



Security and social cohesion

Deconstructing fear (of others)
by going beyond stereotypes



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Security and social cohesion – Deconstructing fear (of others) by going beyond stereotypes

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PREFACE

The rising feeling of insecurity in Europe and the other parts of the world is a social, political and institutional challenge which the Council of Europe took up at its 2003 Forum on Social cohesion or public security: how should Europe respond to collective feelings of insecurity? This was a welcome move and, by attending the forum myself, I was able to witness and assess the many different ways in which the subject can be approached in order to stimulate fresh debate, focusing on the key issues for social cohesion.

Understanding citizens' fears, the workings of fear and insecurity, the factors that cause such fears and the deep-seated reasons for these feelings provides a vital means of gauging their impact and seeking effective, workable solutions. This is the responsibility of all those involved in shaping our European societies. In this regard, it seems to me that the notion of collective solidarity and the just principles of European democracy are assets which should be enhanced to provide our citizens with a healthy, inclusive and secure environment. To achieve this, some astute political decisions will have to be made.

This volume of *Trends in Social Cohesion* describes some of the ideas and solutions put forward at the forum. I feel sure that many politicians and other decision makers will be able to draw on it in order to devise effective strategies.

Peter Schieder

**President of the Parliamentary Assembly
Council of Europe**

FOREWORD

This volume of *Trends in Social Cohesion* – the outcome of the 2003 forum organised by the Directorate General of Social Cohesion¹ – addresses a key area of current concern, namely the effects of the feeling of insecurity on social cohesion. One of the main questions raised is whether we have the institutional and political means to dispel the feeling of insecurity and fear that is taking hold of our societies as globalisation progresses. Does globalisation provide any prospect of forging a new collective identity, transcending stereotypes and enabling us to recreate the bonds of solidarity which are the key to public security founded on social cohesion?

Why is the Council of Europe concerned with the question of public security in the social cohesion context? The first reason stems from its desire to enhance and preserve security by means of collective solidarity. Secondly, the Council has always supported approaches designed to give society a greater sense of security by encouraging everyone to play their part as citizens and members of society.

At the moment, however, the trend seems to be in the opposite direction. Consequently, for some years now, insecurity has been seeping into the fabric of our European societies. One by one, traditional points of reference are being called into question, whether structural (political boundaries, the family, institutions), strategic (ways and means of organising society, particularly social security and employment) or intergenerational (recognition of and adherence to models). The erosion of security is gradually undermining the foundations of social cohesion and collective security and no alternatives are emerging apart from that of individualised responsibility.

This trend is acknowledged in Article 6 of the Council of Europe's Strategy for Social Cohesion²:

"Present-day Europeans are aware of a number of potential threats to social cohesion. For example, changing employment patterns and doubts

1. The 2003 Forum on "Social cohesion or public security: how should Europe respond to collective feelings of insecurity?" was held in Strasbourg on 23-24 October 2003.

2. The Strategy was revised by the member States of the European Committee for Social Cohesion in November 2003 and approved by the Committee of Ministers on 31 March 2004.

about the sustainability of social security systems give many the feeling that their future welfare is becoming more uncertain. Social and crime problems in run-down areas of cities may make people feel less secure in their daily lives. Others again see growing multiculturalism as a threat to traditional identities. At the same time, new risks of poverty and exclusion are emerging, such as inadequate access to new information and communication technologies or to privatised utilities (water, electricity, etc.).”

The idea of security is an integral part of the concept of the nation-state. As the philosopher Jürgen Habermas points out, the nation-state’s ability to create a political area of allegiance (consensual in the case of western democracies) and to control national economies provided each state with the necessary scope to introduce practices based on collective solidarity. This prepared the ground for the welfare state to become the cornerstone of security and social cohesion in post-war Europe.

In western countries, the Keynesian approach to economics presupposed state supervision of the national economy and the markets. Accordingly, states founded “security” on a distributive form of solidarity based on the identity of belonging, taking account of the vulnerability of certain social categories. They gradually established their legitimacy on the basis of services provided to the country and its inhabitants, thereby cementing social ties.

In this process, the success of the state became rooted in an ability to create the necessary conditions for the existence of a form of solidarity based on a political concept of civic unity transcending ethnic, family or sectional allegiances. Extending the right to social protection to all citizens helped to strengthen the guarantees of freedom, participation and security of persons and property within the law-based state.

Why does modern European society – where solidarity and collective identity are an integral part of the heritage – create a sometimes seemingly irrational demand for security? The question is worth investigating – and many excellent examples already exist. However, any investigation should make a distinction between objective insecurity (resulting from current changes, which cannot be tackled with the tools of the past) and subjective insecurity (the feeling of insecurity and the fear that is generated).

While we should not overlook its other destabilising effects – on markets, communication and military and ecological risks – the main effect of globalisation is to pose a challenge to the rationale of basing security on collective solidarity. This rationale was established within the confines of

a geographical area (the nation state) and with a long-term outlook. As Mr Antonio Baldassare, Emeritus President of the Italian Constitutional Court, points out, globalisation radically alters the notions of space and time which formed the basis for the workings of the social state.

The aims and values which were associated with the social state are based on a “real” conception of space and time. However, the notion of space in the globalised world reduces the organisational potential of geographical areas or cultures while globalised time seems to destroy the sense of any progress or prospects since success is associated with making the most of the present moment.³ These changes “undermine the notion of the state as a national social state, that is to say a state able to provide a coherent body of protective measures within the geographical and symbolic confines of the nation by retaining control over the main economic parameters – which is the way in which it manages to strike a balance between its economic and social development with a view to preserving social cohesion”.⁴

States losing control over space and time have difficulty in reducing “internal” uncertainty and inequality through collective and national solidarity alone. This makes “governing the future” a futile goal. Furthermore, states are becoming an increasingly confined geographical context in which to determine responsibilities for economic choices. Factors such as world competition in the labour market, the international consequences of pollution and the uncontrolled use of natural resources and worldwide financial speculation are giving rise to new forms of insecurity and huge inequalities which cannot be dealt with at national level. This deterioration and the failure of governments to meet social challenges increases the risk that a consensus will be sought by providing a police-state-like form of security, restricting individual freedoms and encroaching on people’s privacy.

States losing their sovereignty and identity are tempted to seek new-found legitimacy by making political capital, with the support of the media, out of the fears caused by changes in the world. This deliberate creation of insecurity jeopardises the very foundations of democracy and citizen participation. Immigration is often the excuse for this approach.

As a result of the deterioration in the standard of living in many countries (for example, over the last twenty years the total income of Africans has

3. Baldassare, pp. 196-98.

4. Robert Castels, pp. 40-41.

dropped from 5% to 1.5% of the total world income⁵), population movements are increasing and intensifying. The old European democracies are confronted with the problem of their cultural transformation. The growing presence of different ethnic and religious communities means that concepts and frameworks conducive to coexistence and dialogue have to be established.

Stigmatising, criminalising, ghettoising and finding scapegoats is an irresponsible approach. Exclusion and uncertainty have their limits. They are in fact jeopardising the non-violent transition to a pluralist society and the quest for a new worldwide form of justice.

The ideas put forward in this volume of Trends in Social Cohesion stem from the concerns of certain analysts who call for ways to be sought to dispel the fears which divide us and to open up our societies to initiatives leading to the globalisation of solidarity. There is an urgent need to lay the foundations for a true political strategy for a global society and enhance the collective solidarity and participation by all citizens which generate mutual understanding and trust, social cohesion and hence a feeling of security. Individual approaches to security, however, leave the way open to ignorance, a lack of social ties between communities, and a fear of others, even in situations where people actually enjoy relative security.

Gilda Farrell

**Head of the Division for the Development of Social Cohesion
Council of Europe**

5. Baldassare, p. 341.

INTRODUCTION

by Federico Oliveri, Researcher in political philosophy, Scuola Normale Superiore, Pisa (Italy)

1. Increased rights as a means of promoting individual and collective security

Being made up of a number of diverse communities and ways of life, humanity is obviously a plural reality. This basic fact has received serious recognition only in present-day societies of individuals, which have accepted it as one of the principles governing public and private life and interplay between the two: ultimately (H. Arendt, 1998) “men not Man, live on the Earth and inhabit the world”. Throughout European history, legal and political organisation of this human plurality has progressed and achieved a dynamic equilibrium between the risks posed by freedom – which have to do with individualisation of spheres of action, particularly economic action, and pluralisation of lifestyles – and the requirements of social co-ordination and cohesion. From this standpoint, and more specifically as a code laying down norms applying equally to markets, government and interpersonal relations, modern law is an indispensable safeguard for individual and collective security in complex societies which see themselves as at once free and cohesive (J. Habermas, 1998).

The legitimacy which ensures that the law is generally obeyed and which allows it to produce the results we have just mentioned is a difficult concept to explain unless it has a basis in genuinely adding to the number of rights (N. Bobbio, 1990) for all members of the lawful community. The additional rights relate equally to goods (freedoms, justice, political participation, employment, health, the environment, and so on), communities (the family, minorities, all humankind) and sections of the population (women, children, the old, people with disabilities and so on) as recipients of special protection. The fact is that it would scarcely be possible for individuals to settle their disputes by peaceful means unless they recognised one another as free agents with equal civil and political rights. Similarly it would be difficult to realise this kind of equality of freedoms if there were no access to social rights and if there were not free, plural media making it possible for people to obtain accurate information and have public space for independent debate. The outcome of these

processes is an inclusive community all of whose members enjoy day-to-day safety and which generates an identity that cuts across specific ethnic, cultural and social allegiances and is capable of taking modernisation and change in its stride.

Because of its crucial importance the legal system is in the middle of various antagonistic tendencies, notably the wealth/citizenship antithesis and that between present possession of assets and the right to possible future possession of them (R. Dahrendorf, 1988). The social polarisation which can be a concomitant of development, notably where development works to the advantage of the more influential and better informed players, has a significant bearing on rights and their effectiveness. In a situation of this kind there is a danger that the law will come to resemble a private power rather than a public resource guaranteeing non-discrimination: the mutually limiting effect of differing interests may cease to operate and the body of rights (civil, political and social) may cease to be regarded as indivisible. There is also a risk that citizenship will turn into a factor for exclusion, depending on prerequisites such as resources or origin, instead of an inclusive force: even “the right to have rights” may, as a result, cease to apply equally to more vulnerable groups or individuals. The media, which have an important role in social tensions, are tempted to obey purely market imperatives, leading them to reflect mainstream concerns instead of promoting independent thinking and citizen activism.

With a tendency of this kind to modernise without promoting modernity of social and cultural relations (J. Habermas, 1987), complex societies are constantly in danger of failing to rise to the challenge of security based primarily on rights.

2. Security today: tendencies and options

a. “Security” and increased rights in present-day society

Rights thus develop neither linearly nor definitively. While they “see the light of day when they can and need to” (N. Bobbio, 1990), it is also legitimate to look at how effective a force they actually are in present societies in terms of ensuring security for all. This amounts to asking ourselves how the idea of citizenship through rights has coped with the great new change that started in the 1970s and now generally goes under the catch-all name of globalisation.

It is increasingly recognised that this global re-organisation of capitalism, affecting employment and production arrangements and in terms of consumption and trade, has revived a very marked trend towards inequalities both between countries and within countries. Although symptomatic of this, income is only one of many factors affected by this polarisation, which impacts on quality of life generally (D. Gallino, 2000). The effects on “human security”, in its broadest sense, are the opposite of reassuring, to judge from the reports periodically published by independent research institutes (see *Social Watch Report 2004*) or international organisations such as ILO (see *World Commission on the Social Dimension of Globalisation 2004*). When their material basis is rendered fragile, it is highly likely that rights become less socially and culturally effective. For example, the principle that only proportionate and properly justified limitations of fundamental rights are acceptable is weakened, and thereby societies’ ability to ensure their own security through cohesion (see *Strategy for Social Cohesion*, Council of Europe, 2004).

In this context the very concept of security, from the standpoint of the most effective strategies for attaining it and how they affect freedoms, would seem to be at the centre of a serious conflict of interpretations. The argument at all levels of government has acquired fresh momentum since the events not only of 11 September 2001 but also of 11 March 2004, though in Europe it in fact goes back more than a decade (S. Palidda, 2001). One of the two positions focuses on personal safety and on absence of threats, particularly criminal ones, to individual freedom. It would have the public authorities neutralise or prevent all risk of criminal offending by setting up widespread controls and other deterrent measures aimed at likely offenders and areas classed as sensitive: harsher penalties and prison sentences are often used to reinforce this policy of deterrence. All other preventive measures are regarded as ineffective or as too late: thus they are viewed as secondary – at best additional – to maintenance of law and order, which is the key method of allaying people’s safety worries. The other position continues to see security as going hand in hand with general “well-being” and with a feeling of belonging which derives from social recognition, participation and autonomy: such well-being is only possible within a framework of law-abidingness, but law enforcement is only one aspect of this, though a key one, and in any case cannot be separated from questions of solidarity and equal access to rights. From this standpoint, policies that essentially treat security in terms of law and order cannot but be open to question: by placing the emphasis on punishment and policing, they aggravate rather than coun-

teract the processes of economic marginalisation and social exclusion which are inherent in present globalisation and they prefer coercive measures, as being simpler, to tackling the difficult problem of social mutual supportiveness in a highly diverse world (D. Garland, 2001).

b. Social cohesion or public security? The forum's objectives and results

To shed light on the implications of this conflict of positions, the Council of Europe Social Development and Social Cohesion Division devoted Forum 2003 to the questions of social cohesion versus security and how Europe could respond to community-wide law-and-order worries. The organisers' main concern here was fairly clear: to avoid a short-circuit developing between demand for social and economic security on the one hand and an approach unduly focused on combating crime on the other. From the standpoint of thinking based on security through social cohesion and rights, such a development presents paradoxes: security achieved by making everyone feel insecure, and cohesion negatively rooted in law-and-order anxieties and fear of others, are incompatible, from that point of view, with genuine social well-being. Focused on the choice between two types of society the forum's proceedings were published in two parts: Volume 10 of *Trends in Social Cohesion* looked at the security-through-social-cohesion approach from the standpoint of proposals for a new socioeconomic governance, while the present volume deals with another aspect of the question – deconstructing fear by going beyond stereotypes.

The speakers concerned themselves with three challenges in particular, allowing the papers to be grouped as follows:

- in the face of developments which seem to break the link between fundamental rights and security, the concern must be to preserve the connection so as to ensure that justified security measures do not arbitrarily restrict freedoms (Schieder and Buitenweg);
- given the tensions which drive a wedge between us and others, we need to reverse any moves to criminalise socially marginal groups, and to open up new opportunities for citizenship (Palidda and Bonelli);
- given the destructuring effects which profit-driven output has, we need to use the media as a resource for promoting social cohesion and developing greater autonomy and participation (Butterwegge, Savio and Castellina).

The following introduction sets out to bridge the three key issues and the articles relating to them, concentrating on the political implications of the analyses presented at the forum. In particular:

- in response to the stoking of people's fears, we especially question the stereotypes and draw attention to their counterproductiveness and to the concrete issues which the clichés are in danger of obscuring;
- with the stereotypes taking hold in the present climate of security-mindedness we try to explain how they operate within the current socioeconomic model;
- given public pronouncements and practices which incorporate some or all of these clichés, we set out some proposals for overcoming people's fear (of others) by promoting social cohesion.

Alongside the principles which the Council of Europe promotes, European Union directives and policies deserve increasing attention in these areas: *de facto* they make up an "all-encompassing legal area" (A. Cassese, 2003) which radically affects plurality mechanisms and development of social cohesion in an enlarged Europe, and will continue to do so.

3. The climate of fear: stereotypes and side-effects

a. Fear and security anxieties: a key distinction

As far as combating crime is concerned, there is of course no question of denying the scale of the problem or disregarding the worries it can cause or the urgency of tackling it. Rather our concern is to look at the question from the outset from the standpoint of restoring social confidence. However, as the President of the Council of Europe Parliamentary Assembly, Peter Schieder, made very clear at the forum, while fear is always real, security anxieties may often be unfounded. Our concern therefore is to combat political and social exploitation of fear and the oversimplifications and one-sided strategies which, far from being appropriate to the declared aims, are sometimes counterproductive for society as a whole. The widespread growth of crime, the law-breaking tendencies of some social groups, excessive migrant and asylum-seeker numbers on the one hand, and the success of wider or even extraordinary law-enforcement measures, the necessity for near-military policing of some "no-go" areas and the need to close borders, or strictly regulate them, on the other offer fairly clear illustrations of this kind of approach to realities and politics. Although mostly without any empirical evidence to support them,

they may nonetheless develop to the point of triggering a genuine “social alert” or a circuit within which fear increasingly breeds fear without any reference to outside events (A. Dal Lago, 1999).

In response to stereotyped presentations that paint a picture of insecurity based on constant growth in crime and in antisocial behaviour, we need first and foremost to highlight how the relevant data are collected and analysed. Among other things, this might make clear how selective police severity towards certain groups, particular laws or changes in the law, and the use of reported crime rather than judicial proceedings (M. Ampola, 2003) can help inflate the statistics. Similarly, a little more knowledge of the sections of the population that victim studies show to be most inclined to anxieties might reveal that there is no detailed match with the categories which are actually on the receiving end of violence or are generally more vulnerable (P. Robert and M.-L. Pottier, 1997). Anyone with an interest in measuring security anxiety should always take satisfaction in such precautions: rounding out the picture by means of socio-economic analysis of the context and making sure that accurate information reaches the people who need it are sensible measures to combat alarmism.

b. Towards double vulnerability? Side-effects of viewing security in terms of law and order

Both Palidda and Bonelli (sociologists working, respectively, at Genoa and Paris-Nanterre universities, with a shared main interest in conflict management and marginalisation as a by-product of social change) have raised a number of issues about approaches that view security in terms of law and order. Given the question marks about the success of such approaches, they draw attention to the financial, social and cultural costs in which they generally result. Such side-effects appear to bear out the existence of a strategic stereotype on the question, deriving from a one-sided and mistaken diagnosis of the illegal behaviours to be found in present-day society: stepping up the number of prosecutions and conducting a general crackdown, it is suggested, are effective as deterrent measures only if criminal behaviour is reduced to a kind of “rational choice” between the risk of punishment and the benefits of committing the offence (A. De Giorgi, 2000).

Once adopted, such law-and-order strategy risks placing a heavy burden on the police, whom it involves in meeting expectations and performing functions which are outside their normal remit (S. Palidda, 2000): prob-

lems such as petty crime may come to seem “bottomless pits” on which there is no satisfactory way forward. Any successes won in a primarily policing-oriented war on crime which takes no account of the context or the underlying socioeconomic dynamics can turn out to be fragile. In addition, as Bonelli points out, saturation policing of specific neighbourhoods alienates the community, particularly the young.

It is this type of unwanted side-effect that the social-cohesion approach to security highlights. The flagrant restriction on freedoms which results from indiscriminate identity checks or from unjustifiably protracted detentions, infringement of privacy by checks performed without any official permission, and speeded-up judicial proceedings which interfere with the right to a fair trial are all things which have lasting effects on people’s confidence in the police and justice and ultimately on their belief in the legitimacy of the law itself. If taken the length of bringing in a double standard of justice to the detriment of the most vulnerable sections of the population, or of creating a permanent state of emergency, such measures would ultimately result in “double vulnerability” (P. Ceri, 2003), increased social precarity being compounded by arbitrary restrictions on rights.

c. Striking a balance between preserving rights and tackling security risks: the example of data protection

Protection of personal data is a prime illustration. The ability, among other things, to gather even involuntary traces left by users of communication and other services, together with the ability to pool, collate and later use data in order to categorise individuals and groups according to basically arbitrary profiles, throws down a crucial challenge to democratic society. This use of data processing produces an “electronic body” (S. Rodotà, 2003) that supplants the individual in several social functions and interactions: it necessitates appropriate protective measures to guard against an omnipresent surveillance that might undermine the information society (D. Lyon, 1994).

Increasingly aware of the implications, and with transborder collection and exchange of data taking on great economic importance, countries have equipped themselves with appropriate legal instruments. To the Council of Europe’s 1981 Convention¹ were added, in the late 1990s, European Union provisions devoting particular attention to data type and to the rights of data subjects. Information collected within the European Union has to have a specific purpose which cannot be changed arbitrarily,

1. See website: <http://conventions.coe.int/>

and among other things such data must be relevant, must not be excessive or stored longer than necessary, and must be accurate and explicitly consented to in the case of "sensitive data" (concerning health, religion or sexual matters). Data subjects have a right of access to their own data, together with the right to rectify them, request their deletion and take legal action against unlawful situations. From the outset exceptions were made in the case of activities expressly to do with law and order, criminal justice, defence and national security, and there is provision for setting up independent authorities at both national and EU level to check that the provisions are uniformly implemented and facilitate exercise of the relevant rights.

From the very start the European Union provisions were the subject of fierce negotiation, particularly with regard to the rules governing Europol and Eurojust, access to the Schengen information system (which since 1995 has been in charge of gathering and collating information on foreigners banned from entry, wanted or missing persons and so on) and the Eurodac system (which since 2003 has stored fingerprints of asylum seekers), and in general continuous updating to keep abreast of technological innovation (video surveillance, biometrics, genetic data and so on). Despite all the argument data protection in the European Union seems to have undergone gradual relaxation in the last three years. In support of this contention Buitenweg, on the basis of his experience as a Member of the European Parliament (MEP), gives two examples: the fact that data storage has spread, in some cases being permitted for a limited period and the data being made available to the security authorities; and the fact that data have been transferred to third countries in contravention of the prescribed procedure, in particular under pressure from the United States. The European Parliament's steadfast opposition to United States requests, since 9/11, for indiscriminate access to European airlines' databases is based on the clear conviction that privacy is not the opposite of security. On the contrary, it is essential, in particular from the standpoint of the observance it ensures of fundamental freedoms and rights.

In addition to the many types of discrimination (as regards access to employment, movement, credit, insurance and health care) to which inappropriate use of data can lead, there are worrying threats that arise from computer misidentifications, the restrictions on basic freedoms and on spontaneity of action or decision as a result of general disclosure of personal data, and loss of social and institutional confidence as a result of people being classified as "potential suspects". In this connection it is as well to bear in mind that "transparent man", stripped of privacy or

autonomy, has always been an ideal of totalitarian regimes, which is one reason why the undermining of data protection is something that is to be avoided as far as possible in seeking to combat crime and reinforce security.

d. The vicious circle of exclusion: the example of criminalising the migrant

The tendency to focus suspicion of crime on particular social groups or neighbourhoods, classifying them as more dangerous than others, is part of the same pattern: in addition, however reasonable it may appear, an approach based on preventing crime by controlling risk – or individuals held to present a risk – is not without problems for social cohesion and thus for the prospects of long-term security which social cohesion offers. Particularly affecting residents of problem-stricken popular neighbourhoods, and established or intending immigrants, such an approach to social change adversely affects life in many metropolitan ghettos and, at European level, the requirements for legal entry to the European Union and enjoyment of rights there.

In particular since the 2002 Seville Council, advocacy of freedom of movement for people and European citizenship for everyone living in Europe (including non-European nationals) has become the minority position and has taken a battering in the post-9/11 insistence on the terrorist threat. Foreigners and their children are once again being associated, as in the mid-1980s, with threats to national identity, welfare systems and security (D. Bigo and E. Guild, 2002). The policy of focusing attention on action to combat illegal immigration rather than on integration policy has resulted, according to Human Rights Watch reports, in a tendency to mistreatment. That focus also continues to influence EU policy, and the United Nations High Commissioner recently asked the European authorities to reconsider their rules on asylum as being contrary to the 1951 Geneva Convention, notably with regard to refusal of entry.

The fact that, partly as a result of these restrictive trends, “immigration offences” (S. Palidda, 1996) have risen explains quite convincingly the predilection for an actuarial and environmental stereotype that automatically links migrants to crime and connects some people’s origins with alleged criminal tendencies. Similarly the disproportionate numbers of people of foreign origin (including second-generation migrants) in European prisons (L. Wacquart, 1999) is no doubt attributable to their, in many cases, harsher lives, the make-up of the immigrant population (the percentage of working-age males is higher than in the native population) and the *de*

facto differences between nationals and migrants as regards courtroom defence. Trials of migrants are generally shorter (M. Ampola, 2003) and result in sentences which, for similar offences, are less and less imposed on nationals (P. Tournier, 1996).

The counterproductiveness of this approach for social cohesion and, ultimately, security itself are becoming ever plainer. Above all there is less understanding of migration as a key factor in a world society characterised by pronounced polarisations. This lack of sympathy of course ultimately delays solutions to the problems: it prevents an organic, non-alarmist view of migration, one in which management of flows, integration policies and antiracist measures all go hand in hand. Secondly, as pointed out by Butterwegge (who is a sociologist at Cologne University specialising in migration problems, the media and racism), if migration policy overplays the emergency suit and makes too much use of emergency law it risks reinforcing a perception that there is official intolerance that is prepared to countenance xenophobic action even involving brutality.

This climate, leading in extreme cases to downright preventive criminalisation, constantly risks treating migrants as non-persons (A. Dal Lago, 1999), rendering them both more vulnerable to abuses and more distrustful of the local population. Just like the parallel tendency for the local community to exclude incomers which Bonelli has well described from experience of French working-class areas, negative cohesion of this kind (the “them” and “us” syndrome) often ends up creating a vicious circle: the majority’s on the whole negative perception of immigration produces (see Peter Schieder’s analysis) a negative reaction in the minority, and thus resistance to cultural and social integration, radicalising some sections of the minority community, especially the young. Exclusion leads to antisocial behaviour, which induces fear, which in turn generates intolerance and ultimately exclusion. The contrast with a society which is safe because it is based on equal access to rights could not be sharper.

e. Media impact on fear: portrayal of migrants as a threat

The deconstruction of fear – fear of crime and of outsiders – which is needed in Europe would fall short if it failed to encompass the impact the media have. By “media” we mean television, the local and weekly press, the Internet and all other similar vehicles of communication at whatever level, from the local to the global, and for no less varied audiences. This media network, which is essential in societies of the individual to provide common frames of reference, seems not to be powerful enough to pro-

duce society-wide law-and-order anxiety: the differences between audience members are so great as regards reception of the media message that it would be wrong to place automatic blame on the media. The media nonetheless have the ability, because of the frequent exposure and prominence they give to some issues rather than others, to construct a society's political agenda. The case of urban violence, which became a staple of news reporting as early as the 1980s, would seem to confirm this interpretation (J. De Maillard, 2003).

According to research by Butterwegge on the portrayal of migrants, the media have a more significant role as vectors, or even amplifiers, of ethnicisation. They "connect up the various forms of racism – institutional, intellectual, individual and day-to-day. It is mostly through the media that ordinary people know about special laws and measures concerning migrants and ultimately have their preconceived ideas about foreigners confirmed." Where first-hand experience is lacking, the media do more than set priorities: they supply perspectives on the question that stoke people's prejudices towards the unfamiliar. Even brief examination – of types of news item, media comment and the rhetoric they employ – will bring to light the mechanisms involved.

Migrants mainly feature in news reports as victims of violence, as caught up in war, poverty and similar trauma, and as offenders. This links them in the public mind to the exceptional or undesirable, and the information given is often too sketchy for any real understanding of the situation. Fear and compassion are the sentiments which such contextless portrayals most readily suggest – provided they do not fuel resentment on the part of the local community. Such reporting tends to be Euro-centric, even if not necessarily ill-intentioned. Because they are seldom given a chance to speak, migrants, in the media, are objectified as a group and portrayed collectively and anonymously rather than as individuals, with the attendant risk of generalisations, clichés or blatant distortions that may go as far, in reports of assaults on immigrants, as to present the locals as the actual victims.

Butterwegge concludes that "media alarmism which portrays migrants as a threat to or unacceptable burden on the host community fuels the latent insecurities both of the local population and of immigrants. This complicates immigrant integration ... Migrants' legitimate entitlement to safety may be difficult to protect if the media fail to portray them more resolutely as full members of our society", though ones that also have the right to preserve their cultural distinctiveness.

4. The wage-earning society in crisis and the advent of security-mindedness

a. Towards a systemic preoccupation with security? Post-Fordism, disorder and the "human surplus"

However persuasive this deconstruction of people's fears may seem, it is legitimate to ask ourselves about the underlying social and cultural factors that have allowed law-and-order anxiety and its attendant stereotypes to take root. The seeming paradoxes of this, and the attempt to offset economic and social weaknesses by taking a tough law-enforcement stance, may be better understood in the context of the great change that has overtaken the world economy since the end of the 1970s.

In the post-war Fordist system full-time wage earning was the great integrator (Y. Barel, 1990): materially and symbolically underpinned by ever commoner welfare systems, the secure job gave life a fairly detailed structure and opened up routes to acceptance and political socialisation that were somewhat inflexible but on which wage-earners could rely. In the 1970s came industrial strife, resultant challenges to the social models of the industrial era, gradual market saturation and the world energy crisis, bringing the entire system into crisis. The post-Fordist shift to the just-in-time principle, automation, a services emphasis and advanced technology has been accompanied by widespread policies of privatisation, deregulation and market innovation. The old regular patterns have been replaced by flexibility, unsteadiness and even unpredictability. On the one hand demand for new types of qualification has revolutionised the employment market, led to customisation of employment contracts and polarised distribution of income. On the other, labour shortages have progressively but definitively created a "human surplus" (A. de Giorgi, 2002) made up of under- or unemployed people impossible to fit into the social structure (R. Castel, 1999) and available for low-skilled or low-paid jobs or for underground economic activity springing up in grey areas of the market.

The hypothesis Palidda and Bonelli put forward is concerned with the function that law-and-order measures perform in this new socioeconomic scenario. As they see it, the function cuts across various interests and social forces and may cause law-and-order measures to turn into a permanent and fully fledged security-centred system. From this standpoint law-and-order policies, and more particularly the attendant actuarial strategies, appear designed to keep control of communities stricken by change and bereft of welfare support, to win politicians a degree of

consensus even though it is they who are behind the change, and to drum up custom for the new public and private security enterprises. As regards the first aspect, we need to consider whether repressive policing is not an automatic consequence of an unskilled labour market offering underpaid, in some cases illegal jobs with no employment security, and whether tough measures in response to high reoffending rates can be seen as the ultimate outcome of rendering a section of the workforce socially worthless. This is of especial relevance to immigrant workers and their children: an economic system one of whose structural features is a human surplus and which tends, among other things, to relocate its production abroad in order to lower its costs is going to be highly selective about opening up its borders, markets and opportunities for social mobility. As regards the second aspect, we have to consider whether purely electoral thinking can lead politicians to give priority to quicker, more visible law-and-order measures, particularly if the socioeconomic situation deteriorates and governments lack the power or the will to tackle the problems. All in all it seems easier to manufacture consensus out of social discontent and the frustrations of those individuals and groups who, in addition to being reluctant to foot the bill for change, also have the greatest interest in maintenance of law and order (P. Robert, 2002).

b. Towards a post-democratic society? Populism and the crisis of public arenas

It is not just socioeconomic change that may have helped bring about the security-centred approach to social disorder: part of the blame, and possibly the main part, lies with the crisis in politics and in legal arrangements for ensuring pluralism. Often interpreted as a reaction to the emergence of a post-national order, the allegiance and identity crisis can more meaningfully be viewed as a reaction to swiftly emerging post-democratic public life. Seen in these terms, the populism that regularly infects politics in Europe is no mere accident and is not to be dismissed as a temptation to which some politicians cannot help succumbing and some media organs passively propagate by giving it coverage. It points, on the contrary, to a deep-seated malaise, evidence of which is to be found in constant abstentionism and increasing use of the protest vote. In the absence of coherent arrangements that cater for the range of social interests, "lack of clarity" may fuel a desire for clear-cut, uncompromising identity without any political element: hence also the increasing assertion of racially-based national identity in reaction to newcomers and ethnic minorities (C. Crouch, 2003).

The question of socially responsible information and the obstacles to it compels attention in the context of the new profit-driven world media order. Press and television are experiencing the effects of increased competition, and of extensive ownership concentration. Castellina, a former MEP, has observed that in broadcasting, the new communication technologies, instead of fulfilling their potential to boost pluralism and give free expression to cultural diversity, are unfortunately achieving the opposite, and that although there are more channels than ever there has been a drastic reduction in the sources they draw on for material. Savio, who founded International Press Service (IPS), comes to similar conclusions about the press and argues that the demise of many press agencies, particularly in the southern hemisphere, has created an information imbalance between the centres of world power and the rest of the planet. And this in fact adversely affects all of us, because if, "in an increasingly complex world, the information available to people is less professionally committed" it leaves the market "in the hands of ever wealthier entrepreneurs who probably have a vested interest in preserving the status quo, commercialism and the political parties with which they identify".

This increasing media concentration would not raise the present worries if it did not accentuate the more problematical aspects of televised information, such as lack of balance, marked selectiveness and lack of inter-activeness (D. Zolo, 1992): reliability of sources, though essential, does not remove the paradox of an information abundance, not to say overkill, that does nothing to improve actual knowledge or improve the viewership's societal or political abilities. This decline in complexity directly affects "us and them" attitudes, which are the key factor in development of a climate of fear. On the one hand there is a risk of cultural "McDonaldisation" (G. Ritzer, 1996): the worldwide result would be not any genuine global culture (R. Robertson, 1992) but a standardisation lacking any of the depth that stems from genuinely shared experience. On the other hand threatened identities adopt a defensive posture, with entire communities drawing in on themselves, as witness ethnic broadcasting stations and other forms of media self-segregation. The outcome is the same in both cases: impaired ability to cope productively with difference or take a critical attitude to information received or the organs that purvey it.

The reasons for the climate of fear that has taken hold, producing something of a law-and-order fixation, are therefore to be sought in the changes in socioeconomic governance, politics, media information handling and cultural frameworks. If European society is to overcome its security anxieties it will require a new approach to political and public life, whose quality and independence are key prerequisites for constructive democratic involvement of all members of the community.

5. Beyond fear (of others): prospects and proposals

a. Preserving a balance between fundamental rights and security

The authorities' response to crime, deviance and the various forms of unlawful behaviour that interfere with well-ordered society has to be decisive but must not encroach on the core human rights and basic freedoms of which they are everyone's guarantor. The Council of Europe's conventions, on human rights and fundamental freedoms, protection of personal data, prohibition of torture and so on, continue to be of central importance here. The more recent European Code of Police Ethics² and protocol to the cybercrime convention³ tackle racism and xenophobia in the electronic media.

The credibility of the justice system is an essential which no society can afford to neglect. As pointed out by Bonelli, the prime requirements here are to preserve the judiciary's independence of other institutions and agencies, improve access to justice and ensure that there is equal access for all. Accelerated procedure needs reviewing if it has the effect of restricting defence rights, and non-discretionary penalties should be avoided if they penalise specific social groups. At the same time Palidda opposes giving the police discretionary powers: democratic supervision of policing and not letting any abuses go unpunished are another excellent way of preventing any bending of legal standards and ensuring respect for basic rights. Again, there has to be more rigour and consistency in combating forms of underground economic activity. Such action has to be directed no less at underground employers than underground workers (who are the main victims), should provide alternatives such as a guaranteed re-employment or first-employment wage or remuneration for community work, and needs to be accompanied by arrangements for legal aid to victims. Data protection should be recognised as itself a factor for security and as such should be methodically implemented and developed. In particular more information needs to be available to the citizen and independent bodies must be able to fully perform their function in relation to policing and security action. If police and security activities involve any exceptions to the rules they should need permission from the courts, which should have to satisfy themselves that exceptions are necessary and not disproportionate.

2. See website: [http://www.coe.int/T/E/legal affairs/](http://www.coe.int/T/E/legal%20affairs/)

3. See website: <http://conventions.coe.int/>

b. Restore opportunities for citizenship and socially useful involvement as a way of deconstructing fear

In addition to a new socioeconomic approach, as presented in Volume No. 10 in the *Trends in social cohesion* series, new citizenship opportunities need opening up in order to combat deviance, disaffection and discrimination against vulnerable social groups. The principles laid down in the Revised European Social Charter and European Code of Social Security,⁴ together with the conventions on migrant workers' legal status and foreigners' participation in local political life and the comprehensive new *Social Cohesion Strategy* and Helsinki Declaration adopted by the migration ministers, all testify to clear Council of Europe commitment in that direction.

Instead of a purely law-enforcement presence in deprived neighbourhoods, the authorities should be putting social development back on their agenda together with economic-aid packages to stricken communities, and particularly assistance to the young, who are speedily being stigmatised in an ageing population. Wide consultation, which pays dividends in the long term, should aim at developing a similarly multi-dimensional approach and there needs to be a better balance as regards the role and say of local councillors, the voluntary sector, employers involved in employment schemes, the police, the social services, mediation specialists and empowerment workers.

On the migration front, what Europe seems to need most is organic, integrated policy that tackles migration flows and manages migration movement from the point of departure right through to reception and integration. Training of personnel who have dealings with migrants needs particular care as there can be no promotion of cultural diversity without proper information about the rights of lawful residents and about the receiving society's basic rules generally. The migrant worker's legal status (employment conditions, wage, protection, social security and so on) has to be guaranteed as a safeguard against discrimination. As active protection against abuse and exploitation, membership of specialist organisations and trade unions should be encouraged more. Skilled work with advancement prospects is a powerful integrator and would help develop a stable multicultural society based on equality of rights and obligations, as opposed to proliferation of cultural and ethnic islands with no communication between them (G. Sartori, 2002).

4. See website: <http://conventions.coe.int/treaty/>

Similarly, giving foreign nationals the vote at local level would have full effect if reinforced by access to information and instruction about the receiving country and the key rights which other members of the community legally enjoy. However, it should not be regarded as a substitute for further-reaching integration or even acquisition of full citizenship.

c. Develop more discriminating and interested use of the media

However essential in safe, democratic society, plural information and communication involvement do not develop spontaneously. They need encouragement by the community, and indeed proactive development through the combined efforts of national and local authorities, civil society, communication professionals, the education system at its various levels and, finally, the ordinary citizen as client of the media networks.

Here, Savio rightly stresses the “global civil society”. Capable of debating issues and considering solutions at the world level, such a supranational information space, of which the Internet provides the most obvious example, has the potential to be an important catalyst for collective action. Anti-trust legislation is no automatic guarantee of a high standard of information, and such a space, involving discriminate consumption, might gradually make for improved, if not fundamentally different, media output. The No War TV project that Castellina promoted is a concrete example of such a new approach, seeking to give effect to the citizen’s right to communicate by introducing socially aware television that caters for society’s needs and legitimate aspirations. Setting up a network of “street television” stations organised around a central channel that broadcasts some of their output by satellite is an intelligent combination of the global and the local which promotes non-communalistic grassroots democracy open to society in all its plurality. An open approach of this type calls for a different kind of information about migrants and migration aimed at building inter-ethnic and inter-faith trust. Butterwegge has emphasised the importance of acquiring a critical attitude to the media in the early school years as an antidote to prejudice. Appropriate in-service training for journalists, with migrant participation in courses relating to migration, would also make for much needed information supply not exclusively and invariably adopting the standpoint of the local population.

It is not just the media, if they have any pretensions to supporting democracy, that must engage with social complexity and with recogni-

tion and acceptance of others. These things are also one of the guiding principles of best European legal tradition and practice, which there must therefore be a constant willingness to revise and update. Hence the final thought that Schieder shared with his fellow politicians is ultimately relevant to the whole of society and all social stakeholders. If, he said, we lose an election, we can always hope to do better next time. But if we abandon our principles, there may not be a next time.

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A – FUNDAMENTAL RIGHTS AND SECURITY

I – Exploiting or overcoming fear? The temptations facing politicians addressing citizens' insecurities

by Peter Schieder, President of the Parliamentary Assembly of the Council of Europe, Strasbourg

Fear is always real, be it irrational or not. The worst and most irresponsible thing a politician can do is to ignore the anxieties of the electorate. A politician must react, even if he or she disagrees 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.

The constantly growing feeling of insecurity – the fear of crime – among Europe's citizens is seldom backed by statistics, but that does not make it any less a political reality. We need to react, but how?

Some say this is a classic catch-22 – you either promise what people want, and get yourself elected, or promise them what they really need, and start looking for a new job. This, of course, is a simplistic and a cynical view, but, regrettably, far too many politicians across Europe have embraced, or resigned themselves to, this kind of reasoning.

These politicians want to have their cake and eat it. They decide to campaign as populists, but once elected, they plan to govern according to their principles and beliefs. In other words, they are ready to follow the *Lame Fox* and the *Blind Cat* to the *Field of Wonders*, but only because they want to buy a new house for *Geppetto*. Alas, as those familiar with both children's fairy tales and adult politics are well aware, this approach rarely works. *Pinocchio*, at least, learned from his mistakes, but populist politicians never return from the *Runaway Island*. The next election is always just around the corner, and once they have drunk from the well of easy votes, the temptation to make further promises of fewer immigrants and more riot gear is hard to resist.

There is, of course, another way. It requires asking the rights questions about people's fears. It requires understanding of the mechanics of fear and insecurity – what are the underlying reasons for it? What makes us afraid, and why? We need to understand which are the fearful and which

the feared. We need to ask who perpetuates and inflates these fears – and who profits from them.

The underlying reasons are, first and foremost, social and economic. They result from people's uncertainty about the future. The profound structural changes in our societies in the last decades – the growing flexibility of labour markets, the privatisation of public services, the growing discrepancy between tax revenue and the cost of social security - are leaving a psychological mark on our collective mentality. Globalisation accelerates these changes and replicates them on a worldwide scale. Ever-diminishing solidarity and social responsibility are tearing at an already frayed social fabric. What we see instead is a zero sum game mentality, which needs a culprit to blame for all the ills.

I am a loser because somebody has my job, my social benefits, my apartment, because somebody lives off my taxes, sells drugs to my children and preys on me in the street. I have no chance to escape my misery until this somebody is thrown either in jail or out of the country. The accumulated frustration of those who feel abandoned by society and unable to influence the decisions shaping their future is the explosive charge in the time bomb we are sitting on. Fear of crime – regardless of whether it is growing, falling or stagnating – is only a detonator.

Families without means, workers without jobs, ill people without treatment, old people without care and young people without a future have good reason to feel uncertain, but it is not only the socially disadvantaged who are fearful. Uncertainty, as well as the lack of social responsibility, is a phenomenon affecting all layers of society and those with more money are not necessarily less afraid, more tolerant or ready to share.

In most cases it is immigrants who are the feared. It matters little if they are legal or illegal, economic migrants or political refugees. Never mind if they crossed the border a week ago or if they were born in the country.

What counts is their origin – with some categories offering additional opportunities for racial prejudice, ethnic bigotry or religious intolerance. It is not difficult to prove that crime rates among some immigrant communities are higher than average, but what is systematically ignored is the fact that these communities are usually also the most socially deprived. They are not genetically or culturally inclined to crime, but career options for those at the bottom of the social ladder are considerably narrower than for those higher up.

Finally, there are those who perpetuate and profit from fear and insecurity. I have already mentioned populist politicians, but they are not the only ones to blame. The entire political class in most of our countries – left, right or centre – has, in varying degrees, embraced repression as the principal mechanism for dealing with both crime and immigration. Tougher punishment and more police are vote-winners; preventive measures – never mind long-term social investment in schools, jobs and youth programmes – are not.

Immigration is discussed almost exclusively in negative terms, as a threat to our security, to our affluence, to our cultural identity, even to our values. The media – or at least the seedier elements of it – have learned that “reacting to people’s instincts”, which is little more than a euphemism for pandering to bigotry and xenophobia, can prove to be rather profitable. Some politicians have been quick to take their cue. I am not talking here about marginal extremists, but parties in power.

Britain’s Prime Minister recently publicly floated the idea of withdrawing from the European Convention on Human Rights to free his hands to deal with immigration. Italy’s Minister for Institutional Reform Mr Umberto Bossi is reported to have said that he would use the navy to sink boats carrying illegal migrants. The Swiss populist party UDC won the biggest share of votes in the recent elections with its virulent anti-immigration platform and the Danish Government is prohibiting its citizens aged under 23 from living with their foreign spouses. Yesterday the governmental majority in my own parliament in Austria amended the law to complicate and hamper access to asylum.

These are just some examples of official intolerance, but one could easily find others in almost every one of our member states.

This is not only morally wrong, it is also stupid. For immigrant communities who are already long settled in our countries, it adds insult to injury. The predominantly negative perception of immigration among the majority provokes negative reactions among the minority, creating resistance to cultural and social integration and strengthening radical views within some circles, particularly among the young. Exclusion feeds anti-social behaviour, which feeds fear which feeds intolerance which feeds exclusion. The vicious circle is closed, with the help of the authorities and the media.

Presenting the fight against immigration as a way of protecting the welfare of citizens is also dishonest. Many of those ranting against foreigners coming to their country to steal their pay cheques should ask themselves

who will pay for their pensions. European Social Security Ministers recently emphasised the positive contribution that migrant workers can make in the future to social security systems, given the predominant demographic trend towards ever-more pensioners. Yet come election day, this argument is rarely – if ever – shouted from the hustings.

The truth is, the only effective way to address the root causes of insecurity is to strengthen social cohesion in our societies. We must provide a sense of security and inclusion to both the fearful and the feared.

That being said, crime is a problem and in some of our countries it is on the rise. We need to be firm on fighting crime, because our citizens are entitled to reasonable protection, but we should find ways to provide this security through effective measures and not publicity stunts. Law and order must be a key part, but not the only part of our response. There are few sticks which work without a carrot, and a proper balance between preventive and repressive measures is the best way to achieve greater security at a lesser cost.

Fear is always real, but the feeling of security can often be false. Our citizens deserve better than that. It is our responsibility to discover the real causes of insecurity and find ways and means – as well as the stamina – to deal with them effectively. This is not always easy, and for politicians it is not without electoral risk.

The best way to confront this risk is to start focusing on the real issues and stop allowing populists and extremists to dictate our agenda. After all, losing an election should still be preferable to losing one's principles. If we lose a vote, we can always hope to do better next time. If we give up on our principles, there may not be a next time.

II – Freedom and security: finding the right balance – the European Union and the protection of personal data after 11 September 2001

by Kathalijne Buitenweg, MEP for the Green/Left Party

Introduction

“Those who are willing to trade civil liberties for temporary security deserve neither”: these are the wise words of the great American statesman Benjamin Franklin (1706-90). Franklin made his memorable statement more than two centuries ago, and though it is certain that he was not thinking about the protection of electronic data, his idea is still very much up-to-date. Finding the right balance between civil rights and security, and between data protection and data surveillance, is one of the great challenges European (and world) society is facing today, in particular after the terrible events of 11 September 2001.

Being an MEP, I will focus on European Union policies and legislation and proceed as follows: to begin with, I want to express some general thoughts about 11 September and the privacy-security balance. Secondly, I would like to go into some important pieces of EU legislation in the field of data protection. I will then go on to introduce some examples of post-11 September measures that have a huge impact on citizens’ privacy – bad news, I would call it. I will conclude with some ideas on how I think the EU should deal with the situation.

1. Privacy as personal data protection: an essential part of security

A recent study by the European Commission¹ confirms what many people have known for a long time: in the aftermath of 11 September, the privacy-security balance has been tipped in favour of security interests. This is worrying. Not because I exclude the possibility that terrorism and high-tech crime require a new, proactive approach towards security, but

1. European Commission, Joint Research Centre and the Institute for Prospective Technological Studies, *Security and privacy for the citizen in the post-September 11 digital age: a prospective overview*, July 2003.

because radical decisions have been taken overnight without allowing time for a profound political and public debate and often under pressure of the US Government. The fact that privacy is not an obstacle for security, but an essential part of it, seems to have been ignored.

Followers of privacy-invasive measures often quote citizens who say that they have got nothing to hide. Like Mr Hustinx, the Dutch Data Protection Commissioner,² I would like to use this quote to support the opposite argument: the fact that people say this means that they have confidence in their state to deal carefully with their private and sensitive data. I am convinced that disproportionate infringements of their privacy will undermine citizens' confidence in the rule of law and it will lead to other, more fundamental feelings of insecurity.

It is a fact that it has taken a lot of time and hard fighting to acquire the privacy rights that we have got today and they will not be easily won back once given up. Particularly in this field, the EU has got a lot to lose and a reputation to live up to: in the EU Charter of Fundamental Rights, Article 8 (not to be confused with Article 8 of the European Convention of Human Rights, which lays down a more general right to respect for private and family life) is explicitly devoted to the protection of personal data.³ The Charter is already of great importance and it is going to form the second part of the new EU Constitution, which has been prepared by the Convention and which is currently being negotiated by the member states. This means that future EU decisions, actions and legislation will have to respect this principle.

2. After Decision 2004/55/EC approved by the Council and the European Parliament last December, Mr Hustinx will assume the role of European Data Protection Supervisor for five years, established by Chapter V of Regulation 45/2001/EC. As clarified in Decision 2002/1247/EC, this is an "independent supervisory body entrusted with monitoring the application to Community institutions and bodies of Community instruments relating to the protection of natural persons as regards the processing of personal data and the free movement of such data" [editor's note].

3. Article II-8: Protection of personal data. 1) Everyone has the right to the protection of personal data concerning him or her. 2) Such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law. Everyone has the right of access to data which has been collected concerning him or her, and the right to have it rectified. 3) Compliance with these rules shall be subject to control by an independent authority.

2. EU legislation on personal data protection

The EU legislation on personal data protection is, very probably, the strongest legislation in the world on this subject. I will discuss the two most important pieces of this.

To begin with, there is EU Directive 1995/46 on the processing of personal data. The crucial principles of this legislation are as follows:

- personal data can only be collected for a specific purpose and should not be processed further for any other purpose;
- personal data should not be kept longer than necessary for that purpose;
- the collected data must not be excessive in relation to the purpose for which they are collected;
- citizens must have access to their personal data and, in case of mistakes, have the possibility of having them rectified or erased;
- a citizen needs to have access to a court in case an organisation does not operate according to the rule.

Rules on sensitive data such as a person's religion, health or sex life are even stricter.

So if you are seeing a psychiatrist because you are stressed, she is not allowed to pass your name and address on to a travel agent to send you an offer for a relaxing holiday. And if she does, you can take her to court. More than this, and very important for what follows, Article 25 of the directive contains an explicit provision on the transfer of personal data to a third country. Such transfers may take place only if the third country in question ensures an adequate level of data protection.

A second and more recent piece of the EU legislation in the matter is the EU Directive 2002/58, which especially deals with data protection and electronic communications, in particular concerning confidentiality. It was agreed in July 2002 and was meant to come into force on 1 November 2003.⁴ The directive stipulates that traffic data and location data must be erased or made anonymous when they are no longer needed for the transmission of a communication. Examples of traffic data are the telephone numbers you ring or the websites you visit. Location data indicate the geographic position of the terminal equipment of a user. This means that when

4. In the Resolution adopted on 9 March 2004, concerning the first report on the implementation of Directive 1995/46/EC, the European Parliament regretted that Belgium, Germany, France, Greece, Luxembourg, the Netherlands and Portugal have not yet implemented Directive 2002/58/EC [editor's note].

you have got your mobile phone with you, your provider knows exactly where you are. Also, the directive prohibits listening, tapping, storage or other kinds of interception or surveillance of communications unless the user agrees.

Though this is an important safeguard, I should mention that it is not applicable to bodies safeguarding public security and fighting crime, such as police and other judicial authorities and intelligence agencies. This is part of the bad news concerning personal data protection that I have already mentioned.

3. The impact of 11 September on citizens' privacy: some examples

As I have just mentioned, the directive on data protection and electronic communication is not applicable to law enforcement and intelligence agencies. However, Article 15 of the directive explicitly allows member states to adopt rules that force service providers to break the provisions on location and traffic data to the benefit of law enforcement and intelligence agencies. In other words: to force providers not to delete but to store these data.

In this context, it may be interesting to know that in a letter of 23 October 2001, US President Bush explicitly asked the EU to relax its strict rules on protection of electronic data. The United States have an obvious interest in this, because on the basis of several judicial co-operation agreements between the US and the EU they are among the potential users of these data. The EU member states have wasted no time: in August 2002, only one month after the adoption of the new directive, they started discussions on EU rules that would oblige service providers to systematically retain all traffic data for at least one year.

The EU's data protection watchdog, the so-called Working Party set up as an independent advisory body under Article 29 of Directive 95/46, reacted by expressing severe doubts about these plans. According to them, it would be a disproportionate invasion of the right to privacy as laid down in the European Convention on Human Rights. The plans have also met with a lot of resistance in the European Parliament. I, too, am among the critics.

Another example of a post-11 September measure of which I am very critical relates directly to the first EU directive that I have discussed, in particular to the high level of data protection that this directive demands, also in cases where data are transferred from the EU to a third country. In

February 2003, the European Commission and United States Customs agreed that starting on 3 March, US Customs would have direct access to the reservation systems of European airlines flying to America. The Americans had demanded access on the basis of post-11 September security legislation. Reservation systems contain not only a passenger's name and address, but also itinerary, passport number, credit card number and even medical and dietary information. Meal choice is especially sensitive, since it may be an indicator of a passenger's religion.

The agreement allows US customs to copy these data and to pass them on to any other US authority that works in preventing or combating terrorism or other serious criminal offences. There is no time limit for storage of the data.

And there is insufficient legal redress for passengers who want their data rectified or deleted. All of this leaves the door wide open for passengers' data to be entered into the Terrorism Information Awareness programme. This sounds Orwellian, but it is Bushian. It is a huge data surveillance system that the US bodies are busy developing. The purpose is to detect terrorist behaviour in order to prevent potential terrorists from committing attacks. To do so, it combines data from private and public sources, in order to follow people's trails worldwide by means of their credit card purchases, travel reservations and so on. Exactly the sort of data they get from the European reservation systems.

To begin with, the European Commission did not seem to take the issue very seriously: a Commission spokesperson even said that passengers who do not want the Americans to know whether they eat Halal meals, and are probably Muslims, should go for the sandwich option.

At that stage some action was needed to convince the Commission that they were in serious trouble. That is why some colleagues and I went to Schiphol Airport in Amsterdam and to Zaventem Airport in Brussels to alert passengers on what was happening to their personal data. This action got a lot of media coverage. Parliamentary questions and debates followed, all of this no doubt to make this issue a priority in the European Commission.

Commissioner Bolkenstein now openly admits that the agreement is in breach of almost every aspect of EU data protection rules. He also does not hide the fact that the US has pressured the Commission into accepting the data transfers under threat of sanctions against EU airlines like heavy fines and ultimately suspension or withdrawal of their landing rights. For the past six months, Mr Bolkenstein has done his very best to negotiate

an acceptable solution, but so far the US Department of Homeland Security has hardly moved an inch.

That is why two weeks ago the European Parliament adopted a resolution saying that the illegal data transfers can no longer be condoned and should be stopped until a satisfactory solution has been found.⁵

Don't get me wrong. I am not saying that the right to privacy is absolute. We have to enable our secret and security services to protect us against terrorist attacks. Judicial authorities should have access to the data of a suspect as part of a criminal investigation. And of course the United States have every right to know who gets into the country. But measures must be proportional, that is to say that data storage and data use must not be excessive in relation to the purpose. Not even the fight against terrorism justifies all means. Also, the duration and the purpose of data storage must be limited. And data subjects, that is, citizens, must have access to legal redress. It is clear that these two examples are in violation of all these principles, which are laid down in EU legislation and soon in the EU Constitution as well. To pretend that excessively repressive measures will bring security is a false promise to our citizens. It overlooks the fact that privacy is part of security. And that insecurity begins and deepens when citizens can no longer trust their governments to stay out of their personal lives unless it is absolutely necessary.

What we are dealing with here are, roughly speaking, two fundamentally different approaches towards security and privacy: the European and the US approach. The examples I have discussed will not certainly be the last.

Next on the agenda is the introduction of biometric data on chips in EU passports. The US are demanding such passports by October 2004 on penalty of re-introduction of the visa obligation for nationals of countries who fail to produce such travel documents.

5. Having regard to this resolution, the Council submitted a proposal for an agreement between the EC and the USA on the processing and transfer of Passenger Name Records (PNRs) by air-carriers to the US Department of Homeland Security. Consulted thereon, the European Parliament did not hide its divergence and decided on 21 April 2004 to submit a request for an opinion to the EC Court concerning the compatibility of this agreement with treaties and EU legislation [editor's note].

Council decision of 17 May 2004 on the conclusion of an agreement between the European Community and the United States of America on the processing and transfer of PNR data by air-carriers to the United States Department of Homeland Security, Bureau of Customs and Border Protection. See website: http://europa.eu.int/eur-lex/en/archive/2004/l_18320040520en.html.

4. Trading liberties for temporary security? Some short conclusions

What the EU needs is a time-out to allow for debate and consideration to make up our minds on what measures we think are necessary and effective and what privacy guarantees they require. It concerns technologies that are still in development. So there is time to build checks and balances in privacy, that is, in the technologies themselves, but also in legislation.

Once the EU has made up its mind, it can enter into negotiations with the US self-consciously and on an equal footing. We need to take US security concerns and demands seriously, but we should not let them rewrite our data protection standards.

If the EU leaders ask me whom to ask for advice on this important issue, I shall not refer them to the people who are in charge of the US today, but suggest they re-read the words of Benjamin Franklin: "Those who are willing to trade civil liberties for temporary security deserve neither."

B – OPEN UP NEW OPPORTUNITIES FOR CITIZENSHIP

I – Migrants, foreigners, criminals: the security short-circuit in the wake of the “second great transformation” and the need for democratic management of disorder¹

by Salvatore Palidda, *Conflict and migration sociologist, University of Genoa (Italy)*

Introduction

Rather than a problem that needs solving, has insecurity become the paradoxical response of complex societies to the crises affecting their cohesion and their ability to manage democratically socioeconomic change and disorder? The idea of such a short-circuit has been debated for over a decade in Europe² (and over 20 years in the United States), and the way “security” is poisoning national public life and also in Europe and the rest of the world would seem to be dramatic confirmation of the diagnosis, which is that a veritable “tautology of fear” (A. Dal Lago, 1999) seems to be asserting itself as a prominent feature of present-day social cohesion.

There is still opposition to this view, although it is often biased. Quite apart from the intellectual rigour needed to understand it and hence propose appropriate and efficient solutions, there are many private interests at stake which seem to override the public interest in guaranteeing respect for the fundamental rights of all human beings as the main pillar of social cohesion in a democratic country governed by the rule of law.

1. This article incorporates the initial results of the study entitled *European Liberty and Security*. Security Issues, Social Cohesion and Institutional Development of the European Union, ELISE-SERD-2002-00124, DGXII-European Commission by, *inter alia*, Palidda: “The changes in the social construction of urban security and the new relationship police-citizens as new practices of European citizenship”, and Sacchetto: “The practices of EU actors (officials, entrepreneurs and NGOs) towards the Euro-Mediterranean countries.”

2. For one of the clearer descriptions of the link between insecurity and securitarianism, see Bauman, 1999, who refers in this context to the polysemic concept of *Unsicherheit* as a mixture of fear, uncertainty and insecurity. For a sociological analysis of the link between the securitarian approach to social cohesion and anxiety about insecurity, see Dal Lago, 1999, according to whom the fact of labelling immigrants as the enemy gives tremendous force to the neo-liberal reconstruction of society.

Accordingly, there is a need for a serious debate on this phenomenon and its origins, especially as the so-called “insecurity” and “security” issues would appear to be spreading from micro to macro level: in other words, the principles behind such issues are increasingly found at all levels - local, national, European and global. It is also very worrying that most speeches given on the subject tend to conclude not only by denying genuine security (and therefore certitude) of the rights of all human beings (that is, fundamental rights) but also by accepting, unreservedly and without any discussion, the principle according to which defence of security means the restriction or “sacrifice” of freedoms and democracy, or recourse to practices that are in open conflict with the standards that apply to individual countries governed by the rule of law and to international relations. This is especially true for those principles set by the United Nations so that the world would never again have to experience the atrocities and genocide witnessed in the past, in particular under colonial and Nazi rule.

It seems clearer than ever that security concepts and practices are closely related, whether at local or global level. Especially since 11 September 2001, though it was also the case before, such concepts and practices have often appeared to be a mixture of the most overt ambitions and private interests of the ruling classes and the fears, illusions and expectations of some of the citizens in rich countries (who may be just a “vocal minority” who know how to capture attention or whom it suits the ruling classes to portray as the majority). There is a real risk again of the “exception becoming the rule” (G. Agamben, 2003). That does not just concern the measures taken by the Bush administration in the War on Terror. The process behind such measures and, more generally, behind the exception that becomes the rule, actually began a long time ago, both with the handling of the so-called crises affecting urban security and the policy adopted on migrants and at international level (A. Dal Lago, 2003). Security therefore seems to be becoming a practice of citizenship for the ruling classes, or the protection of social cohesion for the benefit of the privileged and to the detriment of “the others”. The result is ever-greater asymmetry between the dominant and the dominated, until eventually the latter are crushed and become non-persons (A. Dal Lago, 1999) or surplus human beings (Z. Bauman, 2002).

The main difference between the kind of traditional (albeit sometimes ambiguous or illusory) democratic liberalism advocated by Schumpeter, Galbraith and others, and the neo-liberalism that has prevailed since the 1970s with the “second great transformation” is that the latter has nothing

to gain from harnessing all human forces to the task of promoting democratic economic and social development. The new international approach to the organisation and division of labour and the far-reaching restructuring of capitalist societies on a world scale³ (perceived variably as the “transition to post-Fordism”, “production and market globalisation”, “post-industrial economic transformation”, etc.) systematically produce a “human surplus” not needed for production purposes and/or with no access to consumption. In other words, the profits and privileges of the ruling classes thrive simultaneously on new technologies and forms of production, extreme exploitation of the underclasses (including children) and the production of “human waste” (those no longer “fit” for increasingly insalubrious and poorly paid jobs and those who seek to escape from this state of neo-slavery).

In reality, “securitarianism”, much more than reflecting a concern to provide responses to insecurity, is part of the neo-liberal development model, with its inherent disorder which it tries to control with policing measures and by gradually abandoning peaceful negotiations with the “unruly” (whether because they are incapable of self-discipline, or because their profile is not right, or because they refuse to accept the new social order). Consequently, the “security” of the ruling classes merely leads to further conflict, or social or perpetual war or, ultimately, to “insecurity as a solution” (L. van Campenhout, 1999). Moreover, the difficulty of successfully managing disorder through negotiations, or of establishing a blueprint for life that fosters social cohesion that is genuine, inclusive and democratic, is exacerbated by the fact that the supporters of securitarianism at all levels also take advantage of the security business, and of a certain “consensus of fear” which gives a distorted view of current insecurity and social uncertainty.

It may still be possible in the circumstances to imagine an approach that does not reject democratic freedoms and fundamental rights. This means devising and, more importantly, implementing practices based on citizenship or social cohesion which address real social ills and problems, and which in so doing accept confrontation and conflict but give overriding priority to the search for a solution based on peaceful and democratic negotiation. It is with that in mind that I shall try here to present an

3. For an analysis of this approach, notably in terms of the “culture” accompanying the changes under way, see Boltanski and Chiappello, 1999. For a sound analysis of the neo-liberal doctrine, its political and discursive strategies, and how they have developed in Europe since the 1970s, see Bourdieu, 1998.

updated view of the dynamics and perverse effects of securitarian short-circuits, to identify trends currently at work in connection with the very formation of the European Union, and to propose a possible way forward that promotes social cohesion based on the security of rights for all.

1. Short-circuits between insecurity and securitarianism

As was the case during the global campaign waged by the Bush administration and its allies to win over support for their “perpetual war”, when we saw an extraordinary mobilisation of think tanks, experts and opinion-makers, all intent on weaving the vilest and most ridiculous web of deceit,⁴ we have, for more than 10 years now, witnessed the proliferation in all the dominant countries of speeches full of untruths about insecurity and security.

One of the first explanations for this phenomenon, which received extensive media coverage – and is still the most popular today – attributes responsibility to the rise in crime and in particular to increasing “urban incivility”. Since then, many authors have been able to show that in fact there has been no rise in crime or that, where there might have been a short-lived increase, it was due to a combination of over-zealous police officers and whistle-blowing by citizens egged on more often than not by “security entrepreneurs” or possibly exasperated by the lack of response to social anomie and social ills and problems (see, *inter alia*, Aubusson, 1998; Robert, 1999; Cartuyvels & Mary, 1999; Wacquant 1999; Palidda, 1996, 2000, 2001). That said, the actual idea that the most effective response to the increase in urban petty crime or urban incivility is tougher law-enforcement and harsher penalties coupled with a kind of new urban panopticon (M. Davis, 1999; D. Garland, 2001; D. Lyon, 2003), right up to the adoption of emergency or special laws, is now shared by parties on both sides of the political divide. Accordingly, even the countries’ democratic forces have forgotten that anomie, deviant behaviour and crime always spread, whatever the circumstances, particularly at times of far-reaching change, and that “urban incivility” is merely the violent expression of the social ills and problems to which the authorities have been unable (or unwilling) to provide an adequate response. Moreover, repressive or punitive measures are never the answer. Not only do

4. Examples include the theory of the “clash of civilisations”, Saddam Hussein’s WMD, the links between Saddam Hussein and Osama Bin Laden, the hundreds of immigrants from “Islamic” countries arrested on suspicion of being members of al Qaeda, not to mention the docudrama devoted to Private Jessica Lynch.

they cost more than social welfare measures: they merely serve to breed more insecurity, if only because of the self-criminalisation of the people whose behaviour deviates from the norm and who are targeted by such measures (*inter alia*, A.V. Cicourel, 1973; E. Goffmann, 2001; H. Becker, 1996; A. Dal Lago, 2000).

The insecurity/securitarianism short-circuit has benefited not only from the fierce determination of all those who reaped immediate gains (local, national and European elected representatives, professional police officers, certain media with their opinion-makers, the industries for security systems and gadgets, insurance companies, etc.).⁵ It has also benefited from the opportunism and mediocrity of many politicians, who have ultimately nailed their colours to the mast of dominant opinion under the mistaken impression that they are appropriating a consensus forged on a highly reactionary idea of law and order. Conservatives and certain progressives in all countries have relentlessly spent more and more on combating insecurity, nearly always by stepping up so-called repressive and punitive measures. The result has been a real boom in the public and private security business⁶ to the detriment of preventive welfare measures, (which, though cheaper, enjoy less media credibility at a time when there is an obsession with security, and are of no interest at all in terms of the profits of those with a stake in the security business).

According to some authors,⁷ this short-circuit has been an impressive social achievement, thanks to the fact that entrepreneurs in the security business knew how to make use of a favourable climate stemming from the lack of effective and appropriate solutions from democrats. However, the current climate bears many similarities with past times of major economic, social

5. It is now clear that one of the main aims of securitarianism is to increase the profits of the police/military/industrial lobby behind the manufacture and sale of weapons and security systems, which is the “business of the twenty-first century”. There is a striking imbalance in all rich countries between the amount of money spent on police and military equipment and the much smaller amount spent on preventive welfare measures.

6. A large number of studies have shown that a vast increase in security spending, in particular spending on innovative technology (video surveillance, computerisation), does not mean actual security levels improve and has no lasting effects on crime rates (Heilmann and Vitalis, 1996; Lyon, 2003; Garland 2001).

7. The first person to have suggested this was Pierre Bourdieu in his postscript to *La misère du monde*, Seuil, 1993, a collective publication that is still remarkable for the way it lays bare the social consequences of neo-liberal development, which others have since analysed (Bauman, 1998; Beck, 2001; Wacquant, 1999).

and political change. As Jean Delumeau (1984), Michel Foucault (1975; 1997) and, more recently, Zigmund Bauman (1999; 2002) have shown, 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 almost systematic precariousness as the certainties of the past are undermined or even disappear. (This is why it should come as no surprise that those worst affected by insecurity are the working classes, as those hardest hit by the changes taking place in society). And it is just as *natural* that the most immediate reaction (especially if it takes place quickly) is to lay the blame at the door of the “dangerous classes” or those who are “different”, in other words those we are afraid to join (L. Chevalier, 1984). 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.

The principal cause of securitarianism today is the fact that liberal development merely reproduces insecurity and disorder, not only because it has led to the dismantling of the existing social order, but above all because it generates profit by reproducing instability and by encouraging heterogeneity and a discontinuous economy (that is, underground economies, deregulation, flexibility synonymous with widespread job insecurity – in short, the end of welfare and workers’ rights). It can even be said that this development cannot possibly lead to the building of a new social order similar to the one that developed after a fashion with industrialisation and the affirmation of the rule of law. Neo-liberalism cannot accept the constraints of the social contract and ongoing and regulated negotiation between the ruling classes and those they dominate. Consequently, it cannot build a social order by using the implicit or explicit link between endogenous social control (specific to each segment of society and its organisations – associations, trade unions, parishes, etc.) and exogenous social control (the police and judiciary). As a result, the worst problem associated with the neo-liberal economy is the reproduction of a form of social control that consists not in fostering real discipline in society (because that would necessarily involve negotiation in order to achieve consensus) but in proclaiming the survival of the fittest to cope with the permanent disorder and in using policing, military and

quasi-panoptic measures to control privileged or important enclaves and segments of society.

That is why neo-liberalism advocates the end of welfare, which was designed for economic development tied to the development of democracy and the increasingly fair distribution of wealth. On the other hand, neo-liberalism also advocates unprecedented investment in securitarianism, the only way of controlling the disorder that neo-liberalism itself perpetuates, the result being a kind of perpetual war in defence of neo-liberal development. Although, in theory, the police and judiciary are answerable to a state governed by the rule of law that ought to guarantee universality, in actual fact their practices are often (but fortunately not always) largely determined by the advocates of neo-liberal development, who favour post-modern policing involving the active participation of all the parties in this “blueprint for society”. It follows from this that social cohesion based on securitarianism and imposed by a post-modern police service can only mean cohesion involving citizens who benefit from neo-liberal development at the expense of those who have no share in it.

As in similar circumstances in the past, this recent criminalisation of social ills has led to the emergence of a new social group consisting of the dangerous classes and thus a fresh attempt at social surgery, to the point that those concerned are deprived of their fundamental rights. For example, the protagonists in the “insecurity scourge”, frequently described as the most recent threat to democracy and the security of “Fortress Europe”, were quickly identified as gypsies, immigrants, and in particular “illegal” immigrants, drug abusers and social misfits of all kinds.⁸

It is clear that the vast sums of money spent on prohibitionism and the “war on immigration” benefit only those who support the security business or gain their livelihood from it. They do not even stop the flow of illegal immigrants, who merely become easy prey for criminals or

8. Key speeches in Europe on combating illegal immigration or juvenile delinquency (for example, by Blair, Sarkozy, Castelli and Aznar) sound more and more like a crusade in favour of a return to the “good old methods” of discipline (such as the corporal punishment of juvenile delinquents mentioned by Tony Blair). Many of these aspects were criticised in the last report on human rights by the European Parliament.

9. According to the most recent estimates, illegal immigrants in the United States, who numbered approximately 5 million in 1998, now total approximately 10 million. At the same time, however, the United States has spent vast sums of money on militarising the Mexican border and having hundreds of migrants assassinated (killed during “safaris” organised by the private police to keep happy a few nouveaux riches who hanker after the KKK).

impromptu traffickers. The migration policies of the dominant countries⁹ have caused the deaths of thousands of people along migration routes. At the same time they ensure a good turnover in valuable black-market labour for the underground economies. Since the late 1980s several thousand migrants have drowned in the Mediterranean or died from other causes as they attempted to enter Europe illegally, and the exploitation of illegal workers continues to increase in all EU member states, often at the hands of zealous citizens who simultaneously demand more measures to control illegal immigration and more barriers to deprive immigrants of the most basic rights (for example, those who vote for the Northern League and certain other parties in Italy or supporters of Haider and Le Pen and, generally, Eurocentrists with strong xenophobic and racist tendencies).

It is also significant that the key speeches given on insecurity and security never mention the hardship actually suffered by large sections of the population, in particular the severely disadvantaged, the same people as are considered members of the dangerous classes. It is extremely rare, for example, for anyone to talk about the degrading human and social conditions and constant insecurity of Gypsies, migrants, especially illegal immigrants, and social misfits generally, not to mention the millions of European citizens who fall prey to undeclared or precarious employment or psychological and sexual harassment, those who are killed or injured in the workplace, pollution, tax evasion and Community fraud. These are all crimes which encourage the growth of "underground economies", which in turn have become essential for the development of rabid neo-liberalism and seem to be taking root all over the world at the expense of democratic social policies.¹⁰ Speeches on the state of the EU economy always call for more and more sacrifices at great cost to the population, but never take into account the steady growth rate of the "underground" economies, nor the human and social consequences, not least in terms of actual insecurity, for the most disadvantaged members of

10. According to F. Schneider (Department of Economics, University of Linz), the underground economies account for nearly 30% of GNP in Italy and Greece, nearly 25% in Spain, Portugal and Belgium, and highish, unpredictable percentages in countries previously thought to be largely spared this phenomenon (France, Germany, etc.). According to other estimates, these economies provide work for several millions of workers, who are either totally or partially undeclared, and who find themselves open to all kinds of abuse by those who employ them, particularly in the case of illegal immigrants, who are also threatened with deportation, on pay day for example, by a small number of corrupt police officers in league with their employers.

society, who are also those who have the least protection under the prevailing securitarian approach, if not those who suffer most from it. It is relatively rare, for example, for the police and members of the judiciary to undertake to defend the rights of the disadvantaged, who have to put up with all kinds of corruption and violence at the hands of “zealous citizens”, seen as the best defenders of (their) order. And often these citizens who demand “morality and decorum”, to the point of calling for their cities to be “ethnically cleansed”, are the same people as charge exorbitant rent for black-market hovels, exploit clandestine workers and swindle the tax authorities, while being part of the same social circles as certain high-ranking police officers or local and regional councillors who support neo-liberalism. The silence that surrounds the relocation of the most diverse business activities to “third” countries is also telling in this context.¹¹ However, such relocation succeeds only with the help of Community fraud and “neo-colonial practices” of which the decision-makers in the EU take advantage, exploiting the third-country workers (who end up trying to migrate, even at the risk of their lives) and putting thousands of people employed on the European sites concerned by relocation out of work.

2. Eurocentric securitarianism

In the circumstances, there are certain aspects directly concerned with EU integration that cannot be ignored when analysing European securitarianism. It would be hypocritical to lay all the blame at the door of “neo-

11. As ethnographical studies carried out in several Eastern European countries, and in particular the Balkans and Maghreb, have shown, the European undertakings that decide to transfer their sites to other countries (and which include known criminals like the Italian and Marseilles mafias) are often aided and abetted by the leaders and notables in these countries, which means they are free to exploit and oppress local workers in a manner reminiscent of colonial times. Female workers in the Balkans and Maghreb earn between €60 and €80 a month by working eight to 10 hours a day, six days a week. Other rules are also bent, with the result that products manufactured in these third countries find their way back to Europe (via an ever steadier flow of containers), ready for distribution on the EU market, namely with labels certifying that they are “made in” the various EU countries, although the regulations stipulate that only semi-manufactured goods may enter the market, to be finished within the European Union. Everyone knows that relocated firms are successful only because of the lack of inspection, that is, thanks to the complicity of those whose job it is to carry out such inspections. Yet no one has ever demanded inspections, not even European trade unions in whose interest it would be to demand them, which should also be doing more to establish agreements with third-country trade unions (see Peraldi, 2002 (ed.)).

liberal globalisation". Unfortunately, the approach to EU integration and citizenship and the practices connected with it have been portrayed as engendering a dominant economic and political entity that guarantees privileges to EU citizens only on the condition that priority and encouragement are given to a society based on "free competition", even if that means doing violence to the most vulnerable and subordinate citizens. This has led to the widespread, albeit unavowed, belief that one way to secure our privileges as European citizens is to leave those who are "different" in poverty and treat them as inferior. The dichotomy between EU and non-EU countries is actually merely another version of the dominant/dominated relationship, where the latter risk having to forgo all their rights so that those of the former may remain intact. Such tensions, sometimes overt, sometimes disguised, have generated a "conflict of citizenship", a sometimes violent power struggle between those with rights (who demand security and a police force to protect them) and non-citizens (who have no rights, and certainly no right to claim any). The nature of this conflict would appear to be such that there is now unwavering support for advocates of this approach to the European Union and European citizenship,¹² in other words for those whose social cohesion model is openly shaped not only by discrimination against those who are "different" but also by the idea that the EU is a kind of besieged fortress forced to wage a permanent war against evil. It goes without saying that since 11 September the enemy of reactionary Eurocentrism has taken on the same complexion as the enemy of the Bush administration. The result is an anti-Islamic Eurocentrism that is prepared to put up with the state of emergency, in other words an arbitrary power that thrives on populism and even authoritarianism.

It is symptomatic here that in the debate on the constitutional treaty for the European Union, supporters of reactionary Eurocentrism demanded that:

12. More and more studies are being carried out on the spread of securitarian approaches and practices in Europe, and they are increasingly well-researched. The spread of an "integrated surveillance system" was analysed by Mathiesen in 2001. The conflicts associated with the idea of "European citizenship" are examined, *inter alia*, in the *Fondazione Nord Est 2000* publication. For a description of the tendency to define migration issues as a problem of security and law and order, see Bigo, 1998. For an account of the changing policies and measures introduced by the European Union, see Bigo and Guild, 2002. On the more specific question of Euro-Mediterranean co-operation, see Pepicelli 2004.

- there be no mention of any rules or penalties relating to the struggle against racism and xenophobia, in order to protect freedom of expression (that of racists, of course);
- the treaty include an explicit reference to common Judaeo-Christian roots as founding values of the Union heritage, even if that meant dropping the idea, mentioned in the first draft of the charter, of a peaceful society practising tolerance, justice and solidarity;
- reference be made to the idea of an ever-closer Union between the peoples and countries of Europe, in particular for the purpose of defending its "interests";
- priority be given not to promoting peace, European values and the well-being of EU citizens, but to economic and social progress, according to the neo-liberal model, of course;
- reference to equality between women and men, environmental protection and protection of the rights of minors be replaced by reference to respect for life rights, protection of children and the family, and equal opportunities;
- compatibility with the legal system of each member state be a requirement, instead of the supremacy of fundamental rights over domestic law;
- free movement within the EU be a right reserved for EU citizens and denied to non-EU nationals, even those lawfully resident in the EU.

In other words, Eurocentrists wanted a European Charter based on an approach to social cohesion and social integration that is clearly a hotch-potch of neo-nationalist and racist self-interest, post-fascism, catholic fundamentalism, and neo-liberal "values".¹³

In terms of their economic and social policy choices, there seems to be little difference between EU member states, although they can roughly be divided into those that have opted for a neo-liberal development approach and those in favour of a less harsh approach.

13. The fact that this approach does not reflect the European Union's own strategy is apparent from the resolution on the rule of law adopted in December 2002 by the vast majority of MEPs (only members of the current coalition government in Italy and a few other far-right MEPs from other countries voted against it). The resolution criticises many practices that discriminate heavily against victims of social exclusion, in particular Gypsies, immigrants and "social misfits" generally, as well as police violence during the anti-G8 demonstrations in Genoa in July 2001 and on other occasions.

As for policies in the area of civil liberties and security, the differences between member states have until now seemed even less marked. However, some countries are now on the verge of passing legislation that will see more and more restrictions placed on civil liberties. It is also symptomatic that the “champions of liberalism” currently in power are pushing ahead with legislative deregulation that serves their own purposes, while other groups, particularly the disadvantaged, are often subjected to hyper-regulation (and even repression and punishment). To understand what some authors call the “transition from welfare to workfare”, we have only to look at the increase in the number of arrests and the growing prison population, both of which usually reflect the lack of an adequate social response. Here again, it is not surprising to find that the migrant population is one of the groups worst hit by this trend, with migrants constituting the most direct (and visible) target of clamp-downs on law and order and punitive measures.¹⁴

There is a danger that this could call into question the agreement that has so far prevailed in Europe on the defence of civil liberties and democratic safeguards, in particular in terms of their universality. As suggested by some authors, who also refer to the nineteenth and twentieth centuries, “exceptions to the law” and practices that one or more states apply to those who are “different”, be they Gypsies, migrants or other “social misfits”, nearly always end up being applied to the whole of society’s political set-up (Sayad, 1999). In other words, a large part, and sometimes even the majority, of the population, ends up receiving the same treatment as was previously reserved for those who are “different”. Although in the EU we have yet to see the same restrictions on civil liberties as were imposed by the Bush administration in the United States, the fact remains that the clamp-down on security in the EU looks set to encourage authoritarian policies and practices. A good example in this context is Eurodac, which has the potential to place all European citizens and indeed the entire EU population on file and under surveillance. Even

14. The criminalisation and self-criminalisation of migrants has been the subject of several American and European studies (see Tonry, 1997 (ed.); Palidda, 1996 (ed.); Palidda, 2001; Rea, 1999; Brion & Rea, 2001 (eds); Brion, 1996; Brion & Tulkens, 1998 (eds); Wacquant, 1999). Just as black people are more likely to be considered criminals in the United States, in Europe a disproportionate number of those arrested and sent to prison are young migrants or sons of migrants, essentially because they are the first to suffer from the discrimination inherent in the discretionary police practices and most likely to be victims of self-criminalisation fuelled by widespread hostility towards them. In spite of this, prevailing opinion continues to legitimise the criminalisation of migrants, not least because of the contribution of certain academics and experts.

if, technically and in terms of police know-how, there may be doubts about the actual capabilities of this kind of post-modern panopticon or what Didier Bigo (2003) calls the “banopticon” (from “to ban”), for example “Echelon” and other such systems (Heilmann, 2002), what matters here is that such measures are actually authorised. Their authorisation means not only an unjustified and unacceptable sacrifice of civil liberties but also a further increase in the discretionary power of the police. And it is precisely this aspect that always escapes democratic scrutiny, insofar as the police are also vulnerable to the pressure of prevailing opinion and the expectations of those with the most clout. That said, in times that favour authoritarianism, reactionaries tend to feel freer to take advantage of the discretionary powers specific to the police, which is why one way of obtaining more democratic safeguards might simply be to set up a separate criminal investigation department, solely and fully accountable to a judicial authority that is independent of the government¹⁵ but strictly accountable to parliament. It has to be said here that the EU construction will never be very democratic as long as the European Parliament has no real authority over all the institutions.

The same ultimately applies to EU enlargement. The blatant discrimination against Euro-Mediterranean countries, for example many Balkan and Maghreb states, merely enhances the vision of a Union that is both Eurocentrist and utilitarian, like a fortress at war with the “barbarians”. Just as social policies and practices now tend to serve surveillance purposes and to contribute towards police and military repression, so international co-operation is confined almost systematically to co-operation between the police and the military authorities, which give neighbouring countries the task of “doing their own dirty work” and turning themselves into extra buttresses propping up the fortress. One such example is the recent proposal to set up detention centres rather like Guantánamo Bay in third countries, in which to park deportees not recognised by any state.

3. To what extent is social cohesion based on universal rights possible in the context of the European Union ?

It is difficult to see how it will be possible to restore the financial, social and political conditions conducive to the development of a European

15. Even democrats have never questioned the status of the criminal investigation department. In actual fact, though, it is not accountable solely to an independent judiciary in so far as it still comes under the police (state police, gendarmerie, etc.), whose higher ranks are bound to bear the stamp of government.

Union that is based on truly democratic practices and firmly respects the rights of all human beings, especially now that “neo-liberal globalisation” is the force behind economic development. So far, the economic interests ruling the European Union have meant social issues have had to be neglected, as economic lobbies are obviously far more powerful than those whose job it is to defend social concerns and therefore ensure a proper balance is struck between “economic priorities” and the rest. There are plenty of NGOs and trade unions that are concerned only with their own survival, even if it means giving up their cause. The development of democratic social cohesion is the only chance the European Union has of becoming a credible and independent political entity capable of resisting the pressure of stronger global players (for example, the United States and economic and military lobbies), with a foreign policy and defence policy that are anti-war and respect universal rights and international law. Public rallies in EU member states to promote peace, environmental protection and basic rights for all and to combat racism could be seen as making a valuable contribution to the development of the EU along democratic lines. For example, why not introduce mandatory military service for all young people, with alternative civilian service so as to build up an army to guarantee not only peace but also development that is fair and respects the environment (that is, to provide the only real defence, which is the defence of universal rights)? Why not train and monitor European police officers to make sure they protect the rights of all, including those who deviate from the norm? Such an approach may not be very popular, but perhaps this is how we need to imagine the development of a European defence force, in parallel with democratic citizenship and democratic social cohesion.

It is common knowledge that the answer to ensuring effective security is never more police, a law-enforcement clamp-down, prisons or public and private spending on security measures. Spending money on law enforcement and punishment instead of welfare is actually a crime, because it merely reproduces and exacerbates deviance and the self-criminalisation of those living on the fringes of society. What we should be doing is rewarding those who give priority to preventive welfare measures and even preventive policing and discouraging those who persist in sending more and more people to prison. A country whose prison population keeps on growing is a country incapable of governing its society, a country where society is deprived of any capacity to deal with its own problems or has lost this capacity because it has been rocked to its foundations. The

development of social democracy is therefore impossible without specific practices for dealing with social ills and problems collectively.

Local councillors, the police, judges and social workers working together patiently, professionally and in good faith to ensure security in terms of social harmony, without departing from the law, show us that constant efforts to reach an agreement by means of peaceful negotiation on what, technically, may be called the “management of the rules of disorder”¹⁶ are the only solution. Society is constantly giving rise to unusual types of behaviour, anomie, problems, contradictions, conflicts and deviance, which all seem to represent “disorder” when set against some abstract, even mythical concept of order. The real root causes of the disorder that threatens to degenerate into violence, however, are the lack of equal opportunities, inequality generally, and the growing gap between rich and poor and strong and weak, as well as the invincible instinct for freedom to behave as one wishes, common to all human beings who have been able to retain this faculty.¹⁷ Governments keen to achieve social harmony and the broadest possible social cohesion therefore have no choice but to make perpetual adjustments that allow them to manage the rules of disorder as well as possible, while recognising that disorder also has its place in society.

This could appear deeply shocking to legal formalists (on the right and left alike), who are always keen to organise society according to an order that has never existed and never could exist and indeed which, if forcibly imposed, would be bound to end in social war. What is needed is governance through peaceful negotiation to prevent disorder from degenerating into violence. Elected representatives and members of the police force who try to apply different methods for managing the rules of disorder or, worse, who try to impose their own order destroy any chances of mediation. At the time they may well achieve some limited success and

16. The work of the European Forum for Urban Safety was helpful here in seeking to promote good practices for co-operation between players involved in democratic governance of security. Unfortunately, the forum’s work has not had the success it deserves, given the very unfavourable context, owing to the reactionary approach sometimes adopted even by centre-left administrations.

17. According to Jean Paul Aron, it is important to reject the pipedream of widespread security, universal asepsis, and the immunisation of mind and body against all uncertainties and dangers (Delumeau, 1990). It is clearly the liberal spirit of the past that encouraged Aron to think this way, because securitarianism has always been hostile to innovation and therefore development. Neo-liberalism has managed, however, via a certain mastery of technological innovation, to turn insecurity into a business in dominant countries, as well as a valuable source of consensus, by transferring insecurity (or appearing to do so) on to “the others”, namely the dominated.

derive a few personal benefits, but eventually they always come off worse when they clash not with a few gangs of deviants or even criminals but with the majority of society. History shows that when security is reduced to defending the privileges of the ruling classes and when those excluded from mainstream society are exposed to mounting despair and insecurity, disorder is bound to degenerate into unbridled violence.

If politicians do not want to support the concept and practice of securitarianism and the security business, or the somewhat paradoxical order that results from insecurity and the degeneration of social disorder into unbridled violence, it is high time they campaigned for the spread of peaceful methods of addressing social ills and problems. There is also an urgent and vital need to work towards achieving European integration characterised above all by the search for solutions in the social sphere that are appropriate, effective and fair (from a truly democratic point of view). To that end, efforts must consist not in social work trammelled by a securitarian approach but in work carried out with social workers who are fully independent and carry as much weight as those responsible for security. This is the only way for social cohesion to acquire the truly democratic complexion so important to the European Union's political cohesion, and without which the EU will be unable to withstand the influence exerted by the prevailing dominant model, with its authoritarianism and connotations of perpetual war.

From more recent experience, it would seem the emphasis should be placed on:

- setting up a pan-European network of centres to combat all forms of discrimination and racism (for example, discrimination in the areas of access to employment, housing and public services, discrimination against women). The role of such centres would be to offer assistance to the "victims" of discrimination and racism (nationals and foreigners) with the help of psychologists, social workers and lawyers, as well as police officers;
- rewarding all actions that give priority to welfare over law enforcement, not least in connection with the way spending is divided between the two; establishing a judicious and effective balance between welfare, policing, law enforcement and prison; severely punishing abusive repressive measures and any violence on the part of public and private police forces; encouraging a social approach to local government by distributing resources equally among all districts and municipalities in proportion to the number of inhabitants;

asserting the rights of the inhabitants, including temporary inhabitants and non-residents;

- giving more power to independent bodies responsible for ensuring the rules governing personal data protection are observed;
- working together with trade unions and associations to set up facilities to help victims of the underground economies, using collective action and providing for legal protection; calling for a citizens' wage and a genuine right to housing and health;
- organising a wide-ranging campaign to debate the EU Charter and restore the conditions needed for democratic participation (not least in choosing election candidates opposed to the main parties of the partitocracy controlled by the major interest groupings); calling for effective democratic scrutiny of EU decisions by associations and trade unions and by means of ad hoc referenda; linking EU development primarily to social parameters (unemployment rate, equal opportunities, income distribution rate, respect for the environment, protection of the rights of the most vulnerable) instead of purely economic and policing parameters;
- tackling terrorism with due regard for the need to ensure respect for the fundamental rights of all as well as respect for the democratic rule of law at national and international level.

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II – 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

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Introduction

The “explosion” of insecurity in the peri-urban areas of France has become a compelling subject of political, electoral and media debate. There has been a surge of uneasy or alarmist talk, special dossiers and sensationalist coverage, sweeping whole areas of topical social and political relevance firmly into the background. Basing their views on constantly enlarging charts of crime, security analysts and “experts” are predicting the appearance of “no-go” areas controlled by increasingly younger, more “hardened” and more violent delinquents, while political parties of all persuasions point to their electors’ “demands for greater security” and call for more decisive action on the part of the police and the courts. As a result, since the mid-1990s, urban security has become one of the main priorities of one government after another, and an area to which considerable material and legislative resources have been devoted.

In order to understand this extraordinary rise in the importance of the security issue in our society, we need to view the political, media and bureaucratic circumstances that make this possible at a given moment, as the cumulated result of the input of a variety of social players from such different spheres as the police, politics, the press, university, social institutions, business, etc. 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”,¹ in other words a mobilisation effort which must be constantly questioned and updated. This is what I intend to do in this paper, first by studying the morphological and social changes in the working class neighbourhoods of French towns, then the changes in ways of approaching the “violence” of the young people of these neighbourhoods, and finally the constantly increasing action taken by the police to resolve this “urban

1. Lenoir R., “Objet sociologique et problème social”, in Champagne P., Lenoir R., Merllié D. & Pinto L., *Initiation à la pratique sociologique*, Dunod, Paris 1996, p. 77.

disorder". In conclusion, I will suggest a number of avenues to explore in order to overcome the current stalemate which, by converting the social issue into a security issue, classifies a large number of our fellow citizens as "new barbarians".

1. Morphological and social changes in working-class neighbourhoods in French towns

a. Social disintegration and disaffiliation

The term "working-class neighbourhoods" refers essentially to the high-density estates on the outskirts of towns which in France are called *banlieues* and, to a lesser extent, to the former working-class districts which are found in the centres of large towns (inner-city areas).

Built between the 1950s and the 1970s, these estates, bearing such evocative names as "City 4 000" (for 4 000 homes) in la Courneuve, "City 3 000" in Aulnay sous bois, etc., aimed to provide a rational and planned response to the question of housing and urban development in general. They were intended to replace the slums, of which there were many at that time; to improve conditions for low-income families; and to bring workers closer to the factories.² If, in retrospect, this period gives the impression of being a Golden Age, which it clearly was not, it does nevertheless represent a period of social progress for many working families, who finally had access to some comfort (running water, electricity, etc.) and for whom the future finally appeared to be opening up.

The gradual departure of better-off households to buy their own homes and the exposure of those who remained to the effects of the economic crisis had a profound effect on the social morphology of these neighbourhoods. First, as a result of the liberal housing policies promoted during the 1970s, the better-off inhabitants of these districts (principally the skilled workers) gradually left to buy a house on one of the numerous housing developments which flourished in France during that period.³ At the same time, the economic crisis hit the industry sector hard (particularly jobs for unskilled workers), where the majority of the inhabitants of these areas were employed. Firms underwent large-scale automation and products manufactured by unskilled workers were replaced by imports

2. Between 1955 and 1975, 2 million low-cost housing units were built in France. On the evolution of the housing issue since the Second World War, see J.-P. Flaman, *Loger le peuple: essai sur l'histoire du logement social en France*, La Découverte, Paris, 1989.

3. Bourdieu P., *Les structures sociales de l'Economie*, Seuil, Paris, 2000, in particular pp. 113 et seq.

from the countries of the south. Between 1975 and 1999, the number of unskilled workers nationally fell from 3 840 000 to 2 163 000, a reduction of 44%⁴ – and it was primarily immigrants who were affected.⁵

The changes brought about by the transition to a post-Ford mode of production caused broad upheaval in the traditional working man's world. Mass unemployment and loss of job security for the unskilled reintroduced the insecurity and uncertainty that the wage-based society (built on economic growth and a strong social state) had, to a large extent, reduced. This loss of objective focus among the ranks of the employed simultaneously destabilised those who had found stability and gave rise to disaffiliation.

Before 1975, unemployment was higher for manual workers than for other social categories. Manual workers were more directly affected by the consequences of changes in the means of production than other employees. With the crisis, the situation only worsened. White-collar workers and manual workers were the socio-professional categories most affected. In 1999, unemployment rates for these categories exceeded 14% and, for immigrants, rose above 21%. Following on from this, changes in industry and, in particular, "just in time" production led to widespread use of temporary staff and temporary jobs. In March 2001, 17% of unskilled employees were on fixed-term contracts, temporary contracts or on work experience, compared with 7% of more skilled employees. In 1982, such particular forms of employment were predominantly fixed-term contracts, but involved only 4% of unskilled posts.⁶

Consequently, in working-class districts, there was a simultaneous fall in the level of employment (number of people with a job) and a general increase in uncertainty in terms of status. These phenomena, which radically changed the social structure of the working classes, also have symbolic consequences: what was changing was the entire political system of cognitive structures and signs which shaped their relations with the

4. Chardon O., "Les transformations de l'emploi non qualifié depuis vingt ans", *INSEE Première*, No. 96, July 2001.

5. In 1999, there were 2 100 000 immigrant workers (8.1% of all workers). While manual workers account for 26.3% of the working population, this rises to 44.1% for immigrants. For Moroccans, the figure is as high as 58.2% and for Algerians, 48.7%. The proportions are even higher where unskilled labour is concerned (9.2% of the working population), which involves 19.1% of immigrants; 31% of Moroccans and 21.5% of Algerians. Thave S., "L'emploi des immigrés en 1999", *INSEE Première*, No. 717, May 2000.

6. Chardon O., "Les transformations de l'emploi non qualifié depuis vingt ans", op. cit.

world. Consequently, it is impossible to understand the changes in these milieus without, at the same time, considering these two dimensions. This is especially true if one wishes to consider the issue of juvenile “deviant behaviour”. On the one hand, such behaviour is redefined as a result of changes in access to unskilled employment, and a reaction to conformity and authority; on the other, the manner in which they used to be perceived (in particular, the idea that “youth will have its way”) is changing.

The “violence” of sections of working class youth is not a new phenomenon: think back to the violent behaviour of groups of *blousons noirs* in France in the 1960s, or the *loubards* of the 1970s.⁷ However, the way in which it is regulated, and the way in which it is perceived, have changed considerably. Once these adolescents started work and became part of the least qualified of the industrial proletariat, they no longer loitered in the public areas they had claimed for themselves, where they engaged in various types of “deviant” behaviour (verbal and physical assaults, petty theft, vandalism, etc.). And, far from finding themselves at odds with the culture of the shop floor, the values they had brought with them (virility, violence, anti-authoritarianism, etc.) were favourably received. One has only to imagine the “macho” atmosphere of the shop floor,⁸ and the battles with the boss – the foreman. These values even gave rise to trade union and political action at times. As the years passed, joining the ranks of workers meant adopting a more conformist way of life (“settling down”), but without any real breaking away in terms of standards.

Today, these same young people are no longer able to become part of a world which is now considerably changed,⁹ any more than they can take up the new, low-skilled jobs for which their lack of qualifications would appear to destine them. Those jobs are available only in the service sector.¹⁰

7. On the behaviour of these groups, see Mauger G. and Fossé-Poliak C., “Les loubards”, *Actes de la recherche en sciences sociales*, No. 50, November 1983.

8. See, in particular, Willis P., “L'école des ouvriers”, *Actes de la recherche en sciences sociales*, No. 24, November 1978.

9. On changes in the structure of industrial employment and its effects on adolescents from working-class districts, see Pialoux M. “Jeunesse sans avenir et travail intérimaire”, *Actes de la recherche en sciences sociales*, Nos. 26-27, March-April 1979, 19-47.

10. “In the commercial sector, jobs requiring few qualifications accompanied the expansion of mass marketing: there are 273 000 more cashiers, employees in the food trade and self-service employees than 20 years ago. ... In the maintenance sector, there are 117 000 more office or industrial premises cleaners than in 1982. In total, the expanding unskilled occupations have seen their numbers increase by 1 million in 20 years. In 2001, these jobs represented half of all unskilled jobs, compared with a third in 1982.”

And although it is true that the work of a supermarket cashier is similar to working on an assembly line, what makes it fundamentally different is the presence of the customer, imposing “accepted” forms of civility and behaviour (amenability, politeness, even deference), which are not the values of the street. There is also an especially marked gender difference in this market.

At the same time, in the context of “education for all”, France has kept within the school system social groups who would have been excluded from it previously. By postponing their integration into the productive sector and by cutting them off from the world of work, school interrupts the natural process of worker replacement based on becoming accustomed at an early stage to occupying a subordinate position, and has the effect of making them reject manual labour and the working class condition.¹¹ In this way, adolescents from underprivileged districts are kept at school, even though they are doomed to almost certain failure, as a result of their lack of cultural capital. The disparity between the possible future (maintained by all the rhetoric on the “democratisation” of education) and the likely future (of which they have direct or indirect experience) undermines the authority of the teaching corps.¹² This frustrated illusion is reflected in the commonplace occurrence of daily violence – particularly at school – which explains why teachers, who are genuinely overburdened with work, are now receptive to forms of support, from the police in particular, which they have refused in the past.

Excluded, or just marking time in the world of education, superfluous on a labour market in which they are involved only intermittently, these are the adolescents whom Robert Castel calls the “disaffiliated”, those “who are of no use to the world, who are present in it without really belonging to it. They are supernumeraries, floating in a kind of social no man’s land, unintegrated and, doubtless, incapable of integration. ... They are not plugged into the circuit of productive exchange, they have missed the boat of modernisation and are left standing on the quayside with very little luggage.”¹³

The tendency is for them to withdraw into a peer group with whom they share the same social, cultural and occupational indignities. In this way, the

11. On this subject, see Beaud S. & Pialoux M., *Retour sur la condition ouvrière*, Fayard, Paris, 1999.

12. Poupeau F., *Contestations scolaires et ordre social*, Syllepse, Paris, 2004.

13. Castel R., *Les métamorphoses de la question sociale. Une chronique du salariat*, Gallimard, Paris, 1999, pp. 665-66.

group protects them from being called to order by different institutions (school, local missions, etc.), by other adolescents (those who are in work, or successful at school) or by girls (for whom staying on at school “makes them more aware of the attraction of cultural and/or financial capital and distracts them from the ‘natural’ charms of physical strength and virility”).¹⁴ This creates an identity based on common values and standards (music, clothing, language, culture¹⁵) which values spatial (rather than community) solidarity based on the estate, or even the stairwell. This changing sociability reveals a world of going nowhere in the shadow of the blocks where they live, of boredom (omnipresent in rap music), of hanging around, of the same stories, told over and over again, distorted and exaggerated, of rumours, but also a world where there is an awareness of injustice fed by racism, of repeated police checks, of fathers being subjected to humiliation, etc. Like the Algerian sub-proletariats described by Pierre Bourdieu, for these adolescents or young adults time means no more than living in the present or simply getting through the day:¹⁶ temporary jobs (construction, maintenance, security, etc.); moonlighting and “business”, a term which is sufficiently loose to cover a series of activities, from exchanging goods for services to small-scale drug dealing or receiving stolen goods.

All these practices are both subordinate (in particular because they are defined negatively and tend to operate on an inversion of stigma) and partially autonomous in that they constitute constantly repeated attempts to save face, or to gain “respect”.¹⁷ They clash with the values of manual workers with little job security, who are “prisoners” of the estates, of which these young people very visibly – and noisily – embody the collective decline,¹⁸ the loss of social status and workman’s pride, all vestiges of an industrial world that has practically disappeared. The result is a withdrawal into the home

14. Mauger G., “La reproduction des milieux populaires en ‘crise’”, *Ville – Ecole – Intégration*, No. 113, 1998.

15. Lepoutre D., *Cœur de banlieue. Codes rites et langages*, Odile Jacob, Paris, 1997.

16. Bourdieu P., “Les sous prolétaires algériens”, *Agone*, Nos. 26/27, 2002, 205 (Les temps modernes, December 1962).

17. See Bourgois P., *En quête de respect. Le crack à New York*, Seuil, Paris, 2001, 327 pages.

18. Beaud S., “L’école et le quartier”, *Critiques sociales*, Nos. 5-6, 1994, pp. 13-46. Olivier Masclat reveals the “disgrace” and the “shame” of Algerian immigrant fathers at the deviant behaviour of their sons: “the arrest of “unworthy sons” ... is the unbearable sign of the gap that has opened up”, between manual workers in stable employment and sub-proletariats, between “respectable workers” and “young people with no future”. Masclat O., “Les parents immigrés pris au piège de la cité”, *Cultures et conflits*, No. 46, 2002, pp. 147-73.

and a deep-seated feeling of malaise, recorded by researchers simply as “feelings of insecurity”. This malaise is further aggravated by the symbolic disappearance of manual workers as a more or less unified group with its own spokesperson. In fact, the individualisation of the employees’ condition, by dismantling this group, has destroyed the collective dynamics which were the foundation of its political existence.¹⁹

b. (De)politicisation of the working class

A study of the election results in working-class districts in France reveals an increasingly marked lack of interest in political contests. The massive abstention rates recorded in these areas, which deviate spectacularly from local and national averages, are evidence of this. In a study carried out on 32 wards, Henri Rey demonstrates that average abstention rates there are 52.1%, that is to say 20 points higher than the national average.²⁰ Some districts in Seine Saint-Denis have abstention rates of more than 70%, to which must be added the 20 to 30% of foreign nationals from non-member states of the European Union who are not entitled to vote and a considerable number of residents who are not registered on the electoral roll. Without carrying out an exhaustive analysis of working-class politicisation, I would like to suggest one or two leads, linking them with the morphological and social changes I have already described above. I will deal, in turn, with communist militancy, the involvement of the first generation of immigrants in politics and the relationship that “young people with no future” have with politics.

The French Communist Party (PCF) has long drawn its strength from the line of management structures, starting from the daily life of the working classes (in apartment blocks, on estates, in factories, etc.), and going on to the very hubs of power, both local (municipalities) and national (parliament). In this way it converted social events (linked to daily experience) into political events. Moreover, by promoting the rise of manual workers to managerial positions, for a long time it presented the image of unity between representatives and those they represented which enabled it to claim, with a certain degree of success, to be “the party of the working class”, particularly well established in the industrial heartlands of the country.²¹ However, mass

19. Thompson E.P., *La formation de la classe ouvrière anglaise*, Gallimard-Seuil, Paris, 1988 [1963].

20. Rey H., “Study on behalf of the Interministerial Agency for Urban Affairs”, typed report, 2001.

21. See, in particular, Pudal B., *Prendre parti. Pour une sociologie historique du PCF*, Presses de Science-Po, Paris, 1989.

unemployment, individualisation and instability hit the PCF hard, at the very time when its preferred clients, skilled workers, were leaving their council estates to become home owners. Weakened in its traditional strongholds at a time when urban disorder was on the increase, the PCF clung to defending those who were closest to the class whose interests they defend, namely French manual workers, who opposed the young immigrants with no future in the world of work. This blocked the entry into the party of young people in junior management posts from the estates (and from clubs and associations in particular).²² The consequence was a split between the Communists and young people from these neighbourhoods, reflected at best by indifference and at worst by hostility: Although the party has long functioned as a vehicle for the political socialisation of the working classes, it no longer fulfils this role in suburban estates in France.

The relationship between immigrants and politics has also undergone dramatic changes as a result of industrial restructuring and the fact of their settling in France. For the first generations, who were excluded from participating in French politics, this relationship focused roughly on two aspects: the politics of their country of origin and social struggles at work or in the home. The interest of immigrant workers in politics in their country of origin was linked to the struggle for independence (the Algerian FLN, for example), as well as to the likelihood of their returning to their home country. As the prospect of returning diminished²³ and the passions aroused by decolonisation died down, this interest gradually waned, along with the power of the organisations that supported it. The second aspect of the politicisation of immigrant workers in France came to the fore at times of social and trade union conflict. Their concentration at the lowest levels of society (as semi-skilled workers) made them vulnerable. They were the first victims of restructuring, which deprived them of work and, in addition, they saw the fragile solidarity of French workers dissipate, as they entered into competition with them for an ever-reducing number of jobs.

The political socialisation of their children was to take routes other than that of worker unionisation, Communist militancy or a struggle for liberation.

22 Olivier Masplet describes in great detail the missed opportunity between the French Communist Party (PCF) and young people from suburban estates in *La gauche et les cités. Enquête sur un rendez-vous manqué*, La dispute, Paris, 2003.

23. Sayad A., *La double absence. Des illusions de l'émigré aux souffrances de l'immigré*, Seuil, Paris, 1999.

Having no status in the world of work (life-long temporary workers, young people who have never worked, etc.), having no security in the industrial world (fixed-term contracts, rapid rotation from one post to another, irregular hours), it was difficult for these young people to become involved with the trade union movement in the traditional way. Very particular circumstances are required (such as the strike of McDonald's workers in Paris in 2002) for them to enter into contact with this environment, with its rules and codes. The same is true of the established political environment. Cut off, as we have seen, from the Communist Party, they have not made any approaches to its competitors either. The distant and abstract nature of the stakes and the absence of militants who are known and recognised in their local neighbourhood, do nothing to reduce their feelings of collective political incompetence which, in the majority of cases, is reflected in the adoption of a stance of withdrawal, indifference, or even mistrust. Many are not even registered on the electoral roll. Finally, few second-generation adolescents are familiar with the political struggles which traumatised their parents' countries. This explains their lack of interest in any of the opposition groups that exist in France, and in particular in radical groups.²⁴ The difficulties they experience, for example, in talking about the Algerian situation explain in part the shift of commitment – especially on the part of girls – to the Palestinian issue. Solidarity with the Palestinians – demonstrated by the setting up of committees, the organisation of debates, exhibitions, demonstrations – is not solely down to the influence of activists, but can also be explained by a vague feeling that the Palestinians over there and young immigrants here share a similar situation: discrimination, racism, constant contact with the forces of law and order, etc. This is fundamental for an understanding of the activism that has taken place in the past 20 years in these neighbourhoods. Indeed, it is these different themes, which relate to issues concerning the police and justice, that have given rise to the biggest political demonstrations of these populations. From the march for equality and against racism (1983) to the creation of the JALB (Arab Youth of Lyon and suburbs), or the MIB (Suburbs and Immigration Movement), “unfortunate mistakes” on the part of the police, racist offences, the concept of “double punishment” or suicides in prison have been the common denominator of activism.²⁵ There is nothing surprising about

24. See Rémy Leveau, “Réflexions sur le non-passage au terrorisme dans l’immigration maghrébine en France”, *Etudes polémologiques*, No. 49, 1/1989, pp. 141-56.

25. For a historic account, see Abdallah M. H., *J’y suis, j’y reste! Les luttes de l’immigration en France depuis les années 60*, Reflex, Paris, 2001, 160 pages.

this, because militancy in working-class areas is traditionally based on day-to-day experience, rather than on abstract concepts. This politicisation of adolescents or young adults – who often have a long criminal record – rarely comes to anything in the long term, mainly because of the stigma of their criminal past and their consequent disqualification from different institutions.²⁶

This exclusion of the inhabitants of working class neighbourhoods from the legitimate political arena (local and national), and the rejection or discrediting of their spokespersons constitute key factors in understanding changes in public responses to daily life on the estates, which is increasingly giving way to a police response.

2. Changes in ways of responding to “violence”

a. From the social causes of crime to the depoliticisation of security issues

Morphological and social changes in these neighbourhoods cannot, in themselves, explain the growing interest of one section of the political class in the “problems of the suburbs”, any more than they make it possible to understand the changes in how they are dealt with by the authorities. To do this, we must look at reasoning inherent to the political sphere.

The interest of politicians in delinquency is fairly recent. It dates from the end of the 1970s, when, under the label “insecurity”, a distinction was made, for the first time – with the Peyrefitte report,²⁷ in particular – between “crime” and the “fear of crime”. This distinction was decisive in that politicians, powerless to act in the face of delinquency (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”. The racing in stolen cars and the confrontations between the police and groups of youths at les Minguettes and Vénissieux during the summer of 1981, are often presented as the first

26. For a detailed account of the mobilisation of a neighbourhood through the association *Bouge qui bouge* and the *Mouvement de l’Immigration et des Banlieues* (MIB), see *Vacarme*, No. 21, Autumn 2002.

27. Committee for the study of violence, criminality and delinquency, *Réponses à la violence*, Presses Pocket, Paris, 1977.

major manifestation of the authorities' taking an interest in the problems of suburban housing estates.

The principal measures have to be seen in the context of the changeover of political power (with the victory of François Mitterrand and the Left). In keeping with the idea that this kind of disorder has its roots in social problems such as the threat of poverty, unemployment or the physical deterioration of working-class housing, such measures were concerned with the social development of these estates, preventing delinquency, restoring buildings and integrating young people. They fell mainly into the general category of "urban policy" and gave rise at the end of that decade to the setting up of the Interministerial Agency for Urban Affairs (DIV) and a Ministry for Urban Affairs. These reflect the sensitivities of a Left, keen to be the guarantor of freedom, faced with a Right, historically the champion of security.

For all that, the urban issue was not a priority for government action at that time and was assigned to relatively humble officials among the new government elites. The various institutions of urban policy, together with the bodies that funded them (such as the Caisse des dépôts et consignations), and the expertise they mobilised, attracted officials from the "modernisers".²⁸ Working on the peripheral areas of government action – notably urban affairs – they imported their principles of rationality and rationalisation of the state (logics of project, territory, partnership, etc.). In this way they played a major role in constructing cognitive categories for the problem, which broadly structured its public perception.²⁹ These approaches, which took the opposite view to analyses in terms of "domination", and stressed the individual "handicaps" of territories and populations, depoliticised this topic to a large extent and laid the foundations for subsequent political consensus. They proved their worth at the beginning of

28. Broadly involved in the post-war transformation of the state, these politico-administrative elites, whose key figures were Pierre Mendès-France and Michel Rocard, came to power in a very marginal position in the French Socialist Party, compared with other factions such as, for example, the CERES, a Marxist-orientated faction led by Jean-Pierre Chevènement, which drew up the 1980 programme for the French Socialist Party. On the origins of the "modernising faction", see Kuisel R. F., *Le capitalisme et l'Etat en France. Modernisme et dirigisme au XX^e siècle*, Gallimard, Paris, 1984.

29. Jacques Donzelot and Philippe Estèbe's book *L'Etat animateur. Essai sur la politique de la ville*, éditions Esprit, 1994 provides a good summary of these theses. On the structuring of categories of thought on policies for the town – and their effects – see Sylvie Tissot, *Réformer les quartiers. Enquête sociologique sur une catégorie de l'action publique*, Sociology thesis under the direction of Christian Topalov, EHESS, Paris, 2002.

the 1990s, thanks to the increasing attention paid by the media to the sporadic outbreaks in the suburbs³⁰ and the changes in the relationship between politicians and the media in the symbolic definition of “social problems”.³¹ It was then that urban disorder became a political matter, over which politicians would clash. And paradoxically, those who had contributed to the emergence of this issue would reap none of the symbolic benefits associated with it.

b. Individual responsibility and “zero tolerance”

The victory of the parties of the Right in 1993 marked the first shift: the problems of the suburbs became a police and economic development issue. As indicated in the first parliamentary report on urban policy, presented by Gérard Larché, a right-wing member of the senate before the changeover of political power: “it is not surprising ... that the so-called “urban” policy, which has laid the blame on planning and development errors, which still closes its eyes to unacceptable social behaviour, which is drowning in bureaucracy and supremely preoccupied by the impression it makes in the media, should today be failing. We have too easily blamed all our ills on poor accommodation, forgetting the human element. Yet unless individuals can be made responsible ... it will not be possible to restore a balance between these two aspects in our towns and cities.”³²

Making individuals responsible in this way – which is linked to the conservative doctrine – lies at the heart of government measures: the LOPS (Internal Security Law), passed in 1995, aims to take a tougher stand against petty delinquency, while the various urban policy measures place the emphasis on development through the economy (free zones, job creation, etc.). When the Socialist Party was returned to power in June 1997, this trend was confirmed. In internal competition within the party, the “modernisers” had lost all the political influence they had acquired

30. See Collovald A., “Des désordres sociaux à la violence urbaine”, *Actes de la recherche en sciences sociales*, No. 136-7, March 2001 and Champagne P., “La construction médiatique des ‘malaises sociaux’”, *Actes de la recherche en sciences sociales*, No. 90, December 1991, pp. 64-75.

31. Philippe Juhem reveals “the tendency for the pre-eminence of politicians over journalists to dissipate as a result of the changeover of political power between parties”. See Juhem P., *SOS-Racisme, histoire d'une mobilisation “apolitique”. Contribution à une analyse des transformations des représentations politiques après 1981*, Political science thesis under the direction of Bernard Lacroix, Paris X-Nanterre, 1998.

32. Report on *La politique de la ville*, presented by Gérard Larché, Senate, 1992-93 session, 12.

between 1980 and 1990 and other groups took up the urban issue, which by then had become central. Since political struggles were inextricably linked with struggles for the definition of the social world, the weakening of the role of these government elites led to their ideas becoming less influential. The global urban approach that they had promoted gave way to a view more directly focused on urban security, raised to the rank of second government priority after employment. The first Jospin government had no Minister for Urban Affairs: none would be appointed until a year later, in March 1998, and he would be condemned to virtual inexistence – symbolic and actual – vis-à-vis his colleagues from the Ministries of the Interior and Justice. The Socialist leaders now stressed the idea that “the first cause of crime is the criminal himself”.

For the parties of the Left, this was the end of the idea that crime has social causes. From then on, these theories presupposed that the adolescents of working-class neighbourhoods had made a simple, rational and lasting choice in favour of a system of “delinquent” values, as opposed to “conventional” values revolving around work. What was needed, therefore, was to increase the cost of the act to the delinquent by raising the punishment. As Julien Dray, National Secretary of the Socialist Party with responsibility for security, said at the national meeting on security (Evry, 27 October 2001): “Let us refer, for once, to the precepts of the neo-classical economists: for a rational *homo economicus*, the price of the possible punishment must exceed the anticipated benefits of the crime.” This way of thinking stresses the need for the systematic prosecution of all offences and crimes. Eliminating differences of opinion between the Right and the Left on how illegal activities among the poorer classes are perceived and putting the accent on individual responsibility transforms the logic of the punishment. This is the fruit of a restructuring of earlier disciplinary processes, which validate and approve systems of specific knowledge.

This knowledge, essentially “behaviourist”, places emphasis on “deviant” and “anti-social” behaviour and on the “lack of civility” of young people from working-class neighbourhoods, which it identifies as the cause of “insecurity” and the starting point for delinquent “careers”.³³ Heavily influenced by the work of J. Q. Wilson and G. Kelling in

33. See Roché S., *Tolérance Zéro? Incivilités et insécurité*, Paris, Odile Jacob, 2002; “La théorie de la vitre cassée en France. Incivilités et désordres en public”, *Revue française de science politique*, Vol. 50, No. 3, June 2000, pp. 387-412.

the United States and, in particular, their Broken Windows theory,³² 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 been adapted in the United Kingdom with Tony Blair's "law and order" legislation, these notions are being applied in the contemporary context of France in a particularly radical manner 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.³⁵ However many times these claims are refuted, either scientifically or empirically,³⁶ they still insinuate themselves into the world of politics.

This success is due to the way they are presented, to the position of those who utter them and to the implied philosophy they embody. First, they relate to a context in which alternative expertise is in decline, be it political (PCF, neighbourhood organisations and/or immigrant organisations) or arising out of other institutions, such as social prevention services, hard hit by the consequences of disaffiliation. This decline gives rise to new cognitive frameworks for social issues, initiated by those keen to produce new categories which conform more closely to their vision and their interests. These theories then gain the legitimacy and authority of those who expound them. Simultaneously or successively occupying positions in the academic field (teaching at university level – especially on higher education courses (DESS or DU) specialising in security issues – through the publication of papers, etc.), in the political arena (as militants, members of the cabinet, special advisers, etc.), in the administrative sphere (through participation in training courses, technical missions,

34. Wilson J.Q. and Kelling G., "Broken Windows: The Police and Neighbourhood Safety", *The Atlantic Monthly*, March 1982. For a translation into French, see *les Cahiers de la sécurité intérieure*, No. 15, 1st quarter 1994.

35. See, for example, Bousquet R., *Insécurité: nouveaux risques. Les quartiers de tous les dangers*, Paris, L'Harmattan, 1998 or Bauer A. and Raufer X., *Violences et insécurité urbaine*, Paris, PUF 1998.

36. Detailed studies on the paths followed by young delinquents – corroborated by police and court statements – reveal, in the majority of cases, a reduction or even cessation of criminal activity as soon as these adolescents find a job, settle down with a partner, etc. See, for example, Mauger G., *Le monde des bandes et ses transformations. Une enquête dans une cité HLM*. Report for the Interministerial Agency for Urban Affairs, October 2003.

reports, etc.) and in the media (as experts brought in to lend meaning or seriousness to a series of random minor events), these multi-positioned officials enjoy the combined legitimacy of these different social worlds, which tend to function as a symbolic capital multiplier. In this way they contribute to the dissemination of new analysis grids far beyond the area for which they were drawn up.³⁷ By tying the causes of crime in with the observation of criminal behaviour, this knowledge provides theoretical frameworks which appear to be immediately transposable into practical theories for politicians who are keen to introduce reform or to improve the everyday action of institutions. Focusing the analysis on the consequences of illegal activities among the poorer classes also has the effect of reducing the complexity of society, which in turn makes it easier to ignore political responsibility for structural changes in the workforce. 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.

3. The growing intervention of police and judicial institutions in the resolution of “urban disorder”

a. Management of disaffiliation by the police?

The law enforcement agencies play a special role in the process of formulating, disseminating and naturalising these knowledge systems. This is characterised by their ability to make statements on illegal activities, risks and threats. However, the effectiveness of these statements and the consequent choice of priorities (including police priorities) are not independent. They are the result of a system of exchanges between social players who occupy different positions inside and outside Government: so definitions of order (and disorder) and the means of regulating them are constantly modified, as relationships between each of them change.³⁸ Changes in the way in which the majority of politicians view illegal activities among the poorer classes, and the very real problems encountered by the various institutions with a presence in these neighbourhoods

37. See Mucchielli L., *Violences et insécurité. Fantômes et réalités dans le débat français*, Paris, La découverte, 2001.

38. Salvatore Palidda talks of “negotiated management of the rules of disorder”. See Palidda S., *Polizia postmoderna. Etnografia del nuovo controllo sociale*, Feltrinelli, Milan, 2000.

(schools, social services, operators of public transport services, etc.) in dealing with these people and their behaviour, multiplied calls for police intervention. 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 internal³⁹ and with other areas of society: justice, school, social services, etc.

This is not without its difficulties. Indeed, although the police may be given a higher profile, symbolically and in terms of resources, 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 police force is *de facto* an institution which is characterised perhaps more than any other by the choice of its missions and the way in which it carries them out. This is particularly true of the “general” branches, such as the branch responsible for law and order. Its officers are like the Street Corner Politicians described by W. K. Muir,⁴⁰ that is to say officers who will choose which illegal activities (which become greater in number everyday as a result of the plethora of rules and regulations) they will or will not deal with. This hierarchy of rules, never codified as such, ultimately determines what will be pursued in the officers’ everyday activities.

This latitude of action is not necessarily in step with external demands. The issue of groups of adolescents hanging around until late at night in the entrance halls of apartment blocks is, in this respect, interesting, because it is the point of convergence of numerous complaints, from both individuals and institutional players. The disparity between the number of relatively trivial but repeated calls for intervention and the number of prosecutions limits the enthusiasm of police officers to intervene. In fact, requests to deal with minor disorder considerably exceed the capacity of the police, and their ability to act (or to react). This solitary intervention, which is often reduced to repression without an offence having been committed, or to controls without any law having been

39. The increase in power of the bodies responsible for law and order will have effects on other services which are engaged on intelligence or court work. On this process see, in particular, Bonelli L., “Les Renseignements généraux et les violences urbaines”, *Actes de la Recherche en Sciences Sociales*, Nos. 136-7, March 2001, pp. 95-103. For the tensions inherent in structuring a field of security professionals, see Bigo D., *Polices en réseaux. L’expérience européenne*, Presse de Science-Po, Paris, 1996.

40. Muir W. K., *Police: Street Corner Politicians*, University of Chicago, Chicago, 1977.

breached, is, furthermore, very difficult. In all of the cases in question, these missions rarely result in prosecution and their repetition gives rise to a climate of deep mistrust between the forces of law and order and the groups they are controlling. This mistrust is immediately reflected in an increase in the number of instances of insulting behaviour or even the obstruction of officers in the execution of their duties, which rose from 11 687 in 1974 to 43 937 in 2001, these two offences often being the only possible charges in such situations.⁴¹

Accordingly, the courts 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. In the past 10 years there has been a constant increase in the numbers of circulars issued by the Minister of Justice calling for a reduction in the length of time it takes to deal with cases, the systematic prosecution of all offences, and more severe punishments. In this way, we are witnessing an acceleration in the length of time it takes to deal with petty offences. Experimented with in the early 1990s by the Public Prosecutor's Office at Bobigny and extended by Elisabeth Guigou when she became Minister of Justice (1997), TTR (real-time processing of delinquency) is one of the major transformations of the French criminal system. The principle is simple: "any case, crime, offence or *contravention de 5^e classe*, must be reported immediately by telephone to the Public Prosecutor's Office by the investigating department; any matter so reported must be processed immediately by the Public Prosecutor's Office."⁴² This principle, which was initially tried out in just one Public Prosecutor's Office, was then extended to all Public Prosecutor's Offices, exceeding 90% of the activity of some of them. This is, in fact, a change in the method of evaluating court practice, which brings about a change in its very meaning. The most important factor now in these fast-track justice provisions is the number of cases processed and the time it takes to process them.

41. These offences involve insulting and using violence against persons exercising public authority. Over the period, they rose from 0.64% to 1.08% of all recorded acts. (Source: "Aspects de la criminalité et de la délinquance constatée en France", *La documentation française*). This calculation is, however, not sufficiently accurate, because it encompasses very different situations, in particular those of small towns and those of large towns. In one of my areas in the suburbs of Paris, there was a 470% increase between 1993 and 2001.

42. *Le traitement en temps réel*, DACG, French Ministry of Justice, 3.

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”). This is the aim of the judicial third way, the stated ambition of which is to reduce the number of cases where it is decided to take no further action. This extension of the criminal arena is reflected in the creation, prior to criminal proceedings, of mediation, conciliation and compensation procedures, which take place in community justice centres (MJD). Lastly, there is a toughening of sentences for petty offences. The severity of the “immediate hearing” courts compared with the ordinary courts is, in this respect, particularly symbolic. The changes in juvenile justice, where there has been a massive increase in criminal responses, to the detriment of educational responses, which take longer to arrange, are a significant example of this trend: they represented 75% of measures in 2002, compared with 30% in 1990.

This tougher attitude in the judicial arena is also evident in the methods of intervention used by the police. Some police officers themselves are quick to denounce a more military-style approach which can be seen in the attitudes (the “clamp down”, “clenched fist” operations) and uniforms adopted by the specialist units that work in these neighbourhoods: black boiler suits, together with a wide range of accessories (tonfas, large teargas canisters, etc.), helmets, arms (flashballs,⁴³ pump-action shotguns). Political discourse on “reconquering the estates” may constitute the ideological bedrock, but it cannot be used to justify this toughening of attitudes, which also stems from more structural motives, at the forefront of which is the very youth of the intervention units. This can be explained, quite apart from the physical selection necessary to be accepted by the units, by the significant turnover of officers. More experienced officers leave the units because their length of service enables them to apply for a transfer to a “quieter” section, or to a region closer to their family roots. There are, therefore, more often than not few older officers who could impart *good practice* and give one or two pointers to help provide an understanding of a situation which, to many, is incomprehensible, especially where there has been a lack of adequate training. Indeed, these young police officers, often from small provincial towns, lacking confidence in their professional abilities, are socially very far removed from the housing estates and their inhabitants, whether they are of immigrant origin or not. Hence their reluctance to intervene in

43. Special gun that fires rubber bullets.

these high-density housing estates, whose codes and workings they do not understand, and this manifests itself both in a fear of intervening and, especially, in a restrictive application of the police role.

b. Social and educational services adopting a policing role

Police officers who are confronted with this type of contradiction on a daily basis are more inclined to become involved in “partnership” structures, such as CLS (local security contracts), from which they have everything to gain, both practically and symbolically. In fact, engaging other social players in the control and normalisation of deviant behaviour is one of the least costly, and most effective, solutions for responding to problems they are incapable of resolving, for both internal reasons (policing priorities, “hierarchical inversion”) and reasons associated with their duties (need to witness an offence, to relocate a problem, sometimes by a few metres during intensive police operations).

So in France 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, the ANPE (national employment agency), local integration offices, etc., tasked with supplying information on the adolescents they monitor or have dealings with. This collaboration is based on a decompartmentalisation of information among “partners”. Exchanging detailed personal data “while respecting each others’ code of ethics” on “problem” individuals is seen as one of the keys to the success of local public action. This decompartmentalisation of information is a process of disclosure which aims to unravel the different personalities or facets an individual may present to different institutions. However, this exchange is profoundly unequal: the police force maintains the leadership role to a very considerable extent, including vis-à-vis the courts. This “partnership” confers on police officers a rather novel central position in the regulation of behaviour which is publicly classified as deviant and which was previously taken care of by other social institutions or in other ways. The nature of the police approach changes the manner in which these phenomena are dealt with, particularly as bureaucracies tend to “construct problems as justification for the solutions they are proposing”.⁴⁴ 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

44. Edelman M., *Pièces et règles du jeu politique*, Seuil, Paris, 1991, pp. 53 et seq.

workers” reveals – raises the status of coercion. Arrests and prosecutions are the cornerstone of their professional practice. And even if many police officers are aware that convictions will not in themselves make the young delinquents with whom they deal disappear, they remain prisoners of a very rigid view of the world: that of their institution and of its social functions. This is reflected in a naturalisation of delinquency – attested to by classifying the young delinquent as a hooligan, a wrongdoer, 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.).

This cognitive antagonism has a substantial effect on the types of public solution that will be contemplated. Disaffiliation, and all the problems it entails, becomes “juvenile delinquency”; “urban violence” or “violence at school” – “problems” devised by the authorities, calling for “responses” in which the police occupy a key role. As Richard V. Ericson and Kevin D. Haggerty have observed, there are no limits to police participation in the construction and management of social problems. The police produce the knowledge the other institutions need in managing risk in the specific populations for which they are responsible.⁴⁵ This is true not only at school, but also in other institutions, such as specialist prevention, socio-cultural activities, etc. The forces motivating this long-term collaboration can be found in the uncertain situation in which junior officials of the State (or of local authorities) find themselves, especially those who are called on to fulfil so-called “social” functions. Without the resources to do so, these officials are obliged to compensate for the most intolerable effects and shortcomings of the market mentality and the economic transformations of the past 20 years. The contradiction between these over-ambitious missions and effective confrontation with the most economically and culturally deprived populations can only be resolved by sacrificing – and excluding – the disruptive elements, who are putting at risk the very slim chance of an improvement in the collective fate of that society. So it is the police – and the courts – who will be tasked with solving the central question posed by Robert Castel: “what is to be done with individuals who raise inextricable problems because they are not in their rightful place, but for whom there is no real place in the structure of society?”⁴⁶

45. Ericson R. V. and Haggerty K. D., *Policing the Risk Society*, University of Toronto Press, 1997, pp. 73, 75.

46. Castel R., *Les métamorphoses de la question sociale. Une chronique du salariat*, op. cit., 163.

Systematic prosecution, imprisonment or detention in specialist units (UEER - secure educational units, CER - secure educational centres, and closed educational centres) have become the usual means of dealing with these "supernumeraries". Although these measures are politically expedient, particularly at election times, since they enable successive governments to exonerate themselves from the consequences of their policies and reinforce the myth of political sovereignty, overwhelmed economically and financially,⁴⁷ they do pose problems in the medium and long term. The police do not have the resources to stamp out petty crime which – along with temporary employment, social security payments and moonlighting – is often one of the only means of making a living, or even surviving, for some small groups of people who are excluded from productive exchanges on a long-term basis. However many drug pushers they arrest, there is a whole reserve army of young people just waiting to take their place. As studies carried out on the other side of the Atlantic have highlighted, there is nothing to show that increasing the number of officers on the ground and intensive policing strategies have led to a fall in crime in the United States.⁴⁸

One of the characteristic features of imprisonment – where France has just achieved a historic record with 63 449 people in prison on 1 April 2004 – is still a high rate of re-offending. Spending time in prison reinforces the initial stigma experienced at school, at work and even in sexual matters, making it even more difficult to integrate and making the pursuit of unlawful activities a more attractive proposition. Conversely, within the peer group, it tends to become a badge to be worn with pride, which confirms the individual in the social role of delinquent. Similarly, saturation levels of police presence in some neighbourhoods open up a gulf of incomprehension between their inhabitants – in particular the young – and the institutions. This radicalises and entrenches the positions of each one, which is illustrated by the multiplication of incidents of illegitimate police violence observed in recent months at Poissy, Saint-Denis, Dammarie-lès-Lys, Nîmes and elsewhere. This escalation is socially disastrous and morally disturbing, although it does acknowledge that the deepening inequality and exclusion of certain social groups is solely the result of police involvement. In other words, accepting the conservative

47. Christie N., *L'industrie de la punition. Prison et politique pénale en Occident*, Autrement, Paris 2003.

48. For a presentation of these theses, see Wacquant L., "Les mythes savants du nouveau sécuritarisme", *Les politiques sociales*, Nos. 1 & 2, 2003.

doctrine which limits the functions of the State to maintaining law and order.

4. Suggestions for consideration

On the basis of these observations, what action should be taken? One of the recurrent reproaches made of researchers in social sciences is the difficulty they have in producing theoretical observations that can be put into practice, and can be used by institutions that are keen to implement reform or improve their day-to-day action on the ground. This tends to forget that “public policy”, “training programmes” and politicians’ “speeches”, etc. are put together according to issues, timescales and methods which are peculiar to their own social world and that they correspond to the specific principles of their vision (or division) of the world. Consequently, any attempt at implementation remains costly, because it necessitates undermining the cognitive foundations of bureaucratic or political action and, therefore, the inherent issues at stake.

That said, considering and understanding illegal activities among the poorer classes involves first discarding some of the restrictive academic, disciplinary and institutional divisions of separate areas of competence. As Abdelmalek Sayad demonstrated on another topic, studying immigration (with immigration sociologists, institutions with responsibility for immigration, associations providing assistance to immigrants, etc.) without considering that immigrants are – first and foremost – also emigrants, with their socialisation, standards and images of exile, leads to an inescapable theoretical, political and administrative impasse.⁴⁹ Similarly, addressing delinquency as if it were an independent process – rational action theory – without understanding that it co-exists 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 have their origins in the neighbourhoods themselves. Indeed, one of the most pernicious effects

49. Sayad A., *La double absence*, op. cit.

of analysing events in terms of inclusion/exclusion is to isolate issues which only have sense in their relationship with others. They ignore the interaction that links populations which are not excluded, but which occupy the least privileged positions within the system, with other social worlds. These are relationships of domination, in a context of unequal distribution of the different types of capital (social, economic and, increasingly, cultural) which structure what will ultimately become, depending on the country and the period, "the urban issue", "insecurity", or even the "ethnification of social relationships".

The workforce's loss of objective focus and its political corollaries have reinforced this domination. Indeed, the collapse of the structures of representation of working-class milieus and their growing lack of interest in established politics make theirs a world which produces no discussion of itself. This opens the door to images (political, media, institutional, even academic) marked by social ethnocentrism, which fails to take account of the relationships between forces that structure the production of norms, and seeks to impose them by increasing control and reinforcing the structures of "normalisation". The uniform political rhetoric of both the Left and the Right, laying the blame on the behaviour of disaffiliated young people, on migrants and, more generally, on the working classes, is unacceptable. 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. Security is not the opposite of a lack of security, but rather its twin. There has to be a lack of security before anything can be made secure, and any process to make something secure, gives rise to insecurity. 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",⁵⁰ 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.

50. Beaud S. and Pialoux M., *Violences urbaines, violences sociales. Génèse des nouvelles classes dangereuses*, Fayard, Paris, 2003.

The (re)construction of collective identities capable of transforming the principles according to which the world is divided up is a long process, the ways and means of which it is impossible to know. An interesting precedent, however, is the example of illegal immigrants who have succeeded in France in building up a vast solidarity movement with the aid of politicians, associations, intellectuals and the artistic community. The different strands of legitimacy of the various components of this movement have provided the opportunity to turn the stigma of “illegal”, which has always been suspect, into “without papers”, a description which focuses more on the bureaucratic processes of being outlawed, and the life experiences that have led to being exiled. This symbolic victory has brought about significant legislative change and a different appreciation of the issue.

In working class districts, this work remains to be done. In the short and medium term, a start could be made by *taking their residents’ demands for justice and recognition seriously*. The monitoring of police activity by independent bodies at local level and the effective punishment of officials who violate the law would appear to be the first requirement, these being issues that breed resentment. The procedures to dispense rapid justice – created to reduce the length of time it takes to respond to criminal activity – must also be reviewed to guarantee defendants the right to a defence worthy of the name and avoid the systematic imposition of sentences, which reduces the credibility of the judicial machine. On a political level, it is important to be able to *enter into a dialogue with the groups that are active* in these neighbourhoods (especially in times of crisis) and to maintain that dialogue, whereas at present there is a tendency to ignore them (because of the criminal past of some of their leaders, for example) or to coerce them (withholding subsidies for their associations, prosecution by the authorities, etc.). This proposal involves being able to accept short timescales, changes of contact persons and claims that do not fit into normal bureaucratic frameworks. It is nevertheless the requirement for learning about negotiation and the creation of types of empathy. It forms part of the political and symbolic reconstruction of an identity which we are far from completely understanding.

For all that, these suggestions – although necessary – are very likely to be inadequate, until a satisfactory response is found to the central dilemma: what is the place of disaffiliated youth in our society? The stakes, in terms of cohesion, equality and democracy, are high: those who have no place in society will not make good citizens.

C – DEVELOPING GREATER AUTONOMY, PLURALISM AND PARTICIPATION

I – The portrayal of migrants in the German media : going beyond stereotypes through alternative information and communication practices

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Introduction

Taking as its starting point a theoretical approach that attempts to explain the role of the mass media in the “ethnicisation” of society, the neo-nationalisation of politics and the de-politicisation of socioeconomic conflicts, this paper analyses how migrants or their descendants living in Germany are turned into “strangers”, what picture of a multi-cultural society most German journalists paint, and how they report on right-wing extremism, racism and nationalism as phenomena that call into question the peaceful coexistence of the native population and (ethnic) minorities. Finally, conclusions will be drawn for alternative media practice.

1. The mass media as catalysts for the “ethnicisation” of socioeconomic conflicts

“Ethnicisation” is a social exclusion mechanism that creates minorities, labels them (in most cases negatively), and entrenches the privileges of a dominant majority (W.-D. Bukow, 1996). It is a reaction to the continuing globalisation of trade, capital and the financial markets, which results in the apparent curtailing of the scope for national (state) decision-making. The more that competition, through neo-liberal policies, is at the centre of interstate and interpersonal relations, not least owing to the media debate on worldwide competitiveness, the easier it is for ethnic or cultural difference to be politically charged.

If ethnic differentiation can be characterised as the basis of discrimination and the dominant mechanism of the social closure of migrants, then the mass media could promote this exclusion process by acting as the driving

forces or multipliers of "ethnicisation". The media function in this way as link between institutional (structural, state), intellectual (pseudo-scientific) and individual, that is, everyday racism. It is mainly through the mass media that "ordinary" German citizens become aware of special laws for, and arbitrary administrative measures against migrants – which can be called "institutional racism" – and they see their own stereotyped ideas about foreigners confirmed as a result. Conversely, the state exploits the ill-feeling towards foreigners spread often by the media in order to be able to put these people at a structural disadvantage. During the 1991-1992 asylum debate, which turned into a political campaign, politicians justified the amendment to Article 16 of the Fundamental Law by reference to "public opinion". Finally, right-wing extremism and racism are given a public forum, which also partly explains their considerable mass effectiveness (C. Butterwegge, 1997 and 1999).

The mass media filter important details for the formation of informed opinion and, in this way, influence the minds of those who are increasingly gaining their information about social reality through them. While reporting on the causes of, and the background to, people fleeing from their homes (ranging from the unjust world economic order and the exploitation practices of the big Western industrial corporations to "ecological colonialism" and the arms industry's weapons exports) remains less than sufficient, reports from the so-called "third world" mainly deal with wars and civil wars, natural and technical disasters, military coups and palace revolutions. This helps feed the prejudice that the "Africans", "Asians" and "South Americans" as well as the "East Europeans" are able to enjoy the fruits of Western civilisation and state-of-the-art technologies but are incapable of the rational shaping of their own lives and democratic self-government.

Almost every identification and negative classification of what is alien also serves the purpose of enabling the (national) identity of one's own group to become more prominent. The self-awareness of a "we", as an ethnic or national community, which is indispensable for it to develop its international authority, can only be created or consolidated if "the others" are clearly set apart. The media played a key role in the attempt to reorganise exactly such a "national identity" in the united Germany. Nora Rätzzel (1997) shows how the asylum debate in various newspapers and magazines was used to construct a homogeneous German people (as the victim of an "overloading of foreigners", that is, exploitation or plundering by "others").

2. How migrants and members of ethnic minorities are turned into “foreigners”

a. Media portrayal of migrants: the German overview

The mass media report on foreigners in Germany in a very similar fashion to the way they do in other countries, that is, almost only in exceptional cases, which should, if possible, have disastrous consequences. In this way immigrants can be easily linked to disorder, chaos and violence (G. Tsapanos, 1993). The “foreigner”, of whom a such distorted picture is painted, is superfluous and/or dangerous and to be deplored or feared – mostly both at the same time (K. Böke, 1997). This applies in particular to Muslims from Turkey, who form by far the largest group of immigrants in Germany (I. Pinn, 1997).

Generally speaking, the German debate on migration is dominated by semantic exclusion mechanisms. Very frequent are conventional war, trade and water metaphors (M. Jung, *inter alia*, 2000), such as “invasion” and “storm”, “import”, “export” and “smuggling”, “influx”, “wave” and “flood”. The trade and water metaphors overlap in the German verb “einschleusen” (to smuggle in, derived from “Schleuse” – sluice). The German media predominantly describes migrants and people of foreign origin as “foreigners”. Therefore, in the way that journalists report on foreigners, refugees and immigrants they consolidate a hierarchy that has developed in the minds of German citizens in which certain groups of non-Germans are seen as “foreigners” while others are welcome guests. This dualism is particularly marked in the local and tabloid press, both of which often connect the “problem of foreigners” with the “threat of overpopulation” and a danger for internal security.

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. Typical of this is a headline on the front page of the *Weser-Kurier* newspaper of 22 May 1999 (“Death at greengrocer’s: Turk shoots Lebanese”), which suggests irrational violence among migrants of different origins at what is an otherwise peaceful place. To adapt the phrase “only bad news is good news”, it can be said that for the German media only nasty foreigners are good foreigners! Georg Ruhmann (1999) refers in this connection to a “negative syndrome” that characterises mainstream reporting: “Consequences of worldwide migration processes and the development of trends towards a multicultural society are presented as dangers. Current and future social changes are not portrayed as things

that can be influenced and decided on but as disastrous and fateful." The result of the mechanism described is not only the encouragement of racism among Germans but also an increase in disintegrative tendencies driven by the non-native population (G. Ruhrmann and S. Demren, 2000).

A role is often played by the threat to German resources by ethnic minorities, especially by so-called "economic refugees" and "asylum fraudsters". 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, and he identifies the press as part of the problem: "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 a positive and 'them' in a negative. Minorities hardly have access to the press and are regarded as less credible. Their cause is only worth reporting when they cause problems, are involved in crime or violence or can be represented as a threat to the white hegemony."

For Rainer Geißler (1999), the "criminal foreigner" represents the most glaring aspect of the threat scenario presented by the media with regard to migration. This scenario "picks up on existing prejudices towards ethnic minorities and reinforces them at the same time. In so doing, it 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." Germans are mainly portrayed as "individual offenders", while migrants are more likely mentioned collectively, even if there is not always an explicit reference to "foreign gangs" (M. Jäger, 1998). It is already problematic when mention is made of the non-German origin of suspects and criminals in reports on (violent) crimes because this creates the impression that the amorality of a lawbreaker has something to do with his or her ancestry or origin (R. Topitsch, 1997).

b. The unfortunate consequences of the asylum debate for the image of the refugee and for the political culture as a whole

H. Prantl, head of the domestic affairs section at the *Süddeutsche Zeitung* newspaper, has identified the disastrous consequences of the asylum debate, which has been dragging on for years, for the country's political and media culture: "like hardly any other controversy in the history of the Federal Republic, the so-called asylum debate has changed the climate in Germany, and it has done so to such an extent that it has

become necessary to defend the community's fundamental standards by holding demonstrations and organising chains of people holding candles. Article 1 of the Fundamental Law states: 'human dignity is inviolable.' This is as if mathematics had to defend the multiplication tables."

Refugees have been branded as "fraudsters", "social parasites" and "trouble-makers" whose presence or behaviour endangers prosperity and peaceful coexistence in Germany. In the tabloid press in particular there have been many instances of "dramatisation, 'exotisation', sensationalism, distortion and false reports", which Bernd Scheffer (1997) describes as "manipulations". According to Claudius Rosenthal (2000) the media's portrayal of migration problems and processes contributed to a significant extent at the time "to enabling the image of a Germany threatened by 'foreigners' to develop in a very German society". As a result the belief there was a "threat situation" was widespread. Negative chains of association or pejorative connotations also dominated in those media that abstained from deliberately influencing and misinforming their users.

Without the reports that stoked up "popular anger" against asylum-seekers, it is hardly conceivable that the racist attacks such as the ones that took place in the town of Hoyerswerda, Saxony, in September 1991 and Rostock-Lichtenhagen in August 1992 would have been applauded in front of the television cameras. However, the German media discourse has been dominated since 1989-1990 by collective symbols that correspond to neo-racist positions, such as "the opening of the floodgates" and the "full boat". "Floods of asylum-seekers" swamped Germany, which was considered an "island of prosperity". Sentiment was not only stirred up with the constant use of the flood metaphor but also of kill words, such as "bogus asylum-seekers" or "economic refugees". Through the ill-considered use of these key terms, the media have contributed to making certain groups willing to engage in violence or to making the use of violence appear necessary and legitimate.

At the beginning of 2000, in the so-called "Scandal of the Bremen Kurds", approximately 500 asylum-seekers who had allegedly originated from Turkey were accused by the police and the local press of posing as stateless Lebanese with fraudulent intent and of unlawfully obtaining residence permits and social benefits (C. Butterwegge and G. Hentges, 2001). Instead of considering the historical background and the specific circumstances of Kurds migrating or fleeing from their country (A. Akbayir and M. Morres, 2000) all the print media repeated the accusation made by the Bremen Senator for the Interior. Racially motivated alle-

gations of abuse reinforce these racist clichés, so that one can definitely speak of a vicious circle, which even liberal journalists do not exactly find it easy to break.

3. The distorting mirror of the German mass media

a. The multicultural society and its (mis)interpretations

The media not only supply (distorted) images of migrants and ethnic minorities that influence the thoughts and actions of native residents but also shape the latter's attitude with regard to models of people with different origins, cultures and religions living side by side. They do this by examining possibilities of, and limits to, integration and holding public debates on the subject. In particular, the concept of a "multicultural society", which has been under discussion in Germany since the 1980s, has been commented on by journalists, (mis)interpreted and repeatedly exaggerated but not convincingly criticised.

In its cover story "Germans and foreigners: dangerously alienated from one another", *Der Spiegel* declared on 14 April 1997 the multicultural society was a failure. The Hamburg news magazine's cover picture showed a woman with a dark complexion and swollen jugular vein waving a red (Turkish) flag. Next to her, girls with headscarves were sitting on what looked like endless rows of benches in a Koran school. Under the waving flag, a gang of male youths armed with knives were causing trouble. Mark Terkessidis (2003) said of this photomontage, which bordered on manipulation: "In an act of perfidious journalistic exaggeration, *Der Spiegel* summarised the hegemonic phantasm of the fear of 'foreigners': fanaticism, fundamentalism, crime and violence."

Although some newspapers and magazines that took up the subject immediately afterwards assessed it in a much more differentiated way (F. Sarigöz, 1999), *Der Spiegel*, as a leading publication, to a large extent determined the political climate. It took leave of liberal ideas on migration, integration and minorities' policies, ideas that contrasted with the post-war conservative dogma that Germany is not, and must not become, a country of immigration. Even serious press publications inveighed against the concept of a "multicultural society", which they associated with crime (committed by foreigners), gang warfare and chaos. As Alexander Häusler (2002) shows, "in their propaganda against immigration and the multicultural society, extreme right-wing journalists can rely on the support of those who express right-wing populist or

nationalistic views in the public debate and see these views confirmed by the mood prevailing in the country”.

The demand that, as a counter-model to multiculturalism, immigrants should accept the German *Leitkultur* (dominant culture) – a demand made in the summer of 1998 by Jörg Schönbohm (CDU), who was at that time the Berlin Senator for the Interior, and two years later became the Chairman of the CDU/CSU Group in the Bundestag – fits into this context. This resulted in a long controversy in the media concerning the “national identity” and the acceptability of neo-conservative cultural racism. In this connection, representatives of democratic parties repeatedly functioned as references for extreme right-wing publications, which like to draw attention to comments made and positions taken up by conservative groups in order to enhance their reputation: “extreme right-wing media have quoted middle-of-the-road politicians and academics who have declared their opposition to the multicultural society and ‘parallel societies’ and have lent their support to a German *Leitkultur*, and they have cited articles or columns previously published in the established media” (G. Hentges, 2002)

The multicultural reality of the immigration society is often enough deliberately reinterpreted in the media to mean a threat to, or an unacceptable burden for, the indigenous population, which became clear in the discussion concerning the German *Leitkultur*. In its 30 October 2000 issue, the *Rheinische Post* newspaper, for example, used the headline “Living the lie of multiculturalism” for an editorial by its editor Ulrich Reitz, in which this re-interpretation mechanism came into play. “Multiculturalism is an illusion,” he said, “even an undesirable one, because parallel societies would emerge and a bloody fight for social dominance might even ensue.” The *Leitkultur* was consequently considered a protective shield against cultural “overloading of foreigners”, creeping Islamisation and civil war.

b. Globalisation, job migration and the Green Cards: how migrants are divided into “useful” and “useless” foreigners

If the media are like a distorting mirror, quite no place remains to understanding migration and integration in their profound roots and dynamics. But this understanding and nothing else could enable our societies to take all these phenomena into serious account, namely as a challenge towards a more inclusive and democratic society.

Migration is as old as the human race but it is acquiring new characteristics in the wake of current globalisation (for example, J. Galtung, 2003; F. Nuscheler, 2003). Societies are becoming less stable and their members are tending to become more and more mobile. Owing to the better opportunities provided by modern communication, information and transport technologies, people now find it easier to travel huge distances. Transcontinental migrations are changing the entire world, and societies now hardly ever correspond to the traditional patterns of homogeneous nation-states.

Social polarisation and the pauperisation of large sections of the world's population encourage migration, which is likely to become even more important in the future as a result of the expansion of the multimedia information and communication structure. Divisions both between and within states lead to migration being seen in different ways: while the trans-national migration of elites and experts is considered quite positive because it provides a "positional advantage" vis-à-vis economies competing with one's "own" on the world markets, migration due to poverty or people fleeing their homes is considered by the inhabitants of rich countries as a "positional disadvantage" to be avoided or reduced (C. Butterwegge, 2003).

One reason for this result could be that immigration has always been discussed from the point of view of its benefits for business and the economy, and not only in Germany. For example, Martin Wengeler (2000) compared the debate on the subject in Germany, Switzerland and Austria and showed that as early as the 1970s this consideration was one of the main arguments put forward everywhere in favour of immigration. The above-mentioned "dual nature" (elite/ordinary) of migration is also reflected today in greater differentiation by the mass media: while they more clearly highlight the economic benefits of an increase in the migration of experts and elite groups (in the "worldwide competition for the best minds"), they put greater emphasis on the harmful effects of migration due to poverty and people fleeing from their homes.

In this manner media reports focus more and more on issues of "illegal migration", which is linked both to horror scenarios involving an invasion of Africa's starving masses and to the opening of the borders after the EU's eastward enlargement. As the so-called "safe third country" regulations mean that the overland route is largely blocked for refugees fleeing from poverty, the sea route has recently been playing an important role. The 17 June 2002 issue of *Der Spiegel* appeared with a cover picture headed "Migrants storm in: Europe battens down the hatches" and depicting a refugee ship packed with ragged people. The background was the EU summit in Seville, where it was decided four days later to

tighten up the border controls and deprive the so-called “illegal migrants” of more of their rights (M. Holzberger, 2003).

The way some journalists deal with the special problem of “illegal immigration” is in any case little short of hypocrisy. They verbosely express their outrage at the ruthlessness of the gangs of human smugglers who are even prepared to risk the deaths of migrants from the third world in order to make a fat profit, but they do not ask whether people like the 58 Chinese whose tragic death by suffocation or hypothermia in a refrigerated lorry in late June 2000, which was described by press headlines for several days as the “Dover Drama”, only entrusted themselves to dubious organisations because western Europe is barricading itself in more and more and shutting its eyes to the refugees’ misery.

The German debate on immigration took a completely new turn in spring 2000 when Chancellor Gerhard Schröder suggested at the CeBIT computer fair in Hanover that HT specialists should be recruited from non-EU countries and the Employment Ministry prepared a Green Card Regulation based on the American model, but with less generous residence conditions. The question of whether the immigrants benefit us or are taking advantage of us, which has also been discussed in the media since then, is clearly based on nationalistic and racist premises, which actually make a mockery of the claim that Germany is cosmopolitan. Again, it separates a national collective – the German “in-group” – from the “out-group” – “the others” or “the foreigners”. The very broad discussion that took place concerning Green and/or Blue Cards, was openly dominated for the first time since 1945 by the “German interest”, although the main arguments were not so much racial as nationalistic with regard to Germany’s international position.

After several decades of massive resistance on the part of the political public, Chancellor Schröder’s Green Card initiative seemed to have brought about a basic social consensus that there was no alternative to immigration and that Germany had to come to terms with the reality of the situation. In contrast to the discussion about “guest workers”, which took place between 1970 and 1973, and the debates on asylum from 1980 to 1983 and 1991 to 1993, a majority were in favour of opening Germany up to (limited) immigration. Since the recruitment stop imposed in November 1973, there have never been such big opportunities for achieving a broad acceptance of immigration, although this statement needs to be qualified by pointing out that the ball started rolling because companies were interested in importing labour and the benefits expected made the government more willing to grant skilled foreigners work and residence permits.

However, after the attacks on the World Trade Centre and the Pentagon on 11 September 2001, the hope for radical change in the (job-market-based) policy on migration was thwarted by an authoritarian security debate. The immigration bill presented by Otto Schily in August 2001 and later repeatedly amended did not even begin to meet the expectations of the commission appointed by the Federal Interior Minister and named after its chair Professor Rita Süßmuth. The politically sensitive subject of "immigration" was caught in the turmoil of the general election because in January 2002 the CDU and the CSU chose as their candidate for the chancellorship the Bavarian Prime Minister Edmund Stoiber, a politician who both supported restrictive arrangements for job migration and new restrictions on the right to asylum (C. Reißlandt, 2002 and 2003).

Migration and integration played a not unimportant role in the election campaign because the CDU/CSU continued the conflict surrounding the Immigration Act, which they rejected, by demagogically linking the key issue of combating unemployment to the "problem of foreigners". The bill was passed after a controversial vote in the Bundesrat on 22 March 2002 and signed into law just under three months later by the President of the Federation. Especially in the tabloid press, immigration again seemed more a threat to, and burden for, "the Germans", linked to job losses, housing shortages, (violent) crime and social benefit fraud. On 9 July 2002, the newspaper *Bild*, for example, placed the report that the number of unemployed people had risen to just under 4 million and a report on the looming bankruptcy of the engineering company Babcock-Borsig ("About 13500 German jobs now on the line") directly under the announcement of a debate on several issues between the two top candidates for the chancellorship headed "Duel between Schröder and Stoiber in *Bild*: How many foreigners are enough?" A short item headed "Fewer asylum-seekers", which was placed next to a beautiful woman in a black bikini and was about a decline of 11.2% compared with the previous year, almost went unnoticed.

4. The media's reversal of victims and offenders in the discourses of right-wing extremism

In spite of the intense media debate about right-wing extremism, which began after 27 July 2000 (bomb attack in Düsseldorf on Jewish immigrants from eastern Europe) and abruptly ended on 23 November 2000 with the *Bild* front page headline "Neo-nazis drown child", the German public has never seriously dealt with the problem of racism. Rather, the emotional debate fulfils the political functions of creating a diversion,

easing the conscience and providing legitimacy, because the subject of “youth violence” covered up the violence perpetrated by adults or the world that they have shaped. Moreover, brutal pogroms against foreigners made it difficult to reflect self-critically on errors and omissions in the German unification process, and the return to an authoritarian style of upbringing and restrictions on fundamental democratic rights were justified by reference to the racist attacks.

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. A typical example of this was Hans-Joachim Deckert’s editorial “Relapse into barbarity”, which the *Kölner Stadt-Anzeiger* newspaper printed on 1 June 1993 shortly after an arson attack in Solingen in which five Turkish women died. The author’s 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.” For the author, 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 and appeared to be about to acquire renewed power. In his opinion, the perpetrators (“bird-brained rabble with a craving for admiration”) had put a stop to these developments: “The deaths in Solingen will cause us economic problems and lead to religious tensions in the country. This is the worst situation imaginable for our re-entry into world politics, which would certainly otherwise be fully justified.”

Despite this trend, large sections of the German public are still sensitive to racist marginalisation practices, discriminatory measures against (ethnic) minorities and tendencies to form ultra-right-wing groups. Nevertheless, they still avoid the central realisation of experts that right-wing extremism is on no account a peripheral phenomenon, such as a protest by socially disadvantaged people or a “silent cry of protest” by neglected young people, but a problem that originates “at the centre of our society” and can only really be dealt with there. In this case, too, media play a significant role: the German perpetrators are the focus of the reports, while those who put them up to it and the target of racially motivated

attacks and their consequences usually remain unknown. If the media discuss the migrants who have been attacked, beaten or murdered at all, these people appear as more or less helpless victims who are sometimes even blamed for the aggression of their indigenous tormentors. Brigitta Huhnke (1993) has compared the reports by two major weekly magazines (*Bild am Sonntag* and *Der Spiegel*) and describes in a very impressive way what she refers to as the “reversal of the roles of the victim and the offender” and takes an article in *Bild am Sonntag* as an example to show how right-wing violence can be played down as the consequence of a disturbed adolescence. Finally, the fact that journalists often focus on particularly spectacular cases contributes to people losing sight of the normality of daily racism.

Media alarmism that makes migration appear to be a threat and/or an unacceptable burden on the recipient society increases the latent feeling of insecurity of both the indigenous population and the immigrants. The integration of immigrants is made more difficult or even prevented as a result of media reporting on “migration and right-wing extremism” that encourages racially motivated violence and to a certain extent puts it in relative terms afterwards. Migrants’ legitimate security need can hardly be safeguarded if the German mass media do not portray these people as an integral part of the resident society but at most accord them a subordinate role on its fringes.

5. Some conclusions for journalism and political education as a whole

Political education has to take as its starting points three aspects of the relationship between the media, migrants and the indigenous population:

- it should strengthen the so-called key competences of the (autochthonous) users, such as their critical faculty, intercultural attitudes and empathy, through contributions to critical media education in childhood;
- it should, by providing suitable further training measures, enable journalists to report as objectively as possible on migration and integration, that is, from a position in which they are better or comprehensively informed;
- it should understand migrants and minorities as important addressees of the mass media and enable them to use media resources in a way that corresponds to their own specific needs and interests.

a. Information and critical media education in the field of migrations

Critical media education is one of the core elements of political education in the immigration society. Children should already be taught at primary school that they must not take claims made 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 migration.

In order to influence the public debate on migration, political education teachers should express their support more clearly for the model of the multicultural society or an open, post-national society (D. Oberndörfer, 2003). Politicians and political education teachers are called upon in equal measure to ensure there is a change in the public mentality with regard to migration and integration. Fears and defence reactions on the part of the indigenous population can only be reduced, if not eliminated, by means of convincing arguments. It must be made clear that right-wing extremism and racism, and not refugees or migrant workers, constitute a danger to the peaceful coexistence of people of different origins.

b. Further education for media makers

Under the competitive conditions of a media market dominated by private companies, journalists find fewer and fewer opportunities to continue their professional education carry out careful research and inform themselves comprehensively about a subject. For this reason, they have an increasing tendency to simplify things, accept stereotypes or dogma and so finally support counter-productive feelings and point of view.

Buzzwords, like “globalisation”, in deep connection to migrations are really taken seriously: the complex background to worldwide migratory movements must be journalistically worked up and made comprehensible for the various recipient groups (G. Ruhrmann and S. Demren, 2000). More than that, journalists should devote more attention to social problems, such as mass unemployment, poverty, the charging of exorbitant rents and housing shortages, allow disadvantaged people to express their views more and support their demands vis-à-vis the political Establishment, instead of letting themselves be used as part of the neo-liberal strategy of protecting Germany’s position as a business location and of cutting social services. “The extreme right-wing worldview is attractive because it provides a demagogic reply to a real question. ... The competing new thematisation of social aspects that discusses the origins of social

insecurity and considers possible solutions is thus always an attack on what the extreme right wing has to offer" (R. Weiss and B. Nebel, 1993).

The idea, for example, that we have to be nice to foreigners for as long as they benefit us would have to be avoided (G. Tsapanos, 1993): anyone who engages in "functional" or "utilitarian anti-racism" by carrying out a cost-benefit analysis and appeals to the selfishness of people who are potentially against foreigners generally achieves the opposite of what is intended. It is also just as necessary to avoid those not unproblematic anti-racist (media) campaigns intended to arouse feelings of guilt, sympathy or anxiety. "Intensive fear appeals do, it is true, enjoy a high value within the economy of attention but the feelings of being threatened that they induce when the dosage is too high sometimes trigger counter-productive defence and withdrawal mechanisms" (S. Baringhorst, 2000). The relevant article descriptions and programmes should therefore as far as possible avoid expressions of sympathy or moral appeals, especially as they easily stoke up aggressions, which are caused not least by anger about one's own bad conscience (Groebel, 1994).

Appeals in support of foreign citizens cannot be a substitute for reliable information about their everyday lives. During the debate about the SPD/Green coalition's reform of the antiquated German nationality laws, which the CDU and the CSU tried to block by means of a broad-based country-wide signature campaign against the "double passport" – namely the planned toleration of migrants possessing more than one nationality – journalists began to pay more attention to the situation of the ethnic minorities in late 1998 and early 1999. This also led to new insights and differentiated assessments. "The obvious effect on the media presentation of the focusing of the political debate on the situation of the ethnic minorities was to promote integration: many print media were dragged away from their usual negative routine and induced to provide a more differentiated and more balanced picture of migrants" (R. Geißler, 2000).

c. Promote the more intensive use of the media by migrants

One of the tasks of political education in the multicultural or immigration society is to inform people comprehensively, objectively and dispassionately about migratory movements. But the media can contribute more directly to a better integration of migrants, by offering further bilingual programmes. In fact, integration is not a one-way street and can only be brought about through the joint efforts of migrants and the indigenous population. The German mass media should, like society as a whole, also

open themselves up to the immigrants and offer them precisely what they need in order to make their integration possible. The motto of German media makers with regard to their relationship with the migrants could read: "multilingual information and participation instead of racial discrimination and disintegration".

Integration will probably not succeed if the migrants do not receive the domestic mass media. For example, if they primarily make use of the offerings of their countries of origin available by satellite or cable there is the danger of "mass communicative isolation" (J. Eckhardt, 2000) or "media ghettoisation" (Güntürk, 2000). As the media – like the German advertising industry – largely ignore the migrants and hardly ever make room for problems that arise in their world, they contribute to the exclusion of millions of human beings, although neither the journalists nor the German recipients are likely to be aware of this fact. Instead of speaking about foreigners, people should speak to them more, including in radio and television programmes. If they worked for the mass media, immigrants and their children would, owing to their knowledge of different cultures, paint a more precise picture of the lives foreigners lead and constitute visible evidence to refute the prejudice that most "guest workers" and refugees are criminals or "antisocial elements" who are "living at the expense of us Germans" (K. Merten, 1987). It would be made easier to improve the climate of opinion if more migrants found jobs in the editorial offices of German newspapers and broadcasters and could make their own proposals, not only as experts on "issues relating to foreigners" but also as people with a different view of German society (Tolmein, 1994). Rainer Geißler (2000) argues that only the improved representation of migrants can lead to their being portrayed better by the media: "Anyone who wants to prevent the ethnic segregation of the growing minorities and the development of isolated groups of ethnic minorities who exclusively or predominantly turn to their own media, must do their utmost to give these people access to the established media and the German people at large."

A new perception of migrants could be widespread if the victims of violence received a stronger voice in the media without reducing them to their role as victims (B. Winkler, 1994). In fact it is not necessary to portray foreigners as defenceless victims in order to show potential aggressors the situation from the victim's point of view: instead of reporting – often with a touch of sensationalism – on problems caused by asylum-seekers, television could report more and in detail on the problems that they themselves face (such as traumas suffered as a result of fleeing from their

homes, the fear of deportation and attacks, discrimination and marginalisation or isolation in old age). Experience with everyday racist behaviour and the terrible consequences for the victims are rarely focused, even though there is a wide field that opens up here for local reporting.

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II – Media concentration and its impact on insecurity: developing the resources of a global civil society to face today’s challenges

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It may be just a coincidence, not deliberately foreseen by the forum’s organisers, but it is exactly 30 years since the follow-up committee appointed by the Summit Conference of Heads of State of the Non-Aligned Movement met on 23 October 1973. The summit, held earlier in Algiers, had for the first time addressed the uneven flow of information between the North and South of the world, and the need to identify lines of action to restore the balance. The question of a New International Information Order (NIIO) was aired in the United Nations arena at the 1976 Unesco Conference in Nairobi, and the debate is said to have been highly acrimonious, with the United States withdrawing from Unesco, never to rejoin; the United Kingdom and Singapore also left but have since returned. The Reagan administration and the Thatcher government ruled out any possibility of more extensive participation of new industrialised and developing countries in the information system, protesting that a free press was essential, and to be free it had to be market-driven. The same philosophy is behind the forthcoming World Summit on the Information Society, to be held in Geneva in December, and the proposal that, as a practical measure to control the digital revolution, computer manufacturers should contribute \$3, for every machine they sell, to a fund for countries which have been left behind in the process of digital globalisation.¹

Looking at the way the information world has developed in those 30 years, it is clear that an NIIO, once thought to be impossible, has indeed come about. But it has taken the opposite direction to the one recommended in

1. The World Summit on the Information Society took place in Geneva, from 10 to 12 December 2003. It is the first phase of a process that will conclude in Tunis, during a final summit to be held from 16 to 18 November 2005. The results of the first phase are presented in two documents (see <http://www.itu.int/wsis>): a Declaration of Principle, insisting on “the common desire and commitment to build a people-centred, inclusive and development-oriented Information Society, where everyone can create, access, utilise and share information and knowledge” and a Plan of Action, setting up strategic goals, targets and actors to be involved in the realisation of the “digital solidarity agenda”, namely in the concrete overcoming of the digital divide [editor’s note].

the MacBride Commission report. The South has even less part in world production of information than it had in 1973. Almost all the press agencies in the countries of the South have disappeared, and so have many public radio and television networks, often the only source of information in Africa. The market, in most cases foreign investment, has taken over. Ministries of information have gone, and with them any attempt to produce national policies on communications and culture, as state intervention is now automatically taboo. The South consequently depends much more on the North than it did 30 years ago.

But what is the North we are talking about? It is a North where pluralism in information is being constantly eroded, in the name of the market. In the United States, Michael Powell, son of the celebrated Colin Powell and Chairman of the Federal Communications Commission, has managed to get a new law adopted, increasing the concentration of newspapers. As a result, it is now possible for a single company to control press, television and radio reaching up to 45% of the country. Radio is a perfect example: 20 companies now own 80% of radio stations, compared with 96 companies 30 years ago. Experts predict that they will soon be controlled by 10 or so companies, with interests in television and the press as well. This is not a purely American phenomenon; in Italy the Gasparri Bill,² a move in the same direction, is being closely followed in many European countries. And statements from the European Commission on the subject of information are careful not to raise the problem of national policies on communications and culture, now an issue only for the French.

All this might seem to have nothing to do with our work on public security, were it not for the fact that the globalisation of information is actually accelerating a crisis that was already unfolding before the fall of the Berlin Wall: the crisis of information as a professional tool. A word of explanation is required at this point, before I go on.

2. Started on April 2003, the Parliament was involved in the debate for more than a year, also because the Republic's President refused to countersign the Bill and asked both the House of Representatives and the Senate for a new debate that should take into account his constitutional remarks. The controversy concerns in particular two issues: that an "Integrated System of Communication" has been assumed as criterion in setting up the limits that no operator can exceed in their publicity resources (that is, 20% of this system, including broadcasts, newspapers and publications in general even on-line, film producers and distributors, publicity-makers); that a forthcoming transition to digital terrestrial television has been proposed as an actual solution for the media concentration existing in Italy. Nevertheless the Gasparri Bill was definitively approved on 29 April 2004 [editor's note].

Until the Second World War (that is to say, until quite recently) the very purpose of the information was to be found in the citizen's relationship with the world around him. This was one of the fundamental reasons for the proliferation of provincially published newspapers, and it certainly did not automatically mean that the paper of the capital was the national daily, since very often this was one published in the second city. It could be said that, for the citizens, the world consisted of a series of concentric and intersecting circles, in which their newspaper put them at the centre. The first circle was their own town, their own community, their everyday life (hence the modern phenomenon of free local papers). The second circle was their country. Then came increasingly more remote circles: their continent; centres of world power (now one); and, finally, the rest of the world, depending on topical events.

In a Ptolemaic system arranged on these lines, that is, centred in the local-national dimension of information, newspapers concerned themselves with the first and second circles. The third and fourth circles too, if they could afford it (otherwise, they made do with press agencies). If there were one or two correspondents in the fifth circle, then the reader had all he needed.

During all this time, there was always a problem concerning information as such: values in this area, quite apart from the noble ideals of journalists, have a lot to do with the market. It is hard to sell newspapers on the strength of their analytic qualities alone. Every country has one paper that occupies that niche, but the rest sell because they have (at least this is what they hope) stories none of the others have. And the stranger the stories, the closer to home, the better they sell. Five people killed in the home town sell far better than a thousand wiped out in some conflict in Africa. Of course, the more famous a person, the better the story goes down. And lastly, because stories are the stock in trade, information focuses always more events rather than processes.

Globalisation policies have dislocated the old circles and radicalised the terms of the crisis. The world is now interdependent as never before. Was – and still is – Iraq a foreign or domestic policy issue? The newspapers cannot cover Iraq themselves with the same degree of analysis, or explain its history, culture and economy, without recourse to international sources. But those sources are becoming increasingly more concentrated: the American United Press International (UPI) and TASS in Russia are no longer key players in the debate on the International Information Order. Not to mention the relative insignificance of the agencies in the Arab world (the

Egyptian agency, MENA, was once a reference point), so the citizen's view of the world is increasingly formed by a few, stereotyped sources.

The temptation to consider this sketch of the situation as exaggerated is comprehensible but finally not very well founded. Of course one could complain that, after all, almost all the papers managed to send correspondents to the front, and they made great efforts to find out in person what was really happening on the ground. I do not propose to go into the question of reporters' working conditions in the most recent wars. I would merely point out that the United States, not Europe, is the imperial power. Of the 1 500 daily papers in America, seven carry more than two pages on foreign affairs. In an imperial power, where knowledge of geography and history is notoriously slender, what chance has the ordinary citizen of fulfilling the functions of keeping order in the world that the Bush administration has allotted to him?

But, whether we like it or not, concentration (or consolidation, in stock exchange parlance) is primarily a matter of capital. Mr Murdoch is already present in Europe and, along with Mr Berlusconi, is the only major publisher in Italy since acquiring cable and satellite television. Powell's liberalisation (that is what they call it when the state stops exercising its own functions) is sure to win the battle for consolidation, and this will mean increasingly global competition for the market, and global concentration.

As a reader in a world of consolidated information, I will find myself with ever diminishing windows on the world, reading news items couched in ever more banal language (who, now, would employ Hemingway as a special correspondent?), about ever more world-famous people. In other words, everybody, including the people of Tanzania, will be able to read a 20-line piece about Bush, but no one will understand 20 lines about Mr Benjamin Mkapa, the President of Tanzania. The vocabulary of the London *Times* 30 years ago was 27% richer than it is now. It, too, is now being consolidated, forced to come down to the level of the other consolidated papers. The lowest common denominator cuts costs, makes for a standard product, and increases profits.

Any attempt to address the question of social responsibility for information, today, if it were to move beyond generalities into the realm of concrete proposals, would produce the same calls for freedom of information that we heard in the 1980s against the NIIO project. Only, this time, there are fewer proprietors, with a narrower range of views and much more power. And states are much weaker because the "invisible hand" of the market now controls them more strongly than ever.

So, in an increasingly more complex world, the citizen is provided with information that has less professional commitment because it is more closely linked with the market. Consolidation is in the hands of increasingly more wealthy entrepreneurs, presumably keen to defend the status quo, that is, market values and the political powers with which they identify. In other words, the citizen's window on the world, so much ordered and transparent when society was organised on national lines, is now less concerned to cover world events, keen only to print the most sensational stories, and provide a platform for leaders with real power. The leaders, in their turn, present a Manichean view of the world, in which evil is no longer confined to a precise geographical location (as it was in the good old days of the confrontation between two super-powers); it is everywhere, and an endless war must be waged against it. Because of military and security expenditures the world-leading American economy has passed in four years from 1.8 trillion dollars in credit to a deficit of 450 billion dollars (and still counting). Controls in the private domain are continually increasing, as visitors to the United States are well aware: airlines are required to notify their names and personal details to the US authorities even before they board the plane. And the final question remains: is the United States safer now than it was before? Are we all safer now than we were before?

The answer from the average citizen is not enthusiastic. The state is weaker. Political institutions appear to be geared less to participation than to the exercise of power. International institutions cannot oppose the imperial power and appear to be increasingly marginalised. Does the media present a sufficiently clear picture of the world to give the citizen elements for thought and enable him to make the right choices?

I think the answer must be that it does not: the instruments of information today increase public insecurity. The citizen feels he is a tiny atom in a world at the mercy of great forces, such as globalisation and related global policies, which are above his head, forces that are entirely beyond his control. His party certainly cannot represent him, since it too is marginalised. Even his state is not strong enough. Of course, the empire has consuls who have access to the emperor. But is it really true that the world is divided into good and evil, and that the good are always right? Could this one-sided perspective, that the media often contribute to consolidate, avoiding alternative points of view, really help us to find good solutions to the present global (dis)order and its multiple roots?

One could argue, quite rightly, that insecurities arise not from the information system but from reality. The crises in the world economy, the cancer of

terrorism, and the crises in the political institutions: these are not items invented by the press. And how can the press find positive and reassuring things to say about matters that are not inherently positive or reassuring? This is the question I should like to consider in conclusion.

It is no accident that one in four young people (one in seven in the United States) no longer buys a daily paper but relies on the Internet. Surveys suggest that the young do not feel insecure because they know, but because they do not know enough. Take an obvious example: the world climate changes. There is not a single young person today who does not feel this is his business. There is a degree of ecological awareness that simply did not exist before. In the 1980s, Reagan could calmly say that trees, not industry, caused pollution. Today, Bush has to say that Kyoto does not suit American industry; he cannot say there is no problem. And young people are able to find on the Internet masses of information about the environment that they cannot get from the papers. And they are finding options, and decisions. They do not feel insecure: it is clear from interviews that they feel angry. The people who are insecure are the people who do not know why the climate is changing, do not know what, if anything, can be done about it, and do not know what to ask their party and their government to do.

The advent of global communication is one of the aspects of globalisation that cuts both ways. It has spawned a vast system of finance, far more extensive than the World Bank and the IMF, in which one and a half trillion dollars wing their way through space every day, without anyone being required to account for them. But it has also created a global civil society, brought together through communication on matters and values of common concern, such as the environment. This global civil society has found two fundamental qualities in communication, which information lacks. Communication is horizontal, so participants are on the same level (whereas information is vertical, transmitted by the few to the many); and communication involves participation, another feature information lacks.

The result is that, if you attend a world social forum or any other meeting of the global civil society, you will find people who are very well informed and not at all insecure. Of course, they are worried about the way the world is going; of course, they are angry about the unfair and destructive social model we have chosen; but they are certainly not insecure. About 100 million people joined in the peace march on 15 February, though the decision to hold it was only taken at Porto Alegre on 21 January. They were united by the certainty that the war in Iraq would not solve the problems they wanted to solve.

In conclusion, I believe the future of information lies in this dichotomy. More and more people are finding, in communication, their own information, making their own choices, and deciding what to do. In seven years' time, according to projections, there will be worldwide as many Internet users as readers (the number of newspaper readers is falling by 1.5% a year, despite the growth in population). They will therefore constitute a very important market. When that happens, I believe Murdoch's successor, still in the name of the market, will produce media for this diverse public: media containing analysis and information from the widest possible variety of sources; media that perform the proper function of information, enabling citizens, as Leonardo said, to learn how to see. At present, their masters only want them to listen. But, what has kept humanity alive through history has been a capacity for anger, not an ability to listen.

III – Alternative communication to combat insecurity. The No War TV project

*by Luciana Castellina, Journalist, former MEP, chair of the
No War TV co-operative*

1. Social cohesion and the media

There are two main factors involved in determining social cohesion: the same way of seeing things, a genuinely shared feeling of belonging to a community; and “democracy”, which is not merely the result of having elective institutions and guarantees of individual freedoms, but is created by the level of citizens’ involvement in the community. Both of these factors are now under threat and their coherence is being undermined by the processes that are currently taking place.

The first element – a certain similarity in people’s way of seeing things – is determined by memories and common customs, which in turn define the ethical principles to which society refers and which thus help to form the collective imagination. These are fundamental ingredients of democracy without which a free society would find it impossible to operate, since its laws would appear arbitrary and the responsibilities arising from those laws unacceptable. They would then have to be imposed, by repressive authorities. The rules of life in society and the allocation of rights and duties, on the other hand, presuppose a feeling of belonging and thus a connection with the culture of those living in that community. Such a feeling may obviously change with time, but it would do so according to an internal process.

These days, the role of the media and the educational institutions is crucial in determining these factors. Not for nothing does the state play a central role in both fields, through public service, which needs to remain dominant even though it cannot be exclusive. This was, incidentally, why the Treaty of Amsterdam, which established the European Union, reaffirmed the vital nature of public service television. As for education, this is so jealously guarded as a national responsibility that no government has ever remotely considered handing over all or part of this fundamentally important service.

2. From public service to private service: concentration and insecurity

Yet, by increasingly leaving the regulatory functions to the mercy of market forces, it is the dominant role of these public services that is now

dramatically threatened by globalisation and the liberalising principles that have guided it up to now. Even the European Union, which reaffirms the need to protect public services which safeguard cultural diversity, is actually taking measures to the contrary. In accordance with the principle of free competition, for example, there are calls to dismantle the structures and rules restricting the free operation of market forces. On top of this there is pressure from the World Trade Organisation (WTO) to include culture-related sectors, and primarily the audiovisual sector, in the plan for the general liberalisation of services.

So what is in store for us is serious, but what has already happened is too. In the audiovisual field, instead of using their exceptional potential to promote pluralism and thus to give free rein to cultural diversity, the new communication technologies are currently producing the very opposite. Their introduction is being accompanied by rapid concentration in the telecommunications sector and among content producers, so that the increase in the number of carriers is being matched by a drastic reduction in the sources supplying them. A handful of multinationals are sharing the terrestrial and satellite capacity, monopolising the power to determine people's collective imagination by controlling the carriers, and shaping tastes and values while eradicating indigenous ones. The resulting isolation is a powerful source of insecurity, compounded by the fact that these media multinationals often provide one-sided information. Acquiescing with this virtually "one-view" approach, users are increasingly the object or target of information that they cannot verify or question.

3. Loss of "sovereignty" and risk of media (self-)ghettoisation

In Europe, for example, more than 70% of the audiovisual market is taken up by American productions, with public broadcasters forced by competition to buy American products that are much cheaper than making their own.

The result is an out-and-out attack on national and European "sovereignty"; indeed on the sovereignty of our citizens themselves and their ability to be involved responsibly in decision-making processes. This is actually a very sensitive area, since it concerns the expropriation of what I was talking about at the beginning – the feeling of belonging culturally and morally which forms the basis for a common way of seeing things – which is the result of the disruption of the collective memory, the impoverishment of the common traditional heritage and the weakening of the values that hold society together.

This cultural “McDonaldisation” has other negative consequences in terms of the growing feeling of insecurity in the population, since it inevitably generates defensive reactions which often end in withdrawal into what may be fundamentalist or hyper-regionalist identities (the upsurge in dialects and the trend among young people to use “gang slang” are examples here), in the mistaken belief that creating impenetrable barriers that cannot be breached by “other people” will save your threatened identity. Alain Tourain writes that tribes are reappearing as markets are being globalised, a similar concept to that described by the American sociologist Benjamin Barber in a book provocatively titled “Jihad versus McWorld”.

The new communication technologies themselves tend to promote these retrograde processes by offering even more dangerous responses: ethnic television stations, for example, with a niche “audience” which operates in a closed circuit, not communicating with anyone, and which thus feeds a form of media self-segregation that is actually seen as a safe haven. The fundamental problem is and remains an entirely different one: it is not that people are subsisting on their own culture – locked in a little cage, subordinate and therefore marginalised, while “McDonald” is busy telling people what to think – it is actually how to contribute to the collective imagination and therefore to the definition of what is “universal”, without which we would otherwise feel that we had nothing in common. A genuinely democratic society cannot be built like the Ottoman empire which, with self-interested generosity, allowed its caliphates a small measure of independence. It must be founded on genuinely independent identities which, precisely because they feel strong and unthreatened, open up to each other and communicate, creating non-reductive hybrids. Such integration processes, the product of the intermingling of those of equal status, do not stifle cultures which are historically weaker, as has happened and is still happening to immigrants in the former colonial parent-states.

4. From information to knowledge: rethinking televised communication as a whole

The wide audience reached by television has made it the principal instrument for educating young people (even more important than school) and for social culture. But what view of the world do today’s televised media provide? We need to look not just at how reliable the sources of information are, but also at the very nature of communication as it exists today. To give just one example, information has become a real avalanche, since

there is practically no censure. But this “information entropy” is doing nothing to increase the level of knowledge of its target audience. Information and knowledge are not the same thing, as Socrates clearly realised only too well. They are even less the same today, when information, although accurate, seems indecipherable because it is fragmented, producing flashes of emotion for separate facts taken out of context, without any indication of when, where or above all why they happened, what happened before and what will probably happen next. With the avalanche of news and pictures comes the suppression of any point of view or subjectivity, making it impossible to select from the information we are given, organise it in any sort of order of importance, evaluate it, or in fact use it. There is a further factor at play here: written communication, on which cognitive abstraction used to be based, is increasingly being replaced either by pictures and oral transmission in general, or by the “global village” media in particular, thanks to which people are now totally immersed in communication, without the critical distance and time needed to understand and evaluate.

This pessimistic interpretation may be seen as old-fashioned or even reactionary and elitist. This is the view taken, for example, by the Italian sociologist Alberto Abruzzese in his book *Analfabeti di tutto il mondo, unitevi!* (Illiterates of the world, unite!). Writing, he says, was only ever for the very few. The new knowledge, unlike reading, belongs to everyone: it is democratic. And it may be because complex values and concepts cannot be communicated without writing that everything today seems predetermined, with no room for doubt, intuition or weakness. In the end, information of itself does not help people to reason, to stimulate subjectivity or to overcome our feeling of helplessness when we are catapulted into a world of superimposed, incomprehensible images. On its own it does not help us to overcome the feeling of insecurity produced by the changes that are taking place.

5. The Internet: an ambivalent liberation

Despite the Internet’s outstanding qualities, we should not think that this medium has solved all our problems. It has, admittedly, facilitated unprecedented links on a global scale by enabling information to be exchanged and contacts to be established across huge distances. However, it is equally true that this global meeting-place does not exist in a vacuum. It actually only came about when a genuine community already existed:

schools, a political movement, a shared history and experience. Undeniably the Internet has allowed those living in remote locations to break through the boundaries of their social background and to free themselves from the confines of their village (and even of their sex and ethnicity) by giving them the impression of being “citizens of the world”. But for a young person on his or her own, this virtual liberation may also simply mean alienation, because the freedom gained is often merely “virtual” freedom.

We only feel free when and if we are on our own and we have lost our links with the community in which we live but of which we no longer feel part. “The good thing about the Internet (goes a well-known American joke about two dogs) is that nobody knows you’re a dog when you’re surfing.” In other words no one knows whether you are beautiful or ugly, young or old, yellow or black. This is wonderful, but at the same time frightening, because freedom from one’s own physical and social determination can prove to be really disastrous, given that it suggests a world of secret, anonymous, uprooted people without any links with their social and territorial context; consequently they are often completely indifferent to society. Responsibility only comes with a sense of belonging.

The globalised world is not a universalist world of potential equality, of the possible global dissemination of the world’s cultural wealth, or a dialogue between equals. Instead, it is a society in which, thanks to the new communication technologies, the “strong” can at last break the link of territorial proximity with the “weak” (their less advantaged neighbours) and talk directly to the “strong” who live far away, thus shattering the minimum levels of social cohesion and solidarity which are inherent in local or even national communities. So what is being created is not a world in which exchanges are multiplying, but an arena in which the old spatial references are gradually losing their meaning. The well-organised world of distances has been replaced by a world in which every point can interact with other points without the restrictions imposed by the surface. Territory can be chosen, geography is becoming pointless, and with it historical links are disappearing.

Thus these processes always bring just as many risks as benefits, linked to the loss of the feeling of belonging and the parallel growth in insecurity. Paul Virilio wrote, about the Internet in particular: “The only way to avoid being ground down is to resist. This doesn’t mean backing away or rejecting the web, but using it with a healthy degree of suspicion, just as poison is used for medicines. Saint Paul said you must pass through fire to be saved, but it is fire you have to go through, not Bill Gates’ swimming pool.”

6. The No War TV project: from the idea to the initial phases

It was these considerations, which go far beyond the admittedly alarming fact that information is becoming increasingly undemocratic, unverified and non-pluralistic, which led a group of experienced journalists and young media activists in Italy to come up with a different way of communicating. The idea was to think not just of one television broadcaster but of a network, incorporating several different media with a central broadcaster at the hub, the others being decentralised production centres capable of calling up the creative energies available locally. In a word, this would be a network that could use all existing forms of media expression at different levels: not in order to create thousands of “small-time” broadcasters hanging on the shirt-tails of the local station, but on the contrary to give the local broadcaster a global profile, in order “not to lose a single gram of human intelligence”. By “socialising” the various approaches they would, it was hoped, be able to contribute to the collective imagination or even to release it from the stranglehold of the great global monopolies. The ultimate aim was, in short, to rethink communication in order to build up subjectivity, to make those who are currently only passive listeners as active as possible, and to recreate a community which is interested in talking to other people rather than just wanting to have a stifling, introverted identity.

The name “No War TV” reflects the era in which the plan for such an alternative channel was developed, in the run-up to the war against Iraq. It was during this period that the determination gathered pace to give democratic civil society a permanent means of expressing itself, and it was on pacifist issues that energies were first focused. The name was adopted on 10 December by a group of media activists who had collectively broadcast live from 2 p.m. until midnight, showing the hundreds of demonstrations being held that day in Italian towns and cities.

The next step came when a meeting was held with a first group of mayors, which subsequently grew to include many others. With this group of elected representatives we started to shape the plan for an independent television station that would break the quasi-monopoly that exists in Italy. But it was again on the subject of war that the new fledgling broadcaster first tried its wings: although we were still a very long way from creating the conditions for stable programming, we managed a two-hour live satellite broadcast in the evenings during the first week of the war against Iraq. The signal was also relayed by Planet (one of the channels of what was then Télé + - Canal +) and a number of local broadcasters.

“No War TV” subsequently became a co-operative, and we are currently collecting subscriptions (€100 each) which constitute the main form of funding, along with the contributions collected at dozens of public meetings that have already been held, which have all been widely supported and have given us great encouragement. We are also hoping to accept advertising, but only “ethical”, in other words from firms that can prove that they respect environmental and social standards and, of course, that they do not produce arms. This is why we have in the co-operative’s governing body a representative of the Banca Etica (Ethical Bank), a body set up by a number of NGOs working in the ethical savings and finance field. Lastly, as a result of our close links with the street television channels, their national co-ordinator is also in the governing body.

7. A pluralist and well-organised society as a model for a secure society

In this context the battle for pluralism is probably no longer just a battle to make room for other societies (in Italy, there has been a lot of talk of a “third pole”, for example), but to give everyone the right to communicate, and thus to have access to the mass communication media. This involves reorganising the television system, which gives the public authorities not just the task of managing a central public service, but of providing local government with funding and space on the terrestrial network which it in turn should make available to civil society, in other words to groups which have been working towards this in the local area and which have set themselves the target of achieving broad participation among the people with whom they work.

When we talk about civil society – as we often do in order to show that it needs to be given a greater role, which is essential if we are to revitalise a fragmented, passive and fearful society – we tend to think of a type of society that exists less and less: a society that flourished on direct contact, albeit collective, and that equipped itself with tools such as political parties, trade unions, professional associations, etc. in order to make itself effective. These days there is much greater intervention by the media, primarily television, which has “drained” the traditional instruments, so that society is no longer able to express itself independently and has become passive, manipulated and insecure. Up to now it has not tackled the problem of modern communication and has merely tolerated the existing situation. Everyone is on their own in front of their television. “Our project,” we wrote in the No War TV policy statement, “is therefore mainly intended to be a collective organisation tool, a way of waging a cultural war in the communication field, a way of trying out new ways of

talking and of deconstructing televised messages, making them transparent and revealing their tricks and secrets.”

A similar model already exists in a number of European countries, such as Belgium for example, and, albeit differently, in the Netherlands. But there is nothing like this in Italy, not up to now at least. Among other things, No War TV, with the help of a group of MPs (Giovanna Grignaffini and others), tabled an amendment on this subject to the Gasparri Act on the reorganisation of television, which is currently being debated in Parliament. The amendment was rejected, but it is now being converted into a proper Bill. During the debate, however, a resolution was adopted (see Appendix I) underlining the need for reform and making room for community television.

8. Local involvement and global benefit: from street TV to satellite, constantly serving society

The project we are working on is intended to be an experiment in advance of a new system based on an innovative way of viewing the public role: as serving social dynamics rather than replacing them. It is precisely this view which explains the anything but fortuitous support that our initiative has received from the very outset among mayors, a considerable number of whom (over 100) published a statement supporting our project (see Appendix II). The same welcome has been given to street TV, a very recent development currently taking place in Italy.

Street TV is the product of a statement of intent: “Don’t demonise TV, make it!” Technically it is the result of a clever mechanism which, for around €500, allows individual televisions not just to receive but also to transmit, even if only just to their “street”, a block of houses, say, just a few thousand people. Transmission takes place in the shadow cone left between the frequencies granted under licence to local broadcasters. It is not legal, because it is unlicensed, but it is not illegal because the cone does not belong to anyone and using it does not harm anyone either.

The use of this mechanism has triggered a major social, cultural and political phenomenon: where previously there was a fragmented group of individuals who hardly communicated, a community has been recreated of people who like to talk, tell stories, be creative, produce news and above all discuss the news they have collected. In short, people have become active instead of passive.

The project obviously wants to avoid a return to the withdrawn, isolated mentality, and aims to encourage people to exchange different local experiences that can enrich everyone’s lives through widespread communication.

For that purpose we have set up a broadband browsing interface that should provide access to the televised productions of all groups of media activists who decide to join the network and make their productions available to all stations. It will therefore be a browsing platform between information and video production points, between Italian street television stations and (why not?) others across the world. As soon as No War TV becomes operational, it will be possible to communicate not just by broadband but also by satellite. The transmission centre will select what has been produced locally and send the signals by satellite, so that they can be seen by everyone with a satellite dish and by many other people, if local television stations and street TV take the programmes to relay them.

The aim of No War TV is to broadcast for two or three hours every evening, providing political information to fill in the background to the news broadcasts by the mainstream media and, by providing commentary, covering a large number of subjects. No War TV also hopes to broadcast programmes that are difficult to find on the main channels: historical programmes (the past is being lost because alienating models are being used - the work of local groups could prove extremely valuable here), good-quality documentaries, films that would not otherwise be seen. We have not forgotten about light entertainment: we would like to offer it, but would like to improve quality in order to show people that there are other ways of being entertained.

9. Agenda and future prospects

No War TV will start broadcasting regularly once we have collected the minimum amount of money needed to launch it (at least €5 million), a very much smaller sum than that needed by similar commercial initiatives, but only because we can count on a lot of voluntary work (not exclusively, of course), and particularly on the support of a large number of artists and contributions from decentralised groups. We are currently considering changing our name, and we are conducting surveys in order to make the right choice. However, a lot of people would prefer us to keep the original name in order to stress that peace is No War TV's central concern, even if the schedule contains culture and entertainment as well as political information, as we said.

As we also said, we will be transmitting by satellite. The arrival of Rupert Murdoch (who has replaced the "Tele+" and "Stream" subscription channels) on the Italian television scene presents major technical and political problems, however. The new "Sky" group has reprogrammed the decoder in order to make it accessible only to the channels in its package. The law does, admittedly, require it to make a few of the chan-

nels available to other users, but for a fee payable to Sky. Of course, we could broadcast by satellite on a channel which is not part of the Murdoch group, but the risk is that reception would be very poor, given that few such channels are capable of carrying out the complex operations involved in reprogramming the decoder. A separate smart card would have to be created, and this is the solution we are focusing on at the moment. However, the production and above all distribution costs remain high, and it would therefore be worth sharing it with a number of broadcasters, thus organising what would effectively be a small alternative package. This would be difficult, but not impossible, since there are many, starting with local government, who are interested in independent communication, if only as a service.

The appearance of digital terrestrial television could obviously provide new opportunities, but we would not only have to wait years to have it, but the current legislation makes it a highly unlikely option. Even existing local broadcasters operating under licence (who are vital for us because they could take our signal and relay it unscrambled, in other words viewable even by those who do not have a satellite dish) are currently going through a very difficult period because of the stranglehold on the advertising market held by Publitalia, a company belonging to Mediaset of which Sky TV is also now a part.

Meanwhile, we are busy collecting and archiving material which is already on our website "A different sort of television is possible" (<http://www.nowar.tv>), and we are covering the main events (RAI used to do this live, but often no longer does so today), with ad hoc broadcasts such as the live programme on the peace march from Perugia to Assisi on 12 October. The website will also show pictures of the demonstrations by the ETUC and other movements at the Rome Intergovernmental Conference on the European Convention, the metalworkers' strike planned for 17 October and the general strike by the three trade union confederations planned for 24 October.

Obviously, alongside this very technical work, the No War TV co-operative is playing an active part in the fight to democratise information which is highly topical in Italy, as clearly shown by the decision of the European Parliament's Committee on Citizens' Freedoms and Rights, Justice and Home Affairs to produce a report on our country.¹

1. The Committee responsible has produced a final report: the European Parliament voted on the text and adopted it on 22 April 2004 in the form of a resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the charter of Fundamental Rights) [author's note].

Appendix I: Resolution adopted by the Chamber of Deputies

The Chamber,

Whereas:

shared communication represents the new frontier for achieving freedom of information;

this is communication from the grass roots up, and in "street TV" it has an innovative instrument which is vital for micro-information in our country;

"street TV" provides a service for small communities, neighbourhoods and private groups and is, technologically speaking, accessible to everyone;

it is a response to a system which is increasingly dominated by the major players and increasingly remote from people's needs and everyday reality;

"street TV" uses shadow cones between frequencies and therefore does not interfere with the reception of the "traditional" channels;

such a lively and effervescent sector needs to be regulated,

calls on the Government:

to take action as soon as possible to ensure that frequencies that are available at local level resulting from shadow zones around televised signals may be used, on a non-interferential basis, for communication activities;

not to close down "street TV" stations until the results of an inquiry are available enabling specific rules to be drawn up on the subject.

9/310-B/4.

Grignaffini, Giacco, Duca, Abbondanzieri

Appendix II: Appeal by the mayors of Tuscany

Peace, democracy, communication

In making this appeal, the signatory mayors wish to show their support for the International Day of Peace and the anti-war demonstration in Rome on 15 February.

Once again they condemn war as an evil to be avoided, reaffirming their decision to support the fair distribution of wealth in order to help those who are weakest, in Italy and throughout the world, to combat the selfishness and abuses committed by the strongest.

Today, as Italy's citizens are demonstrating their enormous compassion by spontaneously supporting efforts to avoid a conflict that will have serious and unforeseeable consequences, the mayors of Tuscany are launching this appeal for every town and village in Italy to set up Local Peace Committees, to promote the widest possible involvement in all local activities in order to support the right to peace, solidarity and equity.

The duty of democratic institutions

The first duty of democratic institutions is to guarantee participation based on accurate information in order to strengthen the culture of peace on a lasting basis.

Local government, associations, the voluntary sector and businesses can and should play a crucial role here. Serious consideration needs to be given to the role that schools and all educational establishments, from primary to university levels, can play in countering the use of the media to promote conformism and a reduction in people's critical faculties, making them mere consumers or recipients, inactive and unalert.

A Europe of peace and dialogue

Europe is going through a decisive phase in the context of the European Convention, and we need to strengthen the idea of "European citizenship" that is permanently founded in the values of dialogue, peace and solidarity. Italy is at risk of developing serious problems here, and we need to support a new system of participation and communication which involves citizens, institutions and the community in order to develop the culture and identity of the European citizen.

Different information to combat war

We are calling for information and communication to be reaffirmed as forming part of the fundamental rights of civil society. Democratic society cannot exist without information which is free, independent of the market and of a high standard in terms of quality and ethics, encouraging participation and open to society.

The mayors wish to play a major role in this process and be involved in the establishment of a new system, alongside social undertakings, associations, young people and the movement for change.

Appeal to all mayors and local government officials to set up committees in each municipality in support of peace and the right to information and democratic communication.*

*Certaldo; the deputy mayors of Certaldo, Cadenzano and Scandicci; the Chairmen of the Institution for Education, Culture and Sports Services of the municipality of Sesto Fiorentino, the Cultural Institution of Pontassieve, and the Cultural Institution of Scandicci; the Lega Autonomie Locali Toscane; the Filo Rosso association.