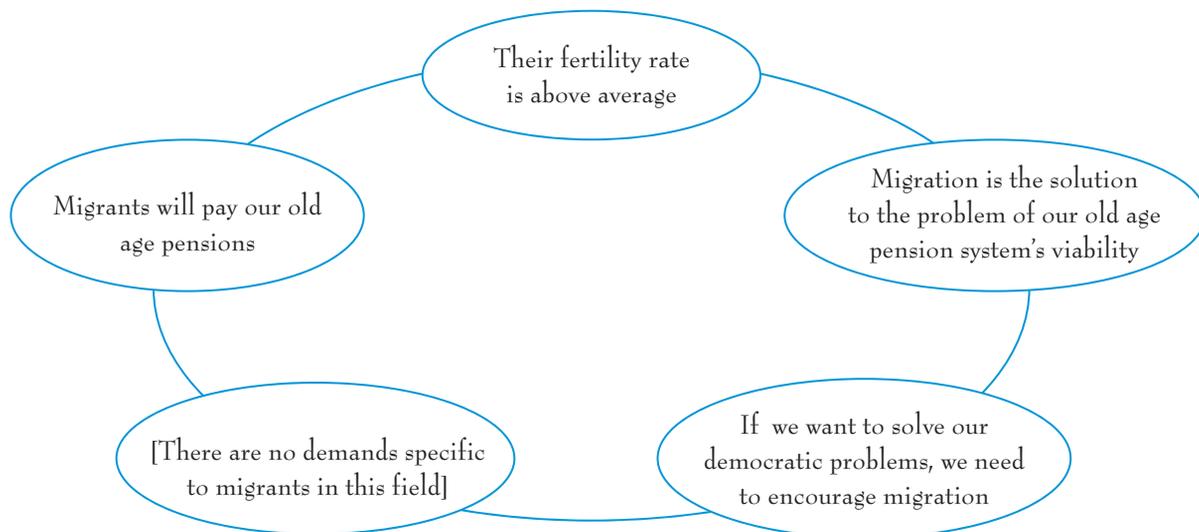
5.2.1. Description of the stereotype

European demographics are giving rise to a growing amount of scaremongering: population “ageing”, too often taken to mean just the deteriorating dependency ratio, in other words the ratio of retired people to those of working age, is said to be leading to a decline that is as predictable as it is inevitable. The conclusion reached is that our retirement system is not viable in the long term unless major reforms are carried out. Three types of solution are usually proposed: raising the retirement age in order to reduce the cost of funding pensions, implementing policies to increase the birth-rate, and using immigration to offset the future drop in the working population stemming

from the fact that generations are being only partially replaced. This approach to ageing highlights the dominance of economic analysis focused on containing lifetime labour costs, whereas in fact Europe’s demographic weakness is a far more complex societal issue, being connected with inequalities in terms of prospects and life opportunities. Furthermore, incentive-based policies to increase the birth-rate are costly: linking pensions to the number of children entails radical reforms which would not be very easy to put into effect, and the first two solutions neither guarantee nor have immediate results; migration policies seem easier to put into practice.

Such difficult decisions make the migration option attractive. On average, migrants are younger, that is of working age, and households of foreign origin tend to have a fertility rate higher than the European average. The current demographic trend is such as to be able to say that migration is necessary, or at least useful, to the host societies, since “migrants will pay our old age pensions”. This stereotype, clearly irreconcilable with the accusation that migrants take advantage of the welfare state, or that they are one of the reasons for its declining quality and viability, suggests that Europe’s weak demographic situation can be improved, thereby retaining a sufficient proportion of working people to safeguard the viability of the old age pension system.

Figure 24: The “migrants will pay our old age pensions” stereotype chain



Indicators No. 45: “Facts” underpinning the stereotype

Fertility rate	The decline in the birth-rate in most EU countries is regular and lies below the replacement threshold, which is 2.1 children per woman
Comparative fertility rate	The idea that households of foreign origin can compensate for the “ageing of the population” in Europe derives first and foremost from the differential between their fertility rate and that of local households
Proportion of the working population	The working population rate is defined as all people of working age available on the labour market, whether they have a job (occupied active population) or unemployed (unoccupied active population) not including those not seeking a job, such as housewives or house husbands, and people in receipt of a pension. In general, the age bracket is between 15 and 64 years. There is no single definition of the working population, which may therefore differ from one institute, organisation or country to another
Comparative proportion of the working population	There is a difference between the labour force participation rate of workers of foreign origin and national workers. This difference (and the reasons for it) varies according to the countries of destination and origin of migrant workers

5.2.2. Explanation of the stereotype

Demographic trends in high-income countries, particularly in Europe, have been a cause of concern for some time now. The subject is permanently on the agenda of both governments and international organisations. In spring 1998 the OECD published a report on ageing populations, “Maintaining prosperity in an ageing society”, highlighting the prospect of rising shares of the elderly in the population and falling shares of the population in employment to support pension and health systems. The report points to the fairly limited range of possible demographic scenarios over the next 30 years, with only immigration and/or a rise in the fertility rate able to make any impact on the ageing process.

The current demographic situation in Europe, and the prospects for the future, have been determined by the trends of the past 50 years. The Second World War was followed in many European countries by a period of population explosion, known as the “baby boom”, which had a significant effect on what had been a low birth-rate since the early years of the 20th century. The baby boom happened at a later date in several European states (starting in about 1959 in Spain), but the phenomenon was a pan-European one. Towards the mid-1960s, this phase was over in many countries (although in some countries, including Spain, it went on until the mid-1970s) and was followed by a sharp fall in the fertility rate. The rate fell to 2.1 children per woman: such a level, together with the increase in life expectancy and, consequently, the length of retirement, is not high enough to maintain a stable ratio between the working population and pensioners. This trend is expected to continue over the decades ahead: the current average fertility rate in the EU is actually 1.5 children per woman.

The population of Europe is “ageing” as a result of the low birth-rate of the past 40 years, and this has gone hand in hand with an increase in life expectancy, also expected to continue. The proportion of persons aged between 45 and 60 (although this age bracket varies from country to country) is also very high, since these are the people born during the baby boom. All these demographic factors combine to make problems likely in the decades ahead, when the generation concerned reaches retirement. According to the European Commission, “the main change will involve the size of the working-age population (15-64 years), which will decrease by 48 million between now and 2050. The dependency ratio (the number of people aged 65 years and above relative to those aged from 15 to 64) is set to double and reach 51% by 2050, which means that the EU will change from having four to only two persons of working age for each citizen aged 65 and above”. (European Commission, 2006: 4).

The demographic situation is even more problematic in the countries of eastern Europe, especially Russia: “The Russian population is both ageing and shrinking – and this process is expected to continue for decades. Since the beginning of economic transition, Russia has experienced a serious mortality crisis, caused primarily by increased alcohol consumption and psychological stress (Brainerd and Cutler, 2005). As the most dramatic increase in mortality has occurred among working age males, this has created long-term implications for the size and age composition of the population. Ageing and depopulation trends in the Russian Federation are more acute than even those in most European countries” (Andrienko and Guriev, 2005: 7-8).

In a demographic context of ageing, declining population and a significant increase in the dependency ratio, immigration seems a fairly obvious way of solving the problem, both in European Union member states and in Russia and other European countries. “As many of them are of working age, migrants tend to bring down the average age of the population” (European Commission, 2006: 4).

It is estimated that, in Russia, the number of migrants needed to maintain the dependency ratio is three times the number who actually arrived in the country in the recent past. “While the population in Russia has been gradually falling since 1992, the decline in working age population will be especially severe after 2007, especially in central regions, as a long-term consequence of birth-rate behaviour in the 1980s (Mkrtchian and Zubarevitch, 2005). In order to fully compensate for this drop, there should be an annual inflow of about

1 million working age migrants, a number which is three times the average net inflow in the years between the Censuses of 1989 and 2002” (Andrienko and Guriev, 2005: 8).

Some degree of public awareness has been raised, particularly in European Union states, of the demographic problems which lie ahead and the role that immigration can play in attenuating the effects of these. This gave rise to another now widespread stereotype: “migrants will pay our old age pensions”. The advantages of immigration to the old age pension system can hardly be doubted. Migrants, joining the working population immediately, will slow the rapid rise in the elderly dependency ratio which is expected to occur over the next few decades. But the idea that migrants will compensate for the ageing of the population on a lasting basis fails to take account of the fact that the immigrant population will also age. These migrants themselves will one day join the ranks of the retired. Thus only a constant influx of new migrants might have a long-term compensatory effect. There is another limit as well to the positive effects of migration in general on European demographics: migrants and their families very rapidly adapt to their host society, so their fertility rate comes into line with that of the society in question. Furthermore, some convergence between the countries of the north and those of the south (particularly those with a Muslim majority) has already begun (Todd, 2007), with a moderate fertility rate close to that required to achieve population balance. Depending on country of origin, it will soon no longer even be true to say that “immigrants have more children than we do”.

What is more, the increase in the elderly dependency ratio will be affected only to a partial extent by immigration, and many other measures seem to be necessary to prevent the old age pension system from encountering serious difficulties in the future. This is another reason why the possibility of immigration having a lasting palliative effect on the rise in that dependency ratio has sometimes been sharply disputed: “Arguments in favour of high immigration to defuse the ‘pensions time bomb’ do not stand up to scrutiny as they are based on the unreasonable assumption of a static retirement age as people live longer, and ignore the fact that, in time, immigrants too will grow old and draw pensions. Increasing the official retirement age will significantly reduce the increase in the dependency ratio and is the only viable way to do so” (House of Lords, 2008: 46).

RETIREMENT PLANS



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This last affirmation has the merit of clarifying the political issue underlying this whole debate, namely who it is, generally speaking, that will pay for old age pensions. “Retirement pensions are, of course, a specific component in the cost of labour, and increased life expectancy has boosted workers’ total lifetime earnings without any wage battles. ... If the retirement age is not put up, the payment of pensions to a growing number of senior citizens will necessitate higher contributions or another form of levy that will drastically reduce either the incomes of working people or business profits, depending on the balance of power at the time. If the retirement age is raised, the overall cost of labour and thus workers’ total lifetime income will be reduced without any overt conflicts over wages and salaries” (Legoux, 2008).

Against this background, it is clear that immigration alone cannot solve the problems which lie ahead for the old age pensions system. Most studies, however, agree that it is one of the means which must be used in order to find a solution. While it is untrue that “migrants will pay our old age pensions”, immigration certainly will have a positive effect on the old age pension system. The conditions in which this will be possible need to be indicated, once the exact terms of the pay issue triggered by increased life expectancy in the West have been clarified.

In practice, the stereotype view that “migrants will pay our old age pensions” cannot be dismissed without having called into question, at the same time, other stereotypes relating to the true causes and scale of the ageing of the European population and the need to maintain a constant ratio of retired people to those of working age as an absolute precondition of a viable old age pension system. There is a need to challenge the very concept of the ageing of the European population and to analyse the political use to which the fear of ageing is put so as to call into question the achievements of the latter half of the 20th century in terms of old age pensions, and “the duration of working lives and total lifetime earnings.” (Legoux, 2008)

The concept of ageing, borrowed from individuals, is highly inappropriate for the purposes of describing demographic trends. A population does not have an age in the usual sense, but rather an average age that changes independently of the passage of time. It is true that this average age may rise as a result of longer human life expectancy, which increases the elderly population, but it may also go up because the birth-rate falls, reducing the proportion of young people, although a combination of both factors may be the cause, as tends to be the case in Europe.

What is most often measured is the change in the relative size of different age-groups between two dates. Naturally, this method depends entirely on the dates selected. If, for historical reasons, the population structure on the initial date is heavily unbalanced in favour of younger age-groups, ageing will clearly not have the same impact as if the structure were balanced, or already unbalanced in favour of higher age-groups. For example, there was a very sharp increase (+68%) in the number of men over the age of 75 in France between 1995 and 2003, primarily because there were very few men aged over 75 in 1995. There were two historical reasons for this: the low number of births around the time of the First World War and the high number of deaths during the Second World War. It is true that the increase in the number of over-75s is a form of ageing, but if a parallel were to be drawn with human life it would be more sensible to refer to the ageing of young people between the ages of 15 and 20, for example, rather than to that of people in the final years of life. This serious bias – which is common – may be avoided by measuring ageing in relation to a balanced reference structure. Such a structure exists: the stationary population based on the mortality table for a given population. In a hypothetical state of equilibrium, in which fertility exactly offsets mortality and the number of births is indefinitely equal to the number of deaths, a population’s age structure is wholly defined by its mortality distribution. This is not an absolute or ideal reference structure, but a relative reference structure based on the mortality rate at a given point in time.

Furthermore, the causes of population ageing are not homogeneous. The ageing which stems from increased life expectancy is inevitable. The only way of preventing it would be to achieve a fertility rate well above generation replacement level, so as to reduce the relative proportion of senior citizens by boosting the proportion of younger people. This solution, which is unrealistic in the context of Europe’s current low fertility rate of

approximately 1.5 children per woman, is also totally impossible in the long term, for it would necessitate an ongoing population explosion that the planet would soon be unable to accommodate. With constant annual population growth of just 1%, France’s population would reach 1.1 billion by 2300. Positive ageing is not a demographic problem in itself, although it does raise a genuine issue regarding the funding of old age pensions, but this can usefully be regarded as a political problem relating to redistribution of the wealth produced, rather than a demographic problem relating to the number of productive people.

The birth deficit, which is reducing the width of the base of the population pyramid, is giving rise to what may be termed “surplus ageing” (Legoux, 2008), in that it is a form of ageing that compounds the ageing brought about by longer human life expectancy. Such surplus ageing raises a real demographic problem, since the drop in the birth-rate will eventually result in a declining population; this cannot go on for long without the population simply disappearing. Surplus ageing therefore necessitates a demographic input which can be achieved only by means of a higher birth-rate or continuous immigration.

This view of ageing offers the huge advantage of blaming wage-earners themselves: if their lives were shorter or if they had had more children, there would be no need to raise the retirement age. And the prospect of immigration on a massive scale in order to rejuvenate ageing societies brings with it a fear of “primary classes full of immigrants’ children”. Hence “if you don’t want schools to be full of immigrants’ children, you should have more children or work for longer”.

The case against this kind of thinking is that: “wealth ... is the product of the number of working people multiplied by the labour productivity rate, which has increased considerably. Wealth production has grown far more quickly than total population numbers; even if it is slowing down, the trend is not about to stop. ... Although the suitability of the method used to calculate GDP may be debated *ad infinitum*, the growth differential in relation to population numbers is such that it may be stated with certainty that the pension funding issue is not a question of lack of wealth production resulting from a shortage of working-age people, but one of distributing the wealth produced. It is not a demographic issue stemming from a lack of productive workers, but a wage and salary issue” (Legoux, 2008).

Indicators No. 46: Statistical, legal and socio-political factors behind the stereotype

Life expectancy	Life expectancy is rising steadily in EU countries. This, combined with a decline in fertility rate, automatically leads to “ageing” of the population
Dependency ratio	This is defined as the number of individuals not in work in relation to the number in work. The combination of a decline in fertility rate and the ageing of the population automatically increases this ratio, severely undermining the old age pension system
Net migration in comparison with the generation replacement level	The relationship between annual net migration and generation replacement gives an accurate idea of the contribution made, year after year, by migration to demographic dynamics
Average period of old age pension contributions by migrants	Migrants lawfully engaged in paid work contribute to the old age pension system in the country concerned. They thereby of course acquire rights to an old age pension. When they retire from their job they will exercise these rights. Hence the positive impact that migrants have on the financing of pensions can only be a short-term one
Trends in the comparative fertility rate	The fertility rate of households of foreign origin tends, after a certain period, to align itself with that of local households. Verify whether these trends vary according to the countries of destination and origin, as a result of the policies (social, pronatalist, etc.) of the countries of destination and the family structure in the countries of destination

5.2.3. Evaluation of the stereotype

Consolidating the utilitarian approach to immigration strengthens the idea that immigrants should be accepted only in so far as they are useful to us, rather than simply recognising everyone’s right to migration and well-being.

So when attention is drawn to the effect of immigration on “our” pensions, we should not forget immigrants’ own pensions and their entitlement to a pension corresponding to their working life. It is vital to take this point into account in general discussions about immigration, especially now that several countries are trying to encourage immigrants to return to their countries of origin.

The question of whether migrants can be paid a pension in their countries of origin if they decide to return there on retirement has not been fully answered. According to the United Nations, “it is estimated that the vast majority of international migrants face obstacles to pension portability or lose benefits because of the limited time they work abroad. The laws of most developed countries permit the payment of pensions abroad even in the absence of a special agreement between the country paying the pension and the country of residence ... However, pension benefits paid abroad may be subject to reductions unless protected by a bilateral agreement. Bilateral or multilateral agreements are also necessary to ensure that persons who work over their lifetimes in two or more countries are not unduly penalized because they do not meet the minimum number of years of contribution required by pension systems to which they have contributed” (United Nations, 2006: 73-74).

When discussion centres on the effects of immigration for the native population (“immigrants take the jobs which local workers do not want” or “they help to pay our pensions”), the risk is high of pushing into the background the discriminatory situations encountered by immigrants. Where old age pensions are concerned, there is a need for a new focus on whether immigrants are treated on an equal footing with local workers, especially when they decide to return to their country of origin after a period of employment which has brought them entitlement to a pension.

Indicators No. 47: Effects of the stereotype on the rights and well-being of migrants

<p>Agreements between host countries and countries of origin</p>	<p>A large number of migrants experience difficulties in obtaining full payment of their old age pensions (entitlement acquired in their host country) if they return to their country of origin. Only a bilateral agreement between host country and country of origin can safeguard their pension rights</p>
<p>Minimum qualifying period</p>	<p>Certain countries require a minimum period of contributions to qualify for an old age pension. Some migrants do not qualify, so have been contributing “for a nil return” during their period of employment in the host country</p>

5.2.4. Responses to the stereotype

Incentive-based policies to increase the birth-rate are costly, while linking old age pensions to the number of children people have had entails radical reforms which would not be very easy to put into effect; in either case, the results are neither certain nor immediate. Given the disadvantages of birth-rate policies, are migration policies – which are much more straightforward to implement – an alternative or, more modestly, an acceptable complementary solution? In other words, even if we do not seek to offset all the effects of ageing, since it is impossible to maintain a constant dependency ratio in the long term, might immigration be at least one solution to Europe’s low fertility rate?

In purely statistical terms, immigration could completely offset the low fertility rate. In a European Union with a stable population of 460 million, each generation should include just under 6 million children. With the current fertility rate of 1.5 children per woman, approximately one quarter of each new generation – or 1.5 million children – is missing each year (Legoux, 2008).

Table 21: Net migration in Europe, including corrections (in thousands)

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
UE 25	1 118.5	826.0	632.5	732.7	658.0	468.5	644.6	905.7	993.2	1 311.5	1 707.3	2 091.5	1 852.3
UE 15	1 216.1	896.9	678.8	765.9	684.2	482.8	665.1	903.2	1 055.6	1 321.8	1 701.2	2 052.1	

Sources: European Commission, 2005 (1992 to 2003), Eurostat, 2005 (2004).

With recent inflows into the EU of around 1 to 2 million people (see Table 21), migration could offset the deficit in natural population growth, provided that we are prepared to accept continuous immigration at this level. While it is possible, quantitatively speaking, for the European Union to accept roughly 1.5 million immigrants each year, socially speaking this will be feasible in the long term only if we are prepared to accept the implications for national identity and immigrants' position in society. We cannot attempt to offset the low fertility rate by means of large-scale immigration without accepting the implications of settlement migration. Effective action to curb hidden labour would eradicate this form of illegal competition, while far more stringent labour legislation would afford national workers at least equivalent protection. The issue of illegal immigration and the associated discrimination would thereby be resolved, making it possible to envisage more serenely immigration aimed at offsetting demographic weaknesses (Legoux, 2008).

With a view to a possible alternative to these stereotypes, the first thing to do is to present a proper table showing the effects of immigration on demographic development and on the pensions system, neither exaggerating nor minimising its impact. The European Commission puts forward a fairly balanced analysis, stating that, "Immigration may temporarily help to reduce the financial impact of an ageing population when legally employed immigrants pay contributions into public pension schemes. However, economically active immigrants will also, over time, accumulate their own pension rights. Their longer-term contribution to a sustainable balance in public finances will therefore depend on the existence of well-designed pension schemes" (European Commission, 2006: 5).

The second thing to be done is to regulate migration in such a way as to prevent and address irregular situations in terms of residence and work permits. If one wishes to make the European pension system more viable by means of immigration, it is essential to guarantee the rights of migrant workers and protect them against exploitation and work in the underground economy, in order to enable them to make a full contribution to the smooth running of the state via their social security contributions. Of necessity, there must also be an equitable reception and social inclusion policy for immigrants, which at the same time promotes their well-being and that of the communities in which they decide to live. These measures should also include an effective system for checking on and penalising firms which take on undeclared labour, thereby defrauding the welfare state.

The fact is that insecure and irregular immigration is a totally inadequate response to the demographic challenge. Furthermore, effective action to curb hidden labour would eradicate this form of illegal competition, while far more stringent labour legislation would afford national workers at least equivalent protection. The issue of illegal immigration and the associated discrimination would thereby be resolved, making it possible to envisage immigration aimed at offsetting demographic weaknesses more serenely (Legoux, 2008).

Indicators No. 48: Prospects for change

<p>Bilateral agreements between the host countries and countries of origin</p>	<p>A large number of migrants have difficulty in obtaining their full retirement pension (acquired in the host country) when they return to their country of origin. Only a bilateral agreement between host country and country of origin can guarantee their retirement pension rights</p>
<p>Minimum contribution period</p>	<p>Some countries require a minimum contribution period in order to qualify for a retirement pension. Some migrants do not reach this threshold and contribute “at a loss” during their period of work in the host country</p>
<p>Legislation regulating equitably the right to human mobility</p>	<p>Is immigration legislation able to ensure equitably the right to human mobility, and to prevent the creation of “irregular” migration flows and the exploitation of migrants in the underground economy and hidden labour markets? Are border controls and the criteria for obtaining legal residence status consistent with respect for human rights and with the actual dynamics of contemporary migration?</p>
<p>Legislation and programmes to combat the underground economy</p>	<p>Are there any legal and judicial mechanisms able to combat effectively the underground economy and the exploitation of workers of foreign origin (and national workers also)? Are there any regularisation systems directly accessible to the people concerned which recognise the right of residence for those living and working in the country for a given period of time who have been victims of exploitation as “immigrants in an irregular situation”?</p>
<p>Legislation and programmes to combat casualisation of the labour market</p>	<p>Is the labour market legislation able to ensure that employment flexibility does not result in insecurity and a reduction of the rights of workers, both national and non-national?</p>
<p>Associations and movements defending the right to security and to life opportunities</p>	<p>Are there any associations or movements calling for reform of immigration policies in order to ensure that the rights of migrants are upheld more effectively and to promote their positive interaction with the rest of the population, for the well-being of all?</p>

BIBLIOGRAPHY

- AA. VV., *Migrant integration in European cities*, Ethnobarometer, Rome, 2003.
- AA. VV., *European civic citizenship and inclusion index 2005*, British Council Brussels, Foreign Policy Centre and Migration Policy Group, Brussels, 2005.
- Abdallah M. H., *J'y suis, j'y reste! Les luttes de l'immigration en France depuis les années 60*, Reflex, Paris, 2001.
- Abdelfettah N., "Science coloniale et modalités d'encadrement de l'immigration algérienne à Paris (1917-1952)", *Bulletin de l'Institut d'Histoire du Temps Présent*, No. 83, 2004, pp. 108-127.
- Aebi M. F. and Stadnic N., *SPACE I, Council of Europe Annual Penal Statistics*, Survey 2005, January 2007.
- AIF, "AIF s'inquiète de la confusion faite entre contrôle des flux migratoires et droit d'asile", 2007, www.amnesty.fr/index.php/amnesty/s_informer/communiqués_de_presse/france_depart_de_nicolas_sarkozy_du_ministere_de_l_interieur_commentaires_et_recommandations_faites_aux_candidats.
- AIF, *Régime d'asile européen commun et droits humains. Description et recommandations*, Amnesty International France, June 2008.
- Albrecht H. J., "Minorities, crime, and criminal justice in the Federal Republic of Germany", in Marshall I. H. (ed.), *Minorities, migrants and crime. Diversity and similarity across Europe and the United States*, Sage Publications, Thousand Oaks, London, New Delhi, 1997.
- Allain J.-M., "Les effets de seuil", in Gotman A. et al. (eds), *Villes et hospitalité: les municipalités et leurs "étrangers"*, Editions MSH, Paris, 2004.
- Allal T. et al., *Situations migratoires. La fonction miroir*, Galilé, Paris, 1977.
- Allport G., *The nature of prejudice*, Addison-Wesley, Cambridge, 1954.
- Amara F. and Zappi S., *Ni putes ni soumises*, La Découverte, Paris, 2003.
- Ambrosini M., "Il futuro in mezzo a noi. Le seconde generazioni scaturite dall'immigrazione nella società italiana dei prossimi anni", in Ambrosini M. and Molina S. (eds), *Seconde generazioni. Un'introduzione al futuro dell'immigrazione in Italia*, Edizioni Fondazione Giovanni Agnelli, Turin, 2004, pp. 1-53.
- Ambrosini M., "Introduzione", in Abbatecola E., *Donne al margine, la prostituzione straniera a Genova*, Frilli Editore, Genova, 2005.
- Amselle J.-L., *Vers un multiculturalisme français*, Aubier, Paris, 1996.
- Anand S. and Segal P., "What do we know about global income inequality?", *Journal of Economic Literature*, Vol. 46, No. 1, 2008, pp. 57-94.
- Anderson J., "Europeanization and the transformation of the democratic polity", *Journal of Common Market Studies*, No. 40 (5), 2002, pp. 793-822.
- Anderson J., Blue C. and Lau A., "Women's perspectives on chronic illness: ethnicity, ideology, and restructuring of life", *Social Science & Medicine*, No. 33, 1991, pp. 101-113.
- Anderson J. E., *Public policymaking*, Praeger, New York, 1975.
- Andrienko Y. and Guriev S., *Understanding migration in Russia*, CEFIR Policy Paper Series, Moscow, 2005, www.cefir.ru/download.php?id=216.

- Anthias F. and Yuval-Davis N., *Racialised boundaries*, Routledge, London, 1992.
- Appelt E., *Combating racial discrimination: affirmative action as a model for Europe?*, Department of Political Science, University of Innsbruck, Innsbruck, 1998.
- Arendt H., *The human condition*, Chicago University Press, Chicago, 1958.
- Arendt H., *The origins of Totalitarianism* (1951), George Allen and Unwin, London, 1967.
- Artus P. and Virard M.-P., *Globalisation, le pire est à venir*, La Découverte, Paris, 2008.
- Assemblée nationale, *Rapport de la délégation pour l'UE sur la politique européenne d'asile*, 29 April 2003.
- Atzert T. et al., "Frontières et fronts: chaînes migratoires", in *Migrations en Europe: les frontières de la liberté*, Multitudes, No. 19, 2004.
- Baccelli L., "Cittadinanza e appartenenza", in Zolo D. (ed.), *La cittadinanza. Appartenenza, identità, diritti*, Laterza, Rome, 1994, pp. 129-165.
- Bade K. J., "Labour, migration and the state: Germany from the late 18th century to the onset of the Great Depression", in Bade K. J. (ed.), *Population, labour and migration in 19th- and 20th-century Germany*, St Martin's Press, New York, 1987, pp. 59-85.
- Bade K. J. and Bommers M., "Einleitung", in Bade K. J. and Bommers M. (eds), *Migration – Integration – Bildung. Grundfragen und Problembereiche*, IMIS-Beiträge, No. 23, Osnabrück, 2004, pp. 7-20.
- Baganha M. I., "Economic restructuring and migration in Europe", in Fassmann H. and Sievers W. (eds), *International migration and its regulation*, IMISCOE Papers, No. 1, February 2005.
- Balibar E., "Racisme et nationalisme", in Balibar E. and Wallerstein I., *Race, nation, classe. Les identités ambiguës* (1988), La Découverte, Paris, 1997a, pp. 54-92. (English translation published as "Racism and nationalism", in Balibar E. and Wallerstein I., *Race, nation, class. Ambiguous identities* (1991), Verso, London, 2002, pp. 37-67.)
- Balibar E., "Racisme et crise", in Balibar E. and Wallerstein I. (eds), *Race, nation, classe. Les identités ambiguës* (1988), La Découverte, Paris, 1997b, pp. 289-302. (English translation published as "Racism and crisis", in Balibar E. and Wallerstein I. (eds), *Race, nation, class. Ambiguous identities* (1991), Verso, London, 2002, pp. 217-227.)
- Barbagli M., *Immigrazione e criminalità in Italia*, Il Mulino, Bologna, 1998.
- Barlas A., *Believing women in Islam: unreading patriarchal interpretations of the Qur'an*, Sama, Karachi, 2002.
- Barrington Moore jr. W., *Injustice. The social basis of obedience and revolt*, Macmillan, London, 1987.
- Barth F. (ed.), *Ethnic groups and boundaries*, Allen & Unwin, London, 1969.
- Bashford A., "Introduction: 'the age of universal contagion': disease, history and globalization", in Bashford A., *Medicine at the border disease, globalization and security, 1850 to the present*, Palgrave Macmillan, Houndmills, 2006.
- Basso P., *Tempi moderni, orari antichi. Il tempo di lavoro a fine secolo*, Franco Angeli, Milan, 1998.
- Basso P., "The attitude of companies to migrant workers and their 'differences': challenging the current trends towards irresponsibility", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008, pp. 205-223.

- Bastener A., "L'immigrazione nel quotidiano: la funzione sociale della diceria", *Rassegna sindacale*, XXII (1991), No. 79-80.
- Bauman Z., *Globalization: the human consequences*, Columbia University Press, New York, 1998.
- Bauman Z., "Freiheit und Sicherheit. Die unvollendete Geschichte einer stürmischen Beziehung", in Anselm E. et al. (eds), *Die Neue Ordnung der Politischen: Die Herausforderungen der Demokratie am Beginn des 21. Jahrhunderts*, Campus, Frankfurt-on-Main, 1999.
- Bauman Z., *Liquid modernity*, Polity Press, Cambridge, 2000.
- Bauman Z., "Questioni sociali e repressione penale", in Ciappi S. (ed.), *Periferie dell'impero. Poteri globali e controllo sociale*, DeriveApprodi, Rome, 2003.
- Bauman Z., *Identity: conversations with Benedetto Vecchi*, Polity Press, Cambridge, 2004.
- Beaud S. and Pialoux M., *Violences urbaines, violences sociales. Genèse des nouvelles classes dangereuses*, Fayard, Paris, 2003.
- Beaudu G., "L'externalisation dans le domaine des visas Schengen", *Cultures & Conflits*, No. 68, 2007.
- Beauftragte, *Daten – Fakten – Trends: Migrationsgeschehen*, Beauftragte der Bundesregierung für Migration und Flüchtlinge, 2004.
- Beck U., *Risikogesellschaft. Auf dem Weg in die andere Moderne*, Suhrkamp, Frankfurt, 1986. (English translation: *Risk society: towards a new modernity*, Sage Publications, London, 1992.)
- Bellofiore R. and Halevy J., "Tendenze del capitalismo contemporaneo, destrutturazione del lavoro e limiti del 'keynesismo'. Per una critica della politica economica", manuscript, 2005.
- Benhabib S., *The rights of others. Aliens, residents and citizens*, Press Syndicate of the University of Cambridge, Cambridge, 2004.
- Benton-Short L., Price M. and Friedman S., "Global perspective on the connections between immigrants and world cities", *Occasional Paper Series*, GW Center for the Study of Globalization, 2004.
- Berger P. L. and Luckmann T., *The social construction of reality*, Doubleday & Co., Garden City, NY, 1966.
- Berglund N., "Thai women dumped in Norway", *Aftenposten*, 6 May 2005.
- Bernardot M., *Loger les immigrés – La SONACOTRA 1956-2006*, Editions Du Croquant, 2008.
- Bhagat R. B., "Conceptual issues in measurement of internal migration in India", paper, IUSSP 25th International Conference, 18-23 July 2005.
- Bianchi M., Buonanno P. and Pinotti P., "Do immigrants cause crime?", Ecole d'économie de Paris, Working Paper No. 5, 2008.
- Bigo D. (ed.), *L'Europe des polices et de la sécurité intérieure*, Complexe, Brussels, 1992.
- Bigo D. and Guild E., "Le Visa Schengen: expression d'une stratégie de 'police' à distance", *Cultures & Conflits*, No. 49-50, 2003, pp. 22-37.
- Blanchard E., "Étrangers incarcérés, étrangers délinquants?", *Plein Droit*, No. 50, July 2001.
- Bobbio L. (ed.), *A più voci. Amministrazioni pubbliche, imprese, associazioni e cittadini nei processi decisionali inclusivi*, Edizioni Scientifiche Italiane, Rome, 2004.
- Bobbio N., *L'età dei diritti*, Einaudi, Turin, 1990. (English translation: *The age of rights*, Polity Press, Cambridge, 1995.)

- Boeri T., Hanson G. and McCormick B. (eds), *Immigration policy and the welfare system*, Oxford University Press, Oxford, 2002.
- Bommes M. and Geddes A. (eds), *Immigration and welfare: challenging the borders of the welfare state*, Routledge, London, 2000.
- Bommes M., "Welfare systems and migrant minorities; the cultural dimension of social policies and its discriminatory potential", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008, pp. 129-158.
- Bonelli L., "Insecurity in its various forms, existence on the fringes of society and political exclusion in the working class neighbourhoods of French towns: causes and possible alternative approaches", in Council of Europe, *Security and social cohesion – Deconstructing fear (of others) by going beyond stereotypes*, Trends in social cohesion, No. 11, Council of Europe Publishing, Strasbourg, 2005, pp. 65-86.
- Bonelli L., "What security for migrants and their children? Thoughts inspired by the Catalan example", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008a, pp. 91-109.
- Bonelli L., *La France a peur. Histoire sociale de "l'insécurité"*, La Découverte, Paris, 2008b.
- Borjas G., "The economics of immigration", *Journal of Economic Literature*, Vol. XXXII (December 1994), 1994, pp. 1667-1717.
- Borjas G., "The labour demand curve is downward sloping: re-examining the impact of immigration on the labour market", *Quarterly Journal of Economics*, Vol. 118, No. 4, 2003, pp. 1335-1374.
- Börzel T. A. and Sprungk C., "Undermining democratic governance in the member states? The Europeanization of national decision-making", Institute for Political Science, University of Heidelberg, unpublished paper, 2003.
- Bosswick W. and Heckmann F., *Integration of migrants: contribution of local and regional authorities*, European Foundation for the Improvement of Living and Working Conditions, Dublin, 2006, www.eurofound.europa.eu/publications/htmlfiles/ef0622.htm.
- Bourdieu P., "La représentation politique: éléments pour une théorie du champ politique", *Actes de la Recherche en Sciences Sociales*, No. 36, 1981.
- Bourdieu P., *La distinction. Critique sociale du jugement*, Editions de Minuit, Paris, 1979. (English translation: *Distinction: a social critique of the judgement of taste*, Routledge and Kegan Paul, London, 1984.)
- Bourdieu P., "La force du droit. Éléments pour une sociologie du champ juridique", *Actes de la recherche en sciences sociales*, No. 64, 1986, pp. 3-19.
- Bourdieu P., *Contre-feux. Propos pour servir à la résistance contre l'invasion néo-libérale*, Raisons d'agir, Paris, 1998.
- Bouteillet-Paquet D., *L'Europe et le droit d'asile*, L'Harmattan, Paris, 2001.
- Brady H., *EU migration policy: an A-Z*, Centre for European Reform, London, 2008.
- Brainerd E. and Cutler D., "Autopsy on an empire. Understanding mortality in Russia and the former Soviet Union", *Journal of Economic Perspectives*, Vol. 19, No. 1, 2005, pp. 107-130.
- Brettell C. B. and Hollifield J. F. (eds), *Migration theory. Talking across disciplines*, Routledge, London, New York, 2000.

- Brinkerhoff D. W., "Exploring state-civil society collaboration: policy partnerships in developing countries", *Non-profit and Voluntary Sector Quarterly*, No. 28, 4, 1999, p. 65.
- Brion F., Rihoux A. and De Coninch F., "La surpopulation et l'inflation carcérales", *La Revue Nouvelle*, No. 4, 1999, pp. 54-55.
- Brubaker W. R. (ed.), *Immigration and the politics of citizenship in Europe and America*, University Press of America, Lanham, 1989.
- Brubaker R. and Cooper F., "Beyond identity", *Theory and Society*, 29, 2000, pp. 1-47.
- Brunvand J. H., *The Mexican pet – More "new" urban legends and some old favorites*, Norton, New York, 1986.
- Burchard T. et al., "Introduction", in Hills J. et al. (eds), *Understanding social exclusion*, Oxford University Press, Oxford, 2002.
- Burnett A. and Fassil Y., *Meeting the health needs of refugee and asylum seekers in the UK: an information and resource pack for health workers*, Department of Health, 2002.
- Butterwegge, C., "The portrayal of migrants in the German media: going beyond stereotypes through alternative information and communication practices", in Council of Europe, *Security and social cohesion – Deconstructing fear (of others) by going beyond stereotypes*, Trends in social cohesion, No. 11, Council of Europe Publishing, Strasbourg, 2005.
- Camilleri C. et al., *Stratégies identitaires*, PUF, Paris, 2002.
- Camus J.-Y., "Study on the use of racist, antisemitic and xenophobic arguments in political discourse", in ECRI, *The use of racist, antisemitic and xenophobic arguments in political discourse*, High-level panel meeting on the occasion of the International Day for the Elimination of Racial Discrimination, Paris, March 2005, pp. 19-51.
- Caponio T., *Città italiane e immigrazione. Discorso pubblico e politiche a Milano, Bologna e Napoli*, il Mulino, Bologna, 2006.
- Caputo G., "Welfare state, politiche penali e razza", in Casadei T. and Re L., *Differenza razziale, discriminazione e razzismo nelle società multiculturali*, Vol. 2, Diabasis, Reggio Emilia, 2007, pp. 83-105.
- Caritas Europa, *Migration, a journey into poverty? A Caritas Europa study on poverty and exclusion of immigrants in Europe*, third report on poverty in Europe, Caritas Europa, Brussels, 2006.
- Caritas, *Immigrazione. Dossier Statistico 2008, XVIII Rapporto*, Caritas/Migrantes, Rome, 2008.
- Carrasco R., Jimeno J. F. and Ortega A. C., "The impact of immigration on the wage structure: Spain 1995-2002", *Economics Working Papers*, Universidad Carlos III, 2008.
- Carrasco R. and Ortega C., *La inmigración en España: características y efectos sobre la situación laboral de los trabajadores nativos*, Fundación Alternativas, Madrid, 2005.
- Carrera S., "A comparison of integration programmes in the EU. Trends and weaknesses", *Challenge Papers*, No. 1, March 2006a.
- Carrera S. (ed.), *The nexus between immigration, integration, and citizenship in the EU*, Challenge Collective Conference Volume, April 2006b.
- Carrera S., *Benchmarking integration in the EU. Analyzing the debate on integration indicators and moving it forward*, Bertelsmann Foundation, Gütersloh, 2008.

- Carrera S. and Formisano M., "An EU approach to labour migration. What is the added value and the way ahead?", *CEPS Working Documents*, No. 232, October 2005.
- Cartuyvels Y. and Mary P. (eds), *L'Etat face à l'insécurité. Dérives politiques des années 90*, Labor, Brussels, 1999.
- Casanova J., *Public religions in the modern world*, University of Chicago Press, Chicago, 1994.
- Cassese S., *La crisi dello Stato*, Laterza, Rome, 2002.
- Castel R. and Haroche C., *Propriété privée, propriété sociale, propriété de soi. Entretiens sur la construction de l'individu moderne*, Librairie Arthème Fayard, Paris, 2001.
- Castles S. and Miller M. J., *The age of migration. International population movements in the modern world* (1993), Palgrave, New York, 2003.
- Chamboredon J.-C. and Lemaire M., "Proximité spatiale et distance sociale. Les grands ensembles et leur peuplement", *Revue française de sociologie*, XI, 1970, pp. 3-33.
- Cholewinski R., *Study on obstacles to effective access of irregular migrants to minimum social rights*, Council of Europe Publishing, Strasbourg, 2005.
- Christensen J. G., "Bureaucratic autonomy as a political asset", in Peters B. G. and Pierre J. (eds), *Politicians, bureaucrats and administrative reform*, Routledge, London, 2001, pp. 119-131.
- Christie N., "Suitable enemies", in Bianchi N. and von Swaaningen R. (eds), *Abolitionism: toward a non-repressive approach to crime*, Free University Press, Amsterdam, 1986.
- CIC, *Our shared future*, Commission for Integration and Cohesion, London, 2007.
- Cimade, *Centres et locaux de rétention administrative. Rapport 2007*, Cimade, Paris, 2008.
- Cimade, *Rapport 2007 sur les centres et locaux de rétention administrative*, Cimade, Paris, 2008, www.cimade.org/publications/16.
- Clark K. and Drinkwater S., "Pushed out or pulled in? Ethnic minority self-employment in England and Wales", *Labour Economics*, No. 7, 2000, pp. 603-628.
- Clarke K., "The challenge of cultural competence in the Nordic welfare state: experiences and perspectives from Finland", in Council of Europe, *Achieving social cohesion in a multicultural Europe: concepts, situation and developments*, Trends in social cohesion, No. 18, Council of Europe Publishing, Strasbourg, 2006.
- Cohen J. and Howard M. (eds), *Is multiculturalism bad for women?*, Princeton University Press, Princeton, 1999.
- Cohen S., "Modern migrants and new slaves. How the UK welfare state denies well-being, enforces immigration control and creates slavery", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.
- Coker N., *Racism in medicine. An agenda for change*, King's Fund, London, 2001.
- Colectivo IOE, *Labour market discrimination against migrant workers in Spain*, International Migration Papers, Employment Department, ILO, Geneva, 1995.
- Collatz J. and Ethnomedizinisches Zentrum Hannover, *Was macht Migranten in Deutschland krank? Zur Problematik von Rassismus und Ausländerfeindlichkeit und von Armutsdiskriminierung in psychosozialer und medizinischer Versorgung*, Rissen, Hamburg, 1992.

- Commissioner for Human Rights, *The human rights of irregular migrants in Europe*, Issue Paper No. 1, Strasbourg, 2007.
- Communities and Local Government, *Review of migrant integration policy in the UK (including a feasibility study of the proposal for an integration agency)*, Department for Communities and Local Government, London, 2008.
- Conseil d'Etat, *Rapport annuel du Conseil d'Etat pour 2006*, série Etudes et documents, n° 57, La Documentation Française, Paris, 2006.
- Council of Europe, *Measurement and indicators of integration*, Council of Europe Publishing, Strasbourg, 1998.
- Council of Europe, *A new social cohesion strategy*, European Committee for Social Cohesion, Strasbourg, 2003, www.coe.int/t/dg3/socialpolicies/socialcohesiondev/source/RevisedStrategy_en.pdf.
- Council of Europe, *Concerted development of social cohesion indicators – Methodological guide*, Council of Europe Publishing, Strasbourg, 2005.
- Council of Europe, *Young people from lower income neighbourhoods – Guide to new policy approaches*, Strasbourg, 2007.
- Council of Europe, *White Paper on Intercultural Dialogue*, Council of Europe, 2008, www.coe.int/t/dg4/intercultural/default_EN.asp
- Cowles M. G., Caporaso J. A. and Risse T. (eds), *Transforming Europe. Europeanization and domestic change*, Ithaca, New York, 2001.
- Crahay M., *Peut-on lutter contre l'échec scolaire?*, Deboeck, Brussels, 2007.
- Crépeau F., *Droit d'asile: de l'hospitalité aux contrôles migratoires*, Bruylant, Brussels, 1995.
- Cresswell T., *On the move. Mobility in the modern Western world*, Routledge, London, 2006.
- Crettiez X. and Piazza P. (eds), *Du papier à la biométrie – Identifier les individus*, Presses de Science Po, Paris, 2006.
- Crouch C., *Post-democracy*, Polity Press, Cambridge, 2004.
- Crutzen D. and Lucchini S., "Etat des savoirs concernant l'éducation et la scolarité des enfants issus de l'immigration en Communauté française de Belgique", in Martinello M. et al. (eds), *Immigration et intégration en Belgique francophone – Etat des savoirs*, Academia-Bruylant, Louvain-la-Neuve, 2007.
- Crutzen D. and Manço A., (eds), *Compétences linguistiques et sociocognitives des enfants de migrants. Turcs et Marocains en Belgique*, L'Harmattan, Paris, 2003.
- Cuttitta P., "Le monde-frontière. Le contrôle de l'immigration dans l'espace globalisé", *Cultures & Conflits*, No. 68, 2007.
- Da Lomba S., "Fundamental social rights for irregular migrants: the right to health care in France and England", in Bogusz B. et al. (eds), *Irregular migration and human rights: theoretical, European and international perspectives*, Martinus Nijhoff, Leiden, 2004, p. 363.
- Dal Lago A., "La tautologia della paura", *Rassegna Italiana di Sociologia*, No. 1, 1999.
- Dal Lago A., *Non-persone. L'esclusione dei migranti in una società globale* (1999), Feltrinelli, Milan, 2004.
- Dal Lago A. and Quadrelli E., *La città e le ombre. Crimini, criminali, cittadini*, Feltrinelli, Milan, 2003.
- Dal Lago A., "Esistono davvero i conflitti tra culture? Une riflessione storico-metodologica", in Galli C. (ed.), *Multiculturalismo. Ideologie e sfide*, il Mulino, Bologna, 2006.

- Daly M., *Access to social rights in Europe*, Council of Europe Publishing, Strasbourg, 2002.
- Davis M., *The monster at our door: the global threat of avian flu*, New Press, New York, 2005.
- De Fabel van de illegaal, "For the freedom of migration! Against the IOM", *De Fabel van de illegaal*, No. 65/66, summer 2004.
- De Genova N. P., "Migrant illegality and deportability in everyday life", *Annual Review of Anthropology*, No. 31, 2002, pp. 419-447.
- De Giorgi A., *Zero tolleranza. Strategie e pratiche della società di controllo*, DeriveApprodi, Rome, 2000.
- De Giorgi A., *Il governo dell'eccedenza. Postfordismo e controllo della moltitudine*, ombre corte, Verona, 2002.
- De Schutter O., "Les droits fondamentaux dans le projet européen", in De Schutter O., Paul Nihoul P. and Carlier J.-Y. (eds), *Une Constitution pour l'Europe: Réflexions sur les transformations du droit de l'Union Européenne*, Larcier, Brussels, 2004.
- De Tapia S., *The Euro-Mediterranean migration system and the effects in countries of origin of transfers of funds*, Council of Europe Publishing, Strasbourg, 2007.
- Deckert H.-J., "Rückfall in die Barbarei", *Kölner Stadt-Anzeiger*, 1 June 1993.
- Delanty G. and Rumford C., *Rethinking Europe: social theory and the implications of Europeanization*, Routledge, London, 2005.
- Deltombe T. and Rigouste M., "L'ennemi intérieur: la construction médiatique de la figure de l'Arabe", in Blanchard P., Bancel N. and Lemaire S., *La fracture coloniale*, La Découverte, Paris, 2006.
- DIU, *Strategien für die Soziale Stadt Erfahrungen und Perspektiven – Umsetzung des Bund-Länder-Programms "Stadtteile mit besonderem Entwicklungsbedarf – die soziale Stadt"*, Deutsches Institut für Urbanistik, 2003.
- Douglas J. D. (ed.), *Deviance and responsibility. The social construction of moral meanings*, Basic Books, New York, 1970.
- Douzet F., "Le cauchemar hispanique de Samuel Huntington", *Hérodote*, No. 115, 2004.
- Dubois J.-L., "Understanding well-being to ensure that it is equitably accessible", in Council of Europe, *Well-being for all. Concepts and tools for social cohesion*, Trends in social cohesion, No. 20, Council of Europe Publishing, Strasbourg, 2008, pp. 79-97.
- Dumitru S. and Rügger M., "Editorial", in *Choisir ses immigrés?*, Raisons politiques, No. 26, 2007.
- Düvell F., "Human rights watchdogs condemn International Organization for Migration (IOM)", *Statewatch bulletin*, May 2003.
- Düvell F., "La mondialisation du contrôle des migrations", in Arcila P. et al. (eds), *Politique migratoires. Grand et petite manœuvres*, Carobella, Lyons, 2005, pp. 13-43.
- EASSC, *Impact of migration on infectious diseases in Europe*, European Academies Science Advisory Council, August 2007.
- Ebron G., "Not just a maid: negotiating Filipinas' identity in Italy", *Intersections*, No. 8, October 2002.
- Eckhardt J., "Mediennutzungsverhalten von Ausländern in Deutschland", in Schatz H., Holtz-Bacha C. and Nieland J.-U. (eds), *Migranten und Medien. Neue Herausforderungen an die Integrationsfunktion von Presse und Rundfunk*, Wiesbaden, 2000, pp. 265-271.

- ECRI, *The use of racist, anti-Semitic and xenophobic elements in political discourse*, high-level meeting on the occasion of the International Day for the Elimination of Racial Discrimination, Paris, 21 March 2005, European Commission against Racism and Intolerance, November 2005.
- Ehrenreich B. and Russell Hochschild A., *Global woman: nannies, maids, and sex workers in the new economy*, Metropolitan Books, New York, 2002.
- Ekblad S., Abazari A. and Eriksson N.-G., "Migration stress-related challenges associated with perceived quality of life: a qualitative analysis of Iranian refugees and Swedish patients", *Transcultural Psychiatry*, Vol. 36, No. 3, 1999, pp. 329-345.
- Elias N. and Scotson J. L., *The established and the outsiders: a sociological enquiry into community problems* (1965), Sage, London, 1994.
- Elias N., *The society of individuals*, Blackwell, Oxford, 1991.
- Eriksen E. O., "Conceptualizing European public spheres: general, segmented and strong publics", *ARENA Working Paper*, No. 3, University of Oslo, 2004.
- Escrivá A., "¿Empleadas de por vida? Peruanas en el servicio doméstico de Barcelona", *Papers. Revista de Sociología*, No. 60, Autonomous University of Barcelona, Barcelona, 2000.
- Esser H., *Soziologie. Spezielle Grundlagen. Die Konstruktion der Gesellschaft*, Vol. 2, Campus, Frankfurt, New York, 2000.
- Esser H., "Welche Alternativen zur 'Assimilation' gibt es eigentlich?", *IMIS Beiträge* 23, 2004, pp. 41-60.
- EUMC, *Anti-Islamic reactions in the EU after the terrorist acts against the USA*, EUMC, Vienna, 2001.
- EUMC, *Majorities' attitudes towards minorities: key findings from the Eurobarometer and the European Social Survey*, EUMC, Vienna, 2005a.
- EUMC, *Racism and xenophobia in the EU member states. Trends, developments and good practice, Annual Report 2005, Part II*, EUMC, Vienna, 2005b.
- Eurobarometer, *Discrimination in Europe*, No. 57.0, Brussels, 2003.
- European Commission, "A Community immigration policy", Communication from the Commission to the Council and the European Parliament, Brussels, 22 November 2000.
- European Commission, "Communication on immigration, integration and employment", Communication from the Commission to the Council, European Parliament, European Economic and Social Committee and the Committee of the Regions, Brussels, 2003.
- European Commission, "Study on the links between legal and illegal migration", Communication from the Commission to the Council, European Parliament, European Economic and Social Committee and the Committee of the Regions, Brussels, 2004.
- European Commission, "Green Paper on an EU approach to managing economic migration", Brussels, 2005a.
- European Commission, "A common agenda for integration – Framework for the integration of third-country nationals", Communication from the Commission to the Council, European Parliament, European Economic and Social Committee and the Committee of the Regions, Brussels, 2005b.
- European Commission, "The demographic future of Europe – From challenge to opportunity", Commission Communication, 2006.

Migrants and their descendants

European Commission, *Handbook on integration for policy-makers and practitioners*, second edition, 2007.

European Commission, "Report on the evaluation and future development of the FRONTEX Agency", Brussels, 2008a.

European Commission, *Employment in Europe Report 2008*, European Commission, Brussels, 2008b.

European Parliament, *Draft report on the demographic future of Europe [2007/2156(INI)]*.

Eurostat, "Population in Europe 2004. First results", *Statistics in Focus*, No. 15, Brussels, 2005.

Eurostat, "Asylum applications in the European Union", *Statistics in Focus*, No. 110, Brussels, 2007, http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-07-110/EN/KS-SF-07-110-EN.PDF.

Eurostat, *In the spotlight – Demographic change: challenge or opportunity?: Eurostat Yearbook 2008*, Eurostat, Brussels, 2008.

Facchi A., "Citizenship, equality and social rights in a pluralist society", in Council of Europe, *Achieving social cohesion in a multicultural Europe: concepts, situation and developments*, Trends in social cohesion, No. 18, Council of Europe Publishing, Strasbourg, 2006.

FAO, *Food outlook. Global market analysis*, Economic and Social Development Department, November 2008.

Farmer P., *Pathologies of power. Health, human rights, and the new war on the poor*, University of California, Berkeley, 2003.

Farrell G., "Well-being for all as the objective of social cohesion", in Council of Europe, *Well-being for all. Concepts and tools for social cohesion*, Trends in social cohesion, No. 20, Council of Europe Publishing, Strasbourg, 2008, pp. 15-31.

Farrell G. and Oliveri F., "Foreword. Reconciling migrants' well-being with the public interest", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.

Farrell H. and Héritier A., "Interorganizational negotiation and intraorganizational power in shared decision making. Early agreements under codecision and their impact on the European Parliament and Council", *Comparative Political Studies*, 37 (10), 2004, pp. 1184-1212.

Faso G., *Lessico del razzismo democratico*, DeriveApprodi, Rome, 2008.

Fassmann H. et al., "International migration and its regulation", *IMISCOE Working Paper*, No. 1, 2005.

Favell A., "The Europeanisation of immigration politics", *European Integration Online Papers*, Vol. 2, No. 10, 1998.

Ferge Z., "Welfare and 'ill-fare' systems in central-eastern Europe", in Sykes R., Palier B. and Prior P. M. (eds), *Globalization and European welfare states: challenges and change*, Palgrave, Basingstoke, 2001, pp. 127-152.

Feridum M., *The economic impact of immigration on the host country: the case of Norway*, MPRA, Paper No. 740, 2005 (published in 2009).

Ferrajoli L., "Dai diritti del cittadino ai diritti della persona", in Zolo D. (ed.), *La cittadinanza. Appartenenza, identità, diritti*, Laterza, Rome, 1994, pp. 263-292.

Ferrajoli L., *Diritti fondamentali. Un dibattito teorico*, Laterza, Rome, 2001.

Ferrarere, M. R., *Il diritto al presente. Globalizzazione e tempo delle istituzioni*, Il Mulino, Bologna, 2002.

FIDH, *Locking up foreigners, deterring refugees: controlling migratory flows in Malta*, International fact-finding mission, September 2004.

- FIDH, "Proposed "Returns" Directive: the FIDH calls for the suspension of the text's adoption", press release of the International Federation for Human Rights, Brussels, 6 May 2008.
- Fischer F., Miller G. and Sidney M. S., *Handbook of public policy analysis: theory, politics, and methods*, CRC Press, Danvers, 2007.
- Fischer P. A. and Straubhaar T., *Ökonomische Integration und Migration in einem gemeinsamen Markt*, Paul Haupt, Stuttgart, 1994.
- Florini A. M., "Lessons learned", in Florini A. M. (ed.), *The third force: the rise of transnational civil society*, Japan Centre for International Exchange, Tokyo, and Carnegie Endowment for International Peace, Washington, 2000.
- FNB, "Belgique, terre d'asile? Malgré nous", *Front nouveau de Belgique*, December 1998, www.fnb.to/FNB/Article/Bastion_29/Asile.htm.
- Foblets M.-C. (ed.), *Femmes marocaines et conflits familiaux en immigration: quelles solutions juridiques appropriées?*, Maklu, Antwerp, 1998.
- Fouche N., "Les Américains en France, 1919-1939: un objet d'étude pour les historiens de l'immigration", *Revue européenne des migrations internationales*, 1998, Vol. 14, No. 3, pp. 159-170.
- FRA, *EU-MIDIS at a glance. Introduction to the FRA's EU-wide discrimination survey*, Fundamental Rights Agency, Vienna, 2009a.
- FRA, *Annual Report 2009*, Fundamental Rights Agency, Vienna, 2009b.
- Freidson E., *Professional powers*, University of Chicago Press, Chicago, 1986.
- Friedberg R. and Hunt J., "The impact of immigrants on host country wages, employment and growth", *Journal of Economics Perspectives*, Vol. 9, No. 2, 1995, pp. 23-44.
- Gallbraith J. K., *The nature of mass poverty*, Harvard University Press, 1979.
- Gallino L., *Se tre milioni vi sembrano pochi. Sui modi per combattere la disoccupazione*, Einaudi, Turin, 1998.
- Gallino L., *Globalizzazione e disuguaglianze*, Laterza, Rome, 2000.
- Gallino L., *L'impresa irresponsabile*, Einaudi, Turin, 2005.
- Garfinkel H., "Conditions of successful degradation ceremonies", *American Journal of Sociology*, Vol. 61, March 1956.
- Garland D., *The culture of control. Crime and social order in contemporary society*, Oxford University Press, Oxford, 2001.
- Gaspard, F. and Khosrokhavar, F., *Le foulard et la République*, La Découverte, Paris, 1995.
- GCIM, *Migration in an interconnected world: New directions for action*, Global Commission on International Migration, 2005, www.gcim.org/attachements/gcim-complete-report-2005.pdf.
- Geisser N., "Islamophobia in Europe: from the Christian anti-Muslim prejudice to a modern form of racism", in Council of Europe, *Islamophobia and its consequences on young people. Seminar report*, Council of Europe Publishing, Budapest, 2005.
- Geißler R., "Bessere Präsentation durch bessere Repräsentation. Anmerkungen zur medialen Integration von ethnischen Minderheiten", in Schatz H., Holtz-Bacha C. and Nieland J.-U. (eds), *Migranten und Medien. Neue Herausforderungen an die Integrationsfunktion von Presse und Rundfunk*, Wiesbaden, 2000, pp. 129-146.
- Gesualdi F., *Sobrietà. Dallo spreco di pochi ai diritti per tutti*, Feltrinelli, Milan, 2005.

Migrants and their descendants

Girard A., "Attitudes des Français à l'égard de l'immigration étrangère. Enquête d'opinion publique", *Population*, No. 5, September-October 1971.

Girard A., Charbit Y. and Lamy, M.-L., "Attitudes des Français à l'égard de l'immigration étrangère. Nouvelle enquête d'opinion", *Population*, No. 6, November-December 1974.

Glover S. et al., *Migration: an economic and social analysis*, Home Office Research, Development and Statistics Directorate Occasional Paper No. 67, 2001, www.homeoffice.gov.uk/rds/pdfs/occ67-migration.pdf.

Goffman E., *Stigma. Notes on the management of spoiled identity*, Simon and Schuster, New York, 1963.

Goffman E., *Interaction ritual: essays on face-to-face behavior*. Anchor Books, New York, 1967.

Goffman E., *Frame analysis. The social organization of experience*, Harper and Row, London, 1974.

Göle N., *Musulmanes et modernes: voile et civilisation en Turquie*, La Découverte, Paris, 1993. (English translation: *The forbidden modern: civilisation and veiling*, University of Michigan Press, 1997.)

Goul Andersen J., "Fra krise og konsolidering til overflod og omstrukturering?" *Tidsskrift for Velferdsforskning*, Vol. 2, No. 4, 1999, pp. 195-214.

Granato M. and Werner R., "Ausländische Jugendliche in Deutschland", *Informationen für die Beratungs- und Vermittlungsdienste der Bundesagentur für Arbeit*, No. 16, 1999.

Grzymała-Kazłowska A., "Polish migrant women in Brussels", *Ethnographica*, No. 1, 2001.

Guild E., *The legal elements of European identity. EU citizenship and migration law*, Kluwer Law International, The Hague, 2004.

Guiraudon V., "Citizenship rights for non-citizens: France, Germany and the Netherlands", in Joppke C. (ed.), *Challenge to the nation state*, Oxford University Press, Oxford, 1998, pp. 272-318.

Guiraudon V., "European integration and migration policy: vertical policy-making as venue shopping", *Journal of Common Market Studies*, Vol. 38, No. 2, 2000, pp. 249-269.

Guiraudon V. and Lahav G., "A reappraisal of the state-sovereignty debate. The case of migration control", *Comparative Political Studies*, Vol. 33, No. 2, 2000, pp. 163-195.

Habermas J., *Theorie des kommunikativen Handelns*, Suhrkamp, Frankfurt-on-Main, 1981.

Habermas J., *Staatsbürgerschaft und nationale Identität. Überlegungen zur europäischen Zukunft*, Erker Verlag, St Gallen, 1991.

Habermas J., *Faktizität und Geltung. Beiträge zur Diskurstheorie des Rechts und des demokratischen Rechtsstaats*, Suhrkamp, Frankfurt-on-Main, 1992.

Habermas J., "Struggles for recognition in constitutional states", *European Journal of Philosophy*, Vol. 1, No. 2, 1993, pp. 128-155.

Habermas J., *Die Einbeziehung des Anderen. Studien zur politischen Theorie*, Suhrkamp, Frankfurt-on-Main, 1996.

Habermas J., "Warum braucht Europa eine Verfassung?", *Die Zeit*, 27, 2001.

Habermas J., *Ach Europa. Kleine politische Schriften XI*, Suhrkamp Verlag, Frankfurt-on-Main, 2008.

Hammarberg T., "Seeking asylum is a human right, not a crime", 30 October 2006, [www.coe.int/t/commissioner/viewpoints/061030_EN.asp?](http://www.coe.int/t/commissioner/viewpoints/061030_EN.asp)

- Hansen R. and Hornberg S., "Migration und Qualifikation", in Rolff H. G et al. (eds), *Jahrbuch der Schulentwicklung*, Vol. 9, Weinheim/Munich, 1996, pp. 339-376.
- Hardill I. and Macdonald S., "Skilled international migration: the experiences of nurses in the UK", *Regional Studies*, Vol. 37 (4), 2000, pp. 681-692.
- Harris, N., *Thinking the unthinkable. The immigration myth exposed*, I.B. Tauris, London, 2002.
- Haut Conseil à l'Intégration, *L'Intégration à la française*, Haut Conseil à l'Intégration, Paris, 1993.
- Haut Conseil à l'Intégration, *Lutte contre les discriminations: faire respecter le principe d'égalité*, La Documentation française, Paris, 1998, www.ladocumentationfrancaise.fr/rapports-publics/994000073/index.shtml.
- Haut Conseil à l'Intégration, *Le bilan de la politique d'intégration 2002-2005*, La Documentation française, Paris, 2006, www.ladocumentationfrancaise.fr/rapports-publics/064000272/index.shtml.
- Hayter T., *Open borders. The case against immigration controls*, 2nd edition Pluto Press, London, 2004.
- Heckmann F., *Ethnische Minderheiten, Volk und Nation. Soziologie interethnischer Beziehungen*, Enke, Stuttgart, 1992.
- Helly D., "Lutte contre les discriminations au Canada: le secteur privé, la faille du multiculturalisme", in Manço A. (ed.), *Valorisation des compétences et co-développement. Africain(e)s qualifié(e)s en immigration*, Compétences interculturelles series, L'Harmattan, Paris, 2008, pp. 17-36.
- Hendricks A., "The right to health in national and international jurisprudence", *European Journal of Health Law*, No. 5, 1998, pp. 389-408.
- Héritier A., "The White Paper on European Governance: a response to shifting weights in interinstitutional decision-making", *Jean Monnet Working Paper*, No. 6, 2001.
- Herm A., "Recent migration trends: citizens of EU-27 Member States become ever more mobile while EU remains attractive to non-EU citizens", *Statistics in Focus*, No. 98, Eurostat, 2008.
- Hirschman A. O., *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*, Harvard University Press, Cambridge, MA, 1970.
- Hirst P. and Thompson G., *Globalization in question: the international economy and the possibilities of governance*, Polity Press, Oxford, 1996.
- Hobsbawm E. J., *Nations and nationalism since 1780: programme, myth, reality*, Cambridge University Press, Cambridge, 1992.
- Home Office, *A points-based system: making migration work for Britain*, March 2006.
- Hönekopp E., Will G. and Rühl S., *Migrants, minorities and employment in Germany. Exclusion, discrimination and anti-discrimination*, Raxen 3 Report to the EUMC, 2002.
- Honig B., *Democracy and the foreigner*, Princeton University Press, Princeton, NJ, 2001.
- House of Lords, *The economic impact of immigration*, House of Lords, 2008.
- Howlett M. and Ramesh M., *Studying public policy: policy cycles and policy subsystems*, Oxford University Press, Toronto and New York, 1995.
- HPA, *Migrant health. Infectious diseases in non-UK born populations in England, Wales and Northern Ireland*, Health Protection Agency, 2006a, www.hpa.org.uk/web/HPAweb&HPAwebStandard/HPAweb_C/1201767921328.
- HPA, *Port health and medical inspection review report from the project team*, Health Protection Agency, March 2006b, www.hpa.org.uk/web/HPAwebFile/HPAwebC/1197021714421.

- Hrebly V., *Les Accord de Schengen: origine, fonctionnement, avenir*, Bruylant, Brussels, 1998.
- HRW, *Stemming the flow, abuses against migrants, asylum seekers and refugees*, Human Rights Watch, 2006, www.hrw.org/reports/2006/libya0906/index.htm.
- Huber J. D. and Shipan C. R., *Deliberate discretion? The institutional foundations of bureaucratic autonomy*, Cambridge University Press, Cambridge, 2002.
- Huntington S., *The clash of civilizations and remaking of world order*, Simon and Schuster, New York, 1996.
- Huntington S. P., *Who are we? The challenges to America's national identity*, Simon and Schuster, New York, 2004a.
- Huntington S. P., "The Hispanic challenge", *Foreign Policy*, March-April 2004b.
- Içduygu A. and Senay B., "Making citizenship an instrument for empowering migrants", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.
- Iglesias Fernandez C. and Llorente Heras R., *The impact of economic immigration on labour opportunities of native-born workers: the Spanish case*, Servilab, University of Alcalá, 2006, www.iaes.es/publicaciones/Dt5-06-ing.pdf.
- ILO, *Towards a fair deal for migrant workers in the global economy*, Report VI, International Labour Conference, 92nd Session, ILO, Geneva, 2004, www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/meetingdocument/kd00096.pdf.
- ILO, *Income inequalities in the age of financial globalization. World of work report*, ILO, Geneva, 2008, www.ilo.org/public/english/bureau/inst/download/world08.pdf.
- Institute of Medicine, *The impact of globalization on infectious disease emergence and control*, 2006.
- Intrand C. and Perrouy P.-A., "La diversité des camps d'étrangers en Europe: présentation de la carte des camps de Migreurop", *Cultures & Conflits*, No. 57, 2005.
- IOM, *Prevention and counteraction of slavery and trafficking proliferation in the Russian Federation*, IOM, Moscow, 2008a.
- IOM, *World migration 2008: managing labour mobility in the evolving global economy*, IOM, Geneva, 2008b.
- Ivakhnyuk I., "New answers to irregular migration challenges in Russia", in Council of Europe, *Policies on irregular migrants. Volume II: Republic of Armenia, Greece and the Russian Federation*, Council of Europe Publishing, Strasbourg, 2008.
- IVS, "Situation du Sida dans la population étrangère domiciliée en France", Rapport de l'Institut de veille sanitaire, Paris, April 1999.
- Jacobson D. and Ruffer B. G., "Social relations on a global scale: the implications for human rights and for democracy", in Giugni M. and Passy F. (eds), *Dialogues on migration policy*, Lexington Books, Lanham, MD, 2006.
- Jamous H., "Les jeunes filles au foulard et le recul du religieux", in Nordman C., *Le foulard islamique en question*, Editions Amsterdam, Paris, 2004.
- Jann W. and Wegrich K., "Theories of the policy cycle", in Fischer F., Miller G. and Sidney M. S. (eds), *Handbook of public policy analysis: theory, politics, and methods*, CRC Press, Danvers, 2007.
- Jeschek W., "Schulbesuch und Ausbildung von jungen Ausländern – kaum noch Fortschritte", *DIW-Wochenbericht*, No. 10, 2001.

- Jeschek W., "Ausbildung junger Ausländer in Deutschland: Rückschritte bei der Berufsbildung", *DIW-Wochenbericht*, No. 27, 2002.
- Jiménez Alvarez M., *Buscarse la vida. Análisis transnacional de los procesos migratorios de los menores marroquíes no acompañados en Andalucía*, Collectif Al Jaima, Tangiers, 2003.
- Joppke C. and Morawska E., "Integrating immigrants in liberal nation-states: policies and practices", in Joppke C. and Morawska E. (eds), *Toward assimilation and citizenship: immigrants in liberal nation-states*, Palgrave Macmillan, Basingstoke, 2003.
- Joppke C. and Marzal E., "Courts, the new constitutionalism and immigrant rights: the case of the French Conseil Constitutionnel", *European Journal of Political Research*, No. 43, 2004, pp. 823-844.
- Jubany-Baucells O., "Constructing truths in a culture of disbelief: screening asylum-seekers in the UK and Spain", doctoral thesis, London School of Economics and Political Science, London, 2003.
- Jubany-Baucells O., *Skilled migrants and labour market integration* (SMILING: B3-4102, Ref: VT/2004/87), final report, European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities, 2004.
- Kaczmarczyk P. and Okólski M., "International migration in central and eastern Europe – Current and future trends", paper presented to the United Nations Expert Group Meeting on International Migration and Development, Population Division, Department of Economic and Social Affairs, United Nations Secretariat, New York, 6-8 July 2005.
- Kaldor M., "The idea of global civil society", *International Affairs*, No. 79, 3, 2003, pp. 583-593.
- Kapferer J. N., *Rumeurs. Le plus vieux média du monde*, Editions du Seuil, Paris, 1987. (English translation: *Rumors: uses, interpretations, and images*, Transaction, New Brunswick, 1990.)
- Kaya A. and Kentel F., *Belgian-Turks: a bridge or a breach between Turkey and the European Union?*, Centre for Migration Research, Bilgi University, Istanbul, King Baudouin Foundation, Brussels, 2008.
- Kedzia Z., "United Nation mechanism to promote and protect human rights", in Symonides J. (ed.), *Human rights: international protection, monitoring, enforcement*, Ashgate, Aldershot, 2003.
- Keeler L. and Jyrkinen M., "Racism in the sex trade in Finland", *NIKK Magasin*, No. 1, 2002, pp. 33-36.
- Kennett P., *Comparative social policy: theory and research*, Open University Press, Buckingham, 2001.
- Kepel G., *Les banlieues de l'islam*, Seuil, Paris, 1991.
- King Baudouin Foundation, *Parents-écoles partenaires dans l'éducation. Les familles issues de l'immigration*, Brussels, 2005.
- Khiari S., *Pour une politique de la racaille. Immigré-e-s, indigènes et jeunes de banlieues*, textuel, Paris, 2006.
- Klein N., *The shock doctrine: the rise of disaster capitalism*, Penguin, London, 2007.
- Kofman E., *Contemporary European migrations, civic stratification and citizenship*, International Migration Conference, Nottingham Trent University, 11-13 September 2000.
- Kofman E. et al., *Gender and international migration in Europe: employment, welfare, and politics*, Routledge, London, 2000.
- Kraut A., *Silent travelers: germs, genes, and the "immigrant menace"*, Johns Hopkins University Press, Baltimore, 1994.

Krief P., "Les modèles prescrits de l'intégration nationale", *Migrations société*, 15, 87-88, 2003, pp. 153-168.

Krieger H. (ed.), *Migration trends in an enlarged Europe*, European Foundation for the Improvement of Living and Working Conditions, Dublin, 2004.

Kuhn T. S., *The structure of scientific revolutions*, Chicago University Press, Chicago, 1970.

LAC, *From opinion towards understanding. Russian public opinion 2007*, Levada Analytical Centre, 2007.

Lafon J.-P., "Droit d'asile: le rapport choc", *L'Express*, 10 January 2002.

Lamarque G., *L'exclusion*, PUF, Paris, 1996.

Lambert H., *The position of aliens in relation to the European Convention on Human Rights*, Council of Europe Publishing, Strasbourg, 2007.

Laville J.-L., "Work and citizenship: reviewing the links between employment and social welfare in the context of a 'plural economy'", in Council of Europe, *Security through social cohesion: proposals for a new socio-economic governance*, Trends in social cohesion, No. 10, Council of Europe Publishing, Strasbourg, 2004.

Le Huerou A. and Regamey A., "Nécessaires et indésirables? Les migrants en Russie", *La Revue Nouvelle*, No. 8, August 2007.

Legoux L. "Migration and demographic issues in Europe: policy implications", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.

Lenoir R., "Objet sociologique et problème social", in Champagne P. et al. (eds), *Initiation à la pratique sociologique*, Dunod, Paris, 1996.

Lévi-Strauss C., *Race et histoire*, UNESCO, Paris, 1952.

Levy R., *Du suspect au coupable, le travail de police judiciaire*, Klincksieck, Geneva, 1987.

Lilley P., "Too much of a good thing? Towards a balanced approach to immigration", Centre for Policy Studies, 2005, www.cps.org.uk/cps_catalog/CPS_assets/398_ProductPreviewFile.pdf.

Livi-Bacci M. and Martuzzi Veronesi F. (eds), *Le risorse umane del Mediterraneo. Popolazione e società al crocevia tra Nord e Sud*, il Mulino, Bologna, 1990.

Lochak D., "L'intégration comme injonction. Enjeux idéologiques et politiques liés à l'immigration", *Cultures & Conflits*, No. 64, 2007.

MacPherson D. W., Gushulak B. D. and Macdonald L., "Health and foreign policy: influences of migration and population mobility", *Bulletin of the World Health Organization*, No. 85, 2007, pp. 200-206.

Makkonen T., "Les principales causes, formes et conséquences des discriminations", in IOM, *Pour une société plus juste. Le droit international, communautaire et français en matière de discriminations*, IOM Regional Office for the Baltic and Nordic States, Helsinki, 2003.

Manço A., *Sociographie des Turcs et des personnes d'origine turque. Quarante ans de présence en Belgique*. CRE, Brussels, 2000.

Manço A., "Immigration musulmane: les femmes et l'emploi", *La Revue Nouvelle*, Brussels, Vol. 15, No. 1, 2002a, pp. 72-86.

Manço A., *Compétences interculturelles des jeunes issus de l'immigration. Perspectives théoriques et pratiques*, L'Harmattan, Paris, 2002b.

Manço A., *Turcs en Europe. L'heure de l'élargissement*, Compétences interculturelles series, L'Harmattan, Paris, 2006a.

Manço A., *Processus identitaires et intégration. Approche psychosociale des jeunes issus de l'immigration*, Compétences interculturelles series, L'Harmattan, Paris, 2006b.

Manço A., "Young people of migrant origin in Europe: how can we make the school an instrument for social mobility and acquisition of intercultural competences", in Council of Europe, *Achieving social cohesion in a multicultural Europe. Concepts, situation and developments*, Trends in social cohesion, No. 18, Council of Europe Publishing, Strasbourg, 2006c.

Manço A. (ed.), *Valorisation des compétences et co-développement. Africain(e)s qualifié(e)s en immigration*, Compétences interculturelles series, L'Harmattan, Paris, 2008.

Manço A. and Harou A., *Integration of non-French speaking immigrants in the secondary education system of the French-speaking Community of Belgium: findings of a research-training*, IRFAM, Belgium, and Georgetown University, Washington, DC, 2008.

Maneri M., "Lo straniero consensuale. La devianza degli immigrati come circolarità di pratiche e discorsi", in Dal Lago A. (ed.), *Lo straniero e il nemico. Materiali per l'etnografia contemporanea*, Costa & Nolan, Genova, 1998.

Manry V., "Trabendo au féminin: les femmes algériennes dans le commerce à la valise", in Adelhah F. and Bayart J.-F. (eds), *Anthropologie du voyage et migrations internationales*, FASOPO, Paris, December 2006, www.fasopo.org/publications/anthropologievoyage_vm_1206.pdf.

Marie C.-V., *Preventing illegal immigration: juggling economic imperatives, political risks and individual rights*, Council of Europe Publishing, Strasbourg, 2004.

Marshall T. H., *Citizenship and social class and other essays*, CUP, Cambridge, 1950.

Mascarenhas-Keyes S., "Ethnic minority small and medium-sized enterprises in England: diversity and challenges", paper presented at the 51st Conference of the International Council for Small Business, Melbourne, 18-21 June 2006.

Masclat O., *La gauche et les cités. Enquête sur un rendez-vous manqué*, La dispute, Paris, 2003.

Massey D. S. et al., "Theories of international migration: a review and appraisal", *Population and Development Review*, No. 19, 1993, pp. 431-466.

Matza D., *Becoming deviant*, Prentice Hall, Englewood Cliffs, NJ, 1964.

Matza D. and Sykes G., "Techniques of neutralization: a theory of delinquency", *American Sociological Review*, 22, No. 6, 1957, pp. 664-669.

McHugh P., *Defining the situation. The organization of meaning in social interaction*, Bobbs-Merrill, Indianapolis, 1968.

MdM, *European survey on undocumented migrants' access to health care*, European Observatory on Access to Health Care, Médecins du Monde, June 2007, www.mdm-international.org/spip.php?article 107.

MdM, *Access to healthcare for undocumented migrants in 11 European countries*, European Observatory on Access to Health Care, Médecins du Monde, September 2009, www.mdm-international.org/index.php?id_rubrique=2.

Mejido Costoya M., "Toward a typology of civil society actors. The case of the movement to change international trade rules and barriers", *Civil Society and Social Movements Programme Paper*, No. 30, October 2007.

Migrants and their descendants

Melossi D., "In a peaceful life' Migration and the crime of modernity in Europe/Italy", *Punishment and Society*, Vol. 5, No. 4, 2003, pp. 371-398.

Menz G., *Employers, trade unions and labour migration policies: examining the role of the non-state actors*, European Unions Studies Association, 2007.

Merten K., "Das Bild der Ausländer in der deutschen Presse", in Bundeszentrale für politische Bildung (ed.), *Ausländer und Massenmedien. Bestandsaufnahme und Perspektiven*, Bonn, 1987, pp. 69-78.

Mezzadra S., *Diritto di fuga. Migrazioni, cittadinanza, globalizzazione*, Ombre corte, Verona, 2001.

Mezzadra S., "Capitalisme, migrations et luttes sociales", *Multitudes*, No. 19, 2005.

Mills C. W., "Situated actions and vocabularies of motive", in Horowitz I. L. (ed.), *Power, politics and people: the collected essays of C. Wright Mills*, Oxford University Press, New York, 1963, pp. 439-452.

Mkrtchian, N. V. and Zubarevitch, N. V., "Typology of Russian regions by migration and socioeconomic development" ["Tipologiya regionov Rossii po pokazateliam migratsii i sotsialnoeconomiticheskogo razvitiia"], Tsentr strategicheskikh razrabotok, Mimeo, Moscow, April 2005.

Morini C., *La serva serve*, Derive e approdi, Milan, 2001.

Morris L., *Managing migration. Civic stratification and migrants' rights*, Routledge, London and New York, 2002.

Muenz R. and Fassmann H., "Migrants in Europe and their economic position: Evidence from the European Labour Force Survey and from other sources", Hamburg Institute of International Economics, Hamburg, 2004.

Mucchielli L., "Délinquance et immigration en France: un regard sociologique", *Criminologie*, 36, No. 2, 2002.

National Intelligence Council USA, "The global infectious disease threat and its implications for the United States", 2000, www.dni.gov/nic/special_globalinfectious.html.

Navarro V., "Assessment of the World Health Report 2000", *The Lancet*, Vol. 356, No. 9241, 2000, pp. 1598-1601.

Nazroo J. Y., "The structuring of ethnic inequalities in health: economic position, racial-discrimination, and racism", *American Journal of Public Health*, 93 (2), 2003, pp. 277-284.

NOAS, *A gamble with the right to asylum in Europe, Greek asylum policy and the Dublin II regulation*, Norway's Helsinki Committee, 2008.

Noiriel G., *Le Creuset français. Histoire de l'immigration (XIX^{ème}-XX^{ème} siècle)*, Seuil, Paris, 1988.

Noiriel G., *A quoi sert "l'identité nationale"*, Agone, Marseilles, 2007.

Norman D., *Islam and the West: the making of an image*, Edinburgh University Press, Edinburgh, 1980.

OECD, *Migration, growth, and development*, OECD, Paris, 1979.

OECD, *Trends in international migration. Annual Report 2002*, OECD, Paris, 2003.

OECD, *Migrant women and the labour market: diversity and challenges. Summary of discussions*, Joint OECD-European Commission seminar, 26-27 September, Brussels, 2005.

OECD, *Where immigrant students succeed. A comparative review of performance and engagement in PISA (Programme of International Student Assessment) 2003*, Paris, 2006a.

- OECD, *International migration outlook*, SOPEMI, Paris, 2006b.
- OECD, *Jobs for immigrants: labour market integration in Belgium*, SOPEMI, Paris, 2007a.
- OECD, *OECD Factbook 2007*, SOPEMI, Paris, 2007b.
- OHCHR, "The International Convention on Migrant Workers and its committee", *Factsheet No. 24*, Office of the United Nations High Commissioner for Human Rights, Geneva, 2005, www.ohchr.org/Documents/Publications/FactSheet24rev.1en.pdf.
- Okin S. M., "Is multiculturalism bad for women?", in Cohen J. and Howard M. (eds), *Is multiculturalism bad for women?*, Princeton University Press, Princeton, 1999.
- Okólski M., "Incomplete migration. A new form of mobility in central and eastern Europe: the case of Polish and Ukrainian migrants", paper presented to the EAPS Conference on International Migration: Challenges for European Populations, Bari, 25-27 June 1998.
- Okólski M., "The effects of political and economic transition on international migration in central and eastern Europe", in Taylor J. E. and Massey D. S. (eds), *International migration. Prospects and policies*, Oxford University Press, Oxford, 2004, pp. 35-58.
- Oliveri F., "Introduction", in Council of Europe, *Security and social cohesion – Deconstructing fear (of others) by going beyond stereotypes*, Trends in social cohesion, No. 11, Council of Europe Publishing, Strasbourg, 2005, pp. 15-29.
- Oliveri F., "Policies for a fair multicultural society. On the use and abuse of 'culture' in relation to migration issues", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008a.
- Oliveri F., "La critica dei pregiudizi sui migranti come strategia contro le discriminazioni", in Casadei T. (ed.), *Lessico delle discriminazioni, tra società, diritto e istituzioni*, Diabasis, Reggio Emilia, 2008b, pp. 73-94.
- Oliveri F., "Lo non sono razzista ma ...". Dalla critica del pregiudizio alla critica del modello di sviluppo", in Possenti I. (ed.), *Intercultura, migrazioni e nuovi razzismi*, Plus, Pisa, 2009.
- Oriol M., "L'ordre des identités", *Revue européenne des migrations internationales*, Vol. 1, No. 2, 1985, pp. 171-185.
- OSCE, IOM and ILO, *Handbook on establishing effective migration policies in countries of origin and destination*, Vienna, 2006, www.osce.org/publications/eea/2006/05/19187_620_en.pdf.
- Ouali N., "Les diplômés du supérieur dans la compétition internationale: surplus, pénurie ou gaspillage des compétences?", *Travail, Emploi, Formation*, No. 7, 2007, pp. 3-7.
- Özdemir C. et al., *Die Situation der türkischstämmigen Bevölkerung in Deutschland*, BAMF, Berlin, 2004.
- Pajares M., *La integración ciudadana, una perspectiva para la inmigración*, Editions Icaria, Barcelona, 2005a.
- Pajares M., *Inserción laboral de la población inmigrada en Cataluña*, Informe 2006, CERES, Barcelona, 2005b.
- Pajares M., *Inmigración y mercado de trabajo, Informe 2007*, Observatorio Permanente de la Inmigración, Ministry of Labour and Social Affairs, Madrid, 2007.
- Palidda S. (ed.), *Délit d'Immigration*, European Commission, Brussels, 1997.
- Palidda S., "La criminalisation des migrants en Europe", *Actes de la Recherche en Sciences Sociales*, 1999, No. 129, pp. 39-49.
- Palidda S., *Polizia postmoderna. Etnografia del nuovo controllo sociale*, Feltrinelli, Milan, 2000.

Migrants and their descendants

Palidda S., "Migrants, foreigners, criminals: the security short-circuit in the wake of the second great transformation and the need for democratic management of disorder", in Council of Europe, *Security and social cohesion – Deconstructing fear (of others) by going beyond stereotypes*, Trends in social cohesion, No. 11, Council of Europe Publishing, Strasbourg, 2005, pp. 45-64.

Palidda S., *Mobilità umane. Introduzione alla sociologia delle migrazioni*, Cortina, Milan, 2008.

Papaïanni G., *Institutional and policy dynamics of EU migration law*, Martinus Nijhoff Publishers, Leiden, 2007.

Parekh B., *The future of multi-ethnic Britain*, Profile Books, London, 2000.

Parella Rubio S., *Mujer, inmigrante y trabajadora, La triple discriminación*, Anthropos, Barcelona, 2003.

Park R. E., *Race and culture*, Chicago University Press, Chicago, 1957.

Parsons W., *Public policy: an introduction to the theory and practice of policy analysis*, Elgar, Cheltenham, 1995.

Peers S. and Rogers N., *EU immigration and asylum law: text and commentary*, Martinus Nijhoff Publishers, Leiden, 2006.

Pekkala S., *Economic impacts of immigration: a survey*, Vatt Discussion Papers, Government Institute for Economic Research, Helsinki, 2005, www.vatt.fi/file/vatt_publication_pdf/k362.pdf.

Penninx R. and Martiniello M., "Integration processes and policies: state of the art and lessons", in Penninx R. et al. (eds), *Citizenship in European cities: immigrants, local politics and integration policies*, Ashgate, Aldershot, 2004.

Peretti-Watel P., *Sociologie du risque*, Editions Armand Colin, Paris, 2000.

Peri G., "How immigrants affect California employment and wages", *California Counts. Population Trends and Profiles*, Vol. 8, No. 3, 2007.

Pinçon M. and Pinçon-Charlot M., *Sociologie de la bourgeoisie*, La Découverte, Paris, 2003.

Ping H. and Shaohua Z., "Internal migration in China: linking it to development", paper, Regional Conference on Migration and Development in Asia, Lanzhou, China, 14-16 March 2005.

Pizzorno A., *Il potere dei giudici. Stato democratico e controllo della virtù*, Laterza, Rome, 1998.

Plein Droit, "Le droit au travail des demandeurs d'asile: l'expérience de l'Allemagne", *Plein Droit*, No. 15-16, November 1991.

Ponticiello A. et al., "Deprivation, immigration and tuberculosis incidence in Naples, 1996-2000", *European Journal of Epidemiology*, No. 20, 2005, pp. 729-734.

Poot J. and Cochrane B., *Measuring the economic impact of immigration: a scoping paper*, New Zealand Immigration Service, 2004.

Portes A., "Immigration theory for a new century: some problems and opportunities", *International Migration Review*, No. 31, 1997, pp. 799-825.

Portes J. and French S., *The impact of free movement of workers from central and eastern Europe on the UK labour market: early evidence*, Working Paper No. 18, Department for Work and Pensions, 2005, <http://research.dwp.gov.uk/asd/asd5/WP18.pdf>.

Pottier M.-L., Robert P., Zauberman R., "Victimation et insécurité en Île-de France. Les résultats de la première enquête (2001)", Guyancourt, Paris, 2002.

- Procacci G., "Invisible poverty: migrants, new social policies and the risks of exclusion", in Council of Europe, *Achieving social cohesion in a multicultural Europe: concepts, situation and developments*, Trends in social cohesion, No. 18, Council of Europe Publishing, Strasbourg, 2006, pp. 83-96.
- Prodi R., "A wider Europe – A proximity policy as the key to stability", speech given at the 6th ECSA-World Conference, Brussels, 5-6 December 2002.
- Raghuram P. and Kofman E., "The state, skilled labour markets, and immigration: the case of doctors in England", *Environment and Planning*, Vol. 34, 2002, pp. 2071-2089.
- Ram M., "Understanding and supporting ethnic minority businesses: some considerations on the UK situation", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.
- Ram M. and Jones T., *Ethnic minorities in business*, Small Business Research Trust, Milton Keynes, 1998.
- Ramadan T., "Citoyenneté, identité et le sentiment d'appartenance. L'éducation: une première étape impérative", April 2008a, www.tariqramadan.com/Citoyennete-Identite-et-le.html.
- Ramadan T., "Manifeste pour un nouveau 'Nous'. Appel aux occidentaux musulmans, et à leurs concitoyens", September 2008b, www.tariqramadan.com/spip.php?article 738.
- Rivera Beiras I., *Política criminal y sistema penal. Viejas y nuevas racionalidades punitivas*, Anthropos, Barcelona, 2005.
- Rodotà S., *La vita e le regole. Tra diritto e non diritto*, Feltrinelli, Milan, 2006.
- Rorty R., *Contingency, irony, and solidarity*, Cambridge University Press, Cambridge, 1989.
- Rosen G., *A history of public health*, Johns Hopkins University Press, Baltimore, 1993.
- Rowthorn R., "The economic impact of immigration", Civitas online report, 2004, www.civitas.org.uk/pdf/Rowthorn_Immigration.pdf.
- Rudiger A. and Spencer S., "Social integration of immigrants and ethnic minorities: policies to combat discrimination", paper presented to the joint European Commission and OECD Conference on the Economic and Social Aspects of Migration, Brussels, 21-22 January 2003.
- Saas C., "Les refus de délivrance de visas fondés sur une inscription au Système Information Schengen", *Cultures & Conflits*, No. 50, 2003.
- Said E. W., *L'orientalisme. L'Orient créé par l'Occident*, Seuil, Paris, 2005.
- Salih R., "Making space for Islam in Europe: exploring transnational practices of citizenship and belonging", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.
- Santoro E., "L'esecuzione penale nei confronti dei migranti irregolari e il loro 'destino' a fine pena", *Diritto, immigrazione, cittadinanza*, No. 4, 2004.
- Santoro E., "Exclusive versus inclusive citizenship: the role of prisons in the governance of contemporary migration", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.
- Sassen S., *The mobility of labour and capital: a study in international investment and labour flow*, Cambridge University Press, Cambridge, 1988.
- Sassen S., *Guests and aliens*, The New Press, New York, 1999.

Sassen S., *Territory, authority, rights. From medieval to global assemblages*, Princeton University Press, Princeton, 2006a.

Sassen S., "Situating migration in the context of global transformations: what kind of European governance do we need?", in Council of Europe, *Achieving social cohesion in a multicultural Europe: concepts, situation and developments*, Trends in social cohesion, No. 18, Council of Europe Publishing, Strasbourg, 2006b.

Sayad A., *Un Nanterre algérien, terre de bidonvilles*, Autrement, Paris, 1995.

Sayad A., *La double absence. Des illusions de l'émigré aux souffrances de l'immigré*, Seuil, Paris, 1999. (English translation: *The suffering of the immigrant*, Polity Press, Cambridge, 2004.)

Sayad A., *L'immigration ou les paradoxes de l'altérité. 1. L'illusion du provisoire* (1991), Editions Universitaires et De Boeck, Brussels, 2006.

Schechtman J., *European population transfers, 1939-1945*, Oxford University Press, New York, 1946.

Schieder P., "Exploiting or overcoming fear? The temptations facing politicians addressing citizens' insecurities", in Council of Europe, *Security and social cohesion – Deconstructing fear (of others) by going beyond stereotypes*, Trends in social cohesion, No. 11, Council of Europe Publishing, Strasbourg, 2005, pp. 37-40.

Scholte J. A., "Globalization and governance: from statism to polycentricity", *CSGR Working Paper*, No. 130, 2004, <http://www2.warwick.ac.uk/fac/soc/csgr/research/workingpapers/2004/wp13004.pdf>.

Science Academies, "Avian influenza and infectious disease", Joint Science Academies' Statement, 2006.

Sen A., *Commodities and capabilities*, Oxford University Press, Oxford, 1985.

Sénat (France), *Rapport d'information de la délégation pour l'Union européenne sur la politique européenne d'immigration*, 8 June 2005.

Shah N., *Contagious divides: epidemics and race in San Francisco's Chinatown*, University of California Press, Berkeley, 2001.

Shiva V., *Earth democracy: justice, sustainability, and peace*, South End Press, Cambridge, MA, 2005.

Simmel G., *Soziologie*, Duncker & Humblot, Berlin, 1908.

Simon G., *Géodynamique des migrations internationales dans le monde*, PUF, Paris, 1995.

Simon J., "Irregular transit migration in the Mediterranean: facts, figures and insights", in Sørensen N., *Mediterranean transit migration*, Danish Institute for International Studies, Copenhagen, 2006.

Simon P., *Ethnic statistics and data protection in the Council of Europe countries*, ECRI study report, Strasbourg, 2007.

Sobotka T., "The rising importance of migrants for childbearing in Europe", *Demographic Research*, Vol. 19, pp. 225-248, www.demographic-research.org/Volumes/Vol19/9.

Solé C., *Discriminación racial en el mercado de trabajo*, Economic and Social Council, Madrid, 1995.

Soultanova R., *Les migrations multiples de la population bulgare*, proceedings of the colloquy "La France et les migrants des Balkans: un état des lieux", Paris, 20 January 2005.

Spencer S., "Social integration of migrants in Europe: a review of the European literature 2000-2006", *Compas*, 2006.

Spinellis C. et al., "Recent immigration and protection of migrants' human rights in Greece", *Chroniques*, September 1996.

- Spire A., "De l'étranger à l'immigré. La magie sociale d'une catégorie statistique", *Actes de la recherche en sciences sociales*, No. 129, 1999, pp. 50-56.
- Sriskandarajah D. et al., *Paying their way. The fiscal contribution of immigrants in the UK*, Institute for Public Policy Research, London, April 2005.
- Steiner A., "Figures de l'immigré à Nanterre: d'un habitat stigmatisé à l'autre", in Gotman A. et al. (eds), *Villes et hospitalité: les municipalités et leurs "étrangers"*, Editions MSH, Paris, 2004.
- STEPS, *The conditions in centres for third country nationals (detention camps, open centres as well as transit centres and transit zones)*, study for the European Parliament, December 2007.
- Stichweh R., "Migration, nationale Wohlfahrtsstaaten und die Entstehung der Weltgesellschaft", in Bommers M. and Halfmann J. (eds), *Migration in nationalen Wohlfahrtsstaaten. Theoretische und vergleichende Untersuchungen*, Rasch, Osnabrück, 1998, pp. 49-61.
- Stiglitz J. E., *In un mondo imperfetto. Mercato e democrazia nell'era della globalizzazione*, Donzelli Editore, Rome.
- Stoker G., "Governance as theory: five propositions", *International Social Science Journal*, Vol. 50, No. 155, 1998, pp. 17-27.
- Stokkink D., "How the business sector contributes to migrant welfare: principles, strategies and tools for a responsible 'diversity' policy", in Council of Europe, *Reconciling migrants' well-being and the public interest. Welfare state, firms and citizenship in transition*, Trends in social cohesion, No. 19, Council of Europe Publishing, Strasbourg, 2008.
- Streiff-Fénart J., "A propos des valeurs en situation d'immigration: questions de recherche et bilan des travaux", *Revue française de sociologie*, 2006/4, Vol. 47, pp. 851-875.
- Süssmuth R., *Structuring immigration, fostering integration*, Independent Commission on Migration to Germany, Berlin, 2001.
- Sutcliffe B., "¿Un derecho a desplazarse?", in Pedro Alvite J. P. (ed.), *Racismo, antirracismo e inmigración*, Gakoia, Donostia, 1995.
- Swaan A. de, *In care of the state*, Polity Press, Cambridge, 1988.
- Swarns R. L., "Study finds disparities in judges' asylum rulings", *New York Times*, 31 July 2006.
- Tandonnet M., *La nouvelle vague*, L'Harmattan, Paris, 2003.
- Tapinos G. P., *L'économie des migrations internationales*, A. Colin, Paris, 1974.
- Thirion S., "Involving citizens in defining and measuring well-being and progress", in Council of Europe, *Well-being for all. Concepts and tools for social cohesion*, Trends in social cohesion, No. 20, Council of Europe Publishing, Strasbourg, 2008, pp. 35-77.
- Thompson V. L. S., "Perceived experiences of racism as stressful life events", *Community Mental Health Journal*, Vol. 32, No. 3, 1996, pp. 223-233.
- Todd E., *Le destin des immigrants. Assimilation et ségrégation dans les démocraties occidentales*, Seuil, Paris, 1990.
- Todd E., *Après l'empire. Essai sur la décomposition du système américain*, Gallimard, Paris, 2002. (Published in English as *After the empire: the breakdown of the American order*, Columbia University Press, New York, 2004.)
- Todd E. and Courbage Y., *Le rendez-vous des civilisations*, Seuil, Paris, 2007.

Torpey J., "Aller et venir: le monopole étatique des 'moyens légitimes de circulation'", *Cultures & Conflicts*, No. 31-32, 1998, pp. 63-100.

Tournier M., *Le Roi des aulnes*, Gallimard, Paris, 1970.

Tournier P., "La délinquance des étrangers en France – Analyse des statistiques pénales", in Palidda S. (ed.), *Délit d'immigration/Immigrant delinquency*, European Commission, Brussels, 1997.

TUC, *Don't penalise, regularise!* TUC response to the "Penalties for rule-breakers" section of the Home Office consultation "Prevention of Illegal Working", 2007, www.tuc.org.uk/international/tuc-13568-f0.pdf.

UN DESA, *International migration report 2006. A global assessment*, Department of Economic and Social Affairs, Population Division, New York, 2009. Data from the *World migrant stock 2005* can be consulted at: <http://esa.un.org/migration>.

UNAIDS, "Statement of the UNAIDS secretariat to the 61st World Health Assembly", Agenda Item 11.9 – Health of migrants, Geneva, 21 May 2008, http://data.unaids.org/pub/PressStatement/2008/20080522_wha_travel_restrictions_unaids_statment_en.pdf.

UNECA, *International migration and development: implications for Africa, Executive summary*, UNECA, 2005.

UNHCR, *The state of the world's refugees: 50 years of humanitarian action*, Oxford University Press, Oxford, 2000.

UNHCR, "The changing face of protection", *Refugees*, Vol. 3, No. 132, 2003.

UNHCR, "UNHCR observations on the Communication from the European Commission to the Council and the European Parliament on Regional Protection Programmes", 10 October 2005, www.unhcr.org/refworld/docid/436090204.html.

UNHCR, *UNHCR concerned by attacks on asylum seekers in Ukraine*, press release of 8 June 2007.

UNHCR, "Position on the return of asylum-seekers to Greece under the Dublin regulation", 15 April 2008.

United Nations, *Recommendations on statistics of international migration – Revision 1*, United Nations Publication, New York, 1998, http://unstats.un.org/unsd/publication/SeriesM/SeriesM_58rev1E.pdf.

United Nations, *International migration and development. Report of the Secretary General, A/60/871*, New York, 2006.

van Buren J., "Refouler les migrants vers des 'pays tiers sûrs'", *Le Monde diplomatique*, January 1999.

van Campenhoudt L., *L'insécurité est moins un problème qu'une solution*, in Cartuyvels Y. and Mary P. (eds), *L'État face à l'insécurité. Dérives politiques des années 90*, Editions Labor, Brussels, 1999, pp. 51-68.

van Dijk T. A., *Communicating racism. Ethnic prejudice in thought and talk*, Sage, Newbury Park, CA, London, New Delhi, 1987.

van Dijk T. A., *Elite discourse and racism*, Sage, Newbury Park, CA, 1993.

van Heelsum A., *Case study on housing. Amsterdam, Netherlands*, European Foundation for the Improvement of Living and Working Conditions, Dublin, 2007.

van Oorschot W., "Immigrants, welfare and deservingness opinions in EU welfare states", University of Aalborg, 2005.

- van Roost F. and Buyse L., *Les immigrés et l'emploi. L'intégration des immigrés par la valorisation du potentiel économique des forces de travail étrangères dans la région de Bruxelles-Capitale*, final report, Mens en Ruimte, Brussels, 1992.
- Verhoest K. et al., "The study of organisational autonomy: a conceptual review", *Public Administration and Development*, No. 24 (2), 2004, pp. 101-118.
- Vertovec S., "The emergence of super-diversity in Britain", *COMPAS Working Paper*, No. 25, University of Oxford, 2006.
- Vicarelli M. G., *Le mani invisibili. La vita e il lavoro delle donne immigrate*, Ediesse, Rome, 1994.
- Wacquant L., "Suitable enemies': foreigners and immigrants in the prison of Europe", in *Punishment & Society*, 1-2, 1999.
- Wacquant L., *Punir les pauvres. Le nouveau gouvernement de l'insécurité sociale*, Agone, 2004.
- Wacquant L., *Parias urbains. Ghetto, banlieues, Etat*, La Découverte, Paris, 2006.
- Wadsworth E. et al., "Racial discrimination, ethnicity and work stress", *Occupational Medicine*, Vol. 57, No. 1, 2007, pp. 18-24.
- Wanner R. A. and Dronkers J., "The effects of immigration policies and labour market structures on the income of immigrants to the more developed countries of Europe and North America", manuscript, 2005.
- Warde I., *The price of fear. The truth behind the financial war on terror*, University of California Press, Los Angeles, 2007.
- Weber M., *Wirtschaft und Gesellschaft*, Mohr, Tübingen, 1922.
- Weil P., "Access to citizenship: a comparison of twenty-five nationality laws", in Aleinikoff T. A. and Klusmeyer D. (eds), *Citizenship today, global perspectives and practices*, Carnegie Endowment for International Peace, Washington, 2001, pp. 17-35.
- Weil P., *Qu'est-ce qu'un Français: histoire de la nationalité française depuis la Révolution*, Grasset, Paris, 2002.
- Weiss R. A. and McMichael A. J., "Social and environmental risk factors in the emergence of infectious diseases", *Nature Medicine*, No. 10, 2004, pp. 70-76.
- WHA, Avoidance of discrimination in relation to HIV-infected people and people with AIDS, Resolution 41.24, 1988.
- WHO, "Report of the consultation on international travel and HIV infection", World Health Organization, Geneva, April 1987, http://whqlibdoc.who.int/hq/1987/WHO_SPA_GLO_87.1.pdf.
- WHO, "Statement on screening of international travellers for infection with Human Immunodeficiency Virus", WHO, 1988.
- Wiseberg L., "The role of non-governmental organisations (NGOs) in the protection and enforcement of human rights", in Symonides J. (ed.), *Human rights: international protection, monitoring, enforcement*, Ashgate, Aldershot, 2003.
- Wittgenstein L., *Philosophical investigations*, Basil Blackwell, Oxford, 1953.
- World Bank, *Global economic prospects: economic implications of remittances and migration*, World Bank, Washington, DC, 2006.
- World Bank, *Migration and remittances factbook 2008*, World Bank Publications, Washington, DC, 2008.

Migrants and their descendants

World Bank, "Migration and remittance trends 2009. A better-than-expected outcome so far, but significant risks ahead", *Migration and Development Brief* No. 11, World Bank, Washington, November 2009.

Wrench J., *Preventing racism at the workplace. A report on 16 European countries*, report written for the European Foundation for the Improvement of Living and Working Conditions, Dublin, March 1996.

Wrench J., "British unions and racism: organisational dilemmas in an unsympathetic climate", in Penninx R. and Roosblad J., *Trade unions, immigration and immigrants in Europe 1960-1993*, Berghahn Books, New York, 2000.

Wright Mills C., "Situated actions and vocabularies of motive", in Wright Mills C., *Power politics and people*, Oxford University, New York, 1963, pp. 439-452.

Yesilkagit K. and Snijders B., *Entre impartialité et réactivité. Organismes de promotion de l'égalité et pratiques de l'indépendance*, Equinet, Brussels, 2008.

Zagrebelsky G., *Il diritto mite. Legge, diritti, giustizia*, Einaudi, Turin, 1992.

Zaiotti R., "La propagation de la sécurité: l'Europe et la schengenisation de la Politique de voisinage", *Cultures & Conflits*, No. 66, 2007.

Zauberman R. and Robert P., *Du côté des victimes. Un autre regard sur la délinquance*, L'Harmattan, Paris, 1995.

Zhou M., "Segmented assimilation: issues, controversies, and recent research on the new second generation", *International Migration Review*, Vol. 31, No. 4, 1997, pp. 975-1008.

Zincone G., "Relationship between integration policy and management of migration", in Salt J. (ed.), *Towards a migration management strategy*, Council of Europe, Strasbourg, 2000.

Zincone G. and Caponio T., "The multilevel governance of migration", in Penninx R., Berger M. and Kral K. (eds), *The dynamics of migration and settlement in Europe. A state of the art*, Amsterdam University Press, IMISCOE Joint Studies series, Amsterdam, 2006.

Zolo D., *Il principato democratico. Per una teoria realistica della democrazia*, Feltrinelli, Milan, 1992.

Zolo D., "Teoria e critica dello stato di diritto", in Costa P. et al. (eds), *Lo stato di diritto: storia, teoria, critica*, Feltrinelli, Milan, 2002, pp. 17-88.

Zolo D., *Globalizzazione. Una mappa dei problemi*, Laterza, Rome, 2004.

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By moving beyond rigid categories like “foreigner”, “immigrant” and “illegal”, and ambiguous concepts like “identity”, “diversity”, “immigration control” and “integration”, this guide suggests that policy makers, civil servants and citizens need to question their own vocabulary if they are to grasp the complexity and uniqueness of people’s migration paths.

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