

# Immigration and Globalisation

By

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## Introduction

If one defines globalisation as an extent of internationalisation at a level where boundaries are blurred or appear close, where networks and solidarities are communicating, where interdependencies are increasing, we can consider that migrations have entered this process today as well. It is a global phenomenon- one that is political, economic, social and cultural which challenges the Nation State and leads to the birth of multiple networks, trans national or transcontinental, but also regional or local, bringing migrations into the main world stakes.

Yesterday circumscribed to some welcome and departure countries, in a space often characterised by colonial past or by bilateral relations taking their roots in the past, globalisation of migration flows is recent. At the turning point of the eighties, a new migration feature has appeared. Several reasons explain this phenomenon:

- the existence of pull factors which have become stronger than push factors: to-day, in spite of the inequalities between North and South, it is less demographic pressure and poverty which create migration than the desire of Europe and, more widely, of the West. So migrants are less and less illiterate rural workers proposing their arms to industrialised societies than urban middle class individuals having a strong determination to endeavour their project abroad;
- the progressive generalisation of passports, occurred hardly twenty years ago, excepting for rare countries which still deliver them scarcely (China, South Korea, Cuba) has provoked a generalisation of exit right, while entrance in rich countries became more and more controlled by visa systems;
- the explosion of asylum, in proportions unknown until then, due to hard and various conflicts in several regions of the world (Africa of Great Lakes, South-East Asia, Balkans, Middle East, West Indies);
- the activity of trans national networks originating chain migrations (China, Romania, Balkans, West Africa). Limited by State controls,

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Refugee Watch, 33, June 2009

these migrations, often illegal, are challenging borders which are also a resource for them while building diasporas in several countries (alike Turkish and Moroccans in Europe) or continents (Chinese);

- the development of pendular migrations from Eastern to Western Europe, linked with the fall of the Berlin Wall and the opening of the borders in this region, but also South-North and South-South;
- the creation of large regional spaces of free trade (NAFTA, Mercosur, Euro-Mediterranean) and sometimes of circulation and settlement (European Union, Nordic European Labour Market) even if mobility of populations, except for European Union has not been institutionally recognised.

All these elements are revealing an international order upset by the end of the East-West struggle and by new regional and global conflicts but also characterised by new gaps which are so many ways of passage and traffics (Rio Grande between Mexico and the United States, Gibraltar, the Sicilian islands between Maghreb and Europe, Brindisi or Vlores between Italy, Greece and Albania, Sangatte and the Eurotunnel, the Oder Neisse border displaced at the East between Poland and Bielarus, Romania and Moldavia). They are in the same time demanded by a desire of Europe and Western countries. Geographic neighbouring is made easier by the generalised lower cost of transportation, namely by air, the image of the West is broadcast by TV and radios received in countries of departure (Wihtol de Wenden, 2002a), local markets are supplied by western products and migrants remittances are suggesting a visible consumption which also enters in the most traditional regions of origin.

## **I – The New Migration Trend**

### **1) The Migration Pressure**

150 millions of migrants and displaced persons all over the world, among them one third of family migration, one third migration for work and one third of refugees, 2.8% of the world population but around 15 millions illegal: it is not much but in a low but regular progress, in the spiral of globalisation. Although the overwhelming majority of the world population does not move, the number of departure and welcome countries always increases. More than 60% of migrants never leave the southern hemisphere and three thirds of refugees are settling in Third World countries, at their neighbours?. New networks are framing paths which have no more links with settlement countries: Iranians in Sweden, Romanians in Germany, Vietnamese in Canada and in Australia, Bangladeshis in Japan, Maghrebians and Egyptians in Gulf countries or in Libya.

We observe a reinforcement of migrations from Asia, namely in Japan, in Australia, in Canada, in Italy and in France (Chinese, Philipppinos), to a continued mobility of populations coming from Russia and Ukraine

towards Western (Poland) and Southern Europe (Portugal, Greece). Permanent migrations for employment have most recently contributed to the rise of regular flows; among them the most qualified ones.

Asylum is characterised by a high progression of flows towards the United States, Germany, Austria, the Czech Republic, France. Five welcome countries have received 58% of the total of asylum seekers: the United Kingdom, Germany, the United States, the Netherlands and Belgium in 2000. The new comers are Afghans, Iraqis, former USSR nationals, former Yugoslavs, Sri-Lankans, Algerians, Somalis, Sierra Leoneans, Congolese, Colombians. But the number of statutory refugees is very stable. Refused asylum seekers often stay in immigration countries, forming an irregular population of neither legalizable nor expellable people, although some of them are coming back home once the conflict has ceased (alike in Bosnia and Kosovo).

## 2) **New Mobility, New Stakes**

The number of annual legal admissions in Europe is higher than those of traditional immigration countries such as the United States, Canada and Australia. Some features are distinguishing the new flows from the former ones. First, the migration “couples,” inherited from colonial past and privileged relations between countries of departure and of arrival (France/Algeria, Germany/Turkey, United Kingdom/Commonwealth) have lost a part of their strength. The diversifications of migration countries have no apparent link with the new comers. Second, new migrations, urban and trained, are profiling, rather far from mass migration of “birds of passage” (Piorre, 1977), male and manual workers of the years of growth. Third, it is the representation of western heaven, which inspires many mobility projects, attracted by economic and cultural global cities. Everywhere, the existence of trans national networks is a necessary condition for mobility. They develop through border closures and take advantage, legally or not, from control.

Globalisation contributes to a long-term settlement into mobility of more and more various people, turned towards a well being that is not only economic but also social, political, religious, cultural. An economy linked with travel prepares this mobility, alike these Romanian peasants who cross Europe to “make a season”. The legitimacy of national border closures is challenged by the diversity of forms of mobility. Human Rights are more and more imposing their rules as a supranational reference (political asylum, right to family reunification), as well as humanitarian concerns (temporary protection of displaced people), transgressing Nation States sovereignty.

Germany and the United States are the two first welcome countries in the world during these last years, followed in relative terms (proportion of legal entries in the foreign settled population) by Japan, Norway and United Kingdom. Migration for family reunification (including marriages) is the most frequent factor of settlement, in spite of the rise of asylum seeking and

migration for employment. There is a strong feminisation of migration from East and South-East Asia and the contribution of migration to demography and to labour force shortages is essential in Europe and Japan. In March 2000, a UN report on replacement migration stressed on these two points and proposed several scenarios requiring the pursuit of migration flows in these two regions. In Germany, Greece, Hungary, Italy, Sweden and the Czech Republic, the contribution of migration to demographic decrease has been the highest, although these last countries prefer temporary entries to permanent migration. All immigration countries try to limit illegal migration and employment of irregular workers (estimated at 8, 7 million in the United States in 2002), but they lack of the will and of the means to do it, due to permanent conflict between the logics of labour market, pushing to open the borders and to the logics of States, pushing to close them (Cornelius et. al, 1994).

Some basic data permit an evaluation of recent trends in global mobility. First, the increase of migrants during these last thirty years: 77 millions in 1965, 111 millions in 1990, 140 millions in 1997, 150 millions today; then, the unequal sharing of migrations in the world: 90% of migrants in the world are living in only 55 countries, namely in industrialised ones (according to UNESCO: Oceania 17.8%, North America 8.6%, Western Europe 6.1%, Asia 1.4%, Latin America and West Indies 1.7%, Africa 2.5%); then, punctual control policies facing with the rapid increase of Trans frontier flows.

These migrations have all an ambiguous relation with development, of which they are both a cause (remittances, modernisation of minds) and a consequence (rural exodus provoked by the clash of traditional societies upset with modernity, settlement of trans national networks of economic, cultural and matrimonial exchange) and do not depend only on under development. Although they remain weak compared with world disequilibria's, they are major stakes for the twenty first century.

### 3) Impact of Globalisation in Europe

In Europe (Wihtol de Wenden, 1999a and 2001), among 380 millions of people, foreigners represent 20 millions of them, including 5 millions Europeans and some mobile populations: asylum seekers, tourists, students, transit traders and businessmen, experts, illegal. These foreigners are unequally spread between European countries. Germany, with 7.3 million resident foreigners and 8.9% in its total population is by far the first immigration country in Europe, followed by France (3.3 millions foreigners, 5.6% of its total population and 4.3 immigrants, born abroad and having or not acquired French citizenship, 7.1% of its total population), then by the United Kingdom (2.2 millions, 3.8% of its total population), Switzerland (1.3 million foreigners, 19% of its total population), Italy (one million foreigners, 2.1% of its total population and Greece (one million foreigners, 10% of its total population). But the proportion of foreigners is not always linked with

their number: so Luxemburg has 30% foreigners, followed by Switzerland, while Spain and Italy, former emigration countries having become immigration ones, have hardly 2.2% foreigners. In spite of the globalisation of flows, each country has still “its” foreigners, resulting from colonial past, privileged links or geographic neighbouring with countries involved in migration, which often weakens the harmonisation of European policies of entry and asylum.

Definitely, intra-European mobility of Europeans is badly known. It is the highest in Luxemburg, followed by Ireland, Belgium, Portugal, Sweden, Spain and Greece. In Western Europe, however, for twenty years, the proportion of extra-Europeans has increased and some nationalities have gained importance (Eastern Europeans in Germany, Moroccans and Senegalese in France and Italy, former Yugoslavs in the Netherlands), while new nationalities are appearing in so many “niches” of employment characterised by a self recruitment of nationalities: Pakistanis, Vietnamese, Iranians, Sri-Lankan, Chinese.

As for eastern flows, the most important group is Polish. In Eastern Europe (Tinguy and Wihtol de Wenden, 1994, 1995 and 2001), since the fall of the Berlin wall, we can observe a disentanglement of nationalities and ethnic migrations of return, while new migration networks are appearing in countries, which are both departure settlements and transit ones (Poland, Russia, Ukraine). Among ethnic migration, 620000 Aussiedlers coming from former USSR, Romania, Poland, have settled in Germany in the recent years, representing two millions of people, families included. They have acquired German citizenship owing to the right of the blood. 300000 Bulgarians from Turkish origin have come back to Turkey. Finland has met Finnish returnees from Former USSR and Baltic States. Neighbouring migrations (Romanians in Hungary, Checks in Slovakia, Ukrainians in Poland) are compensating the weak impact of globalisation of migration in this area, except for that involved by trafficking (prostitution, illegal from Asia crossing to the West). During the 1980 and 1990's, Europe has so become explicitly a migration continent, with some reluctance in the minds: obsession of the migration risk lived like a stake (Badie and Wihtol de Wenden, 1994), questioning of national identities, idea that illegal are challenging the integration of those already settled. Europe is the only migration region to have stopped its migration flows of salaried labour force for more than 25 years (1974), and it lasts to recognise immigration as a part of its collective identity and goes on to hold border closure in spite of the demographic and labour force shortages. Borders are crossed by networks who perpetuate a modern slavery, because of the gap between national and European policies and the reality of global flows (Wihtol de Wenden, 1990b).

## II – New Challenges for Managing Immigration in France

### 1) Effects of Past Immigration

In France, the oldest immigration country in Europe, for more than one century, since the middle of the nineteenth century, migrants have been called for demographic, industrial and military reasons: the demographic decline began earlier than in other European countries, the industrial revolution needed more workers and the premises of military conflicts with Germany required more new comers and more future French. For these reasons, the nationality code, based since the civil code of 1804 on “jus sanguinis” (the right of the blood), was progressively opened to “jus soli” (the right of the soil), namely by the law of 1889 in order to “make French with foreigners” born in France. We count 300000 foreigners in first census of 1851 identifying French and foreigners, one million in 1900, three millions in 1932, four millions to-day: a relative stability of figures, hidden by the access to French citizenship (around 110000 per year by birth, marriage, naturalisation), as well as by the difficulty to appreciate the number of illegal except during legalisation procedures. The first one, in 1982 legalised 142000 illegal out of 150000 applicants and the last one, in 1997, 90000 out of 150000, which leads to roughly 13000 illegal new comers per year.

### We can Identify Several Periods Characterising Immigration in the Past

- 1820-1850: banished, expelled, political activists
- 1850-1914: pioneers of the industrial era
- 1914-1945: workers, soldiers and refugees
- 1945-1972: the labour force of the thirty glorious years
- 1974-2000: diversified migrants and actors of French diversity

The nationalities have changed: while Italians were the most numerous until the Second World War, Portuguese and Maghrebians have rapidly given the tune during the thirty glorious years. Today, after the Portuguese, the Algerians and Moroccans are the most numerous, followed smaller groups (Tunisians, Turkish, sub-Saharan Africans). But globalisation has introduced new comers who have no links with France, such as Pakistanis, Chinese and Afghans.

Except for political and economic crises, the main factor of mobility is due to family reasons structured in networks, which make permanent links between the migrant and its place of origin (remittances, “tontines” – collective contribution to investment – settlement of collective equipments). A female migration as well as a migration of qualified people and intellectuals, of young illegal, of traders is spread not only over the continent but also in Europe, the US or the Gulf countries. One can think that Sub-

Saharan migration will go on, due to the absence of short-term perspectives for most of them.

Everywhere in the world, globalisation of migrations (CIEMI, 2001; IOM, 2000; UNHCR 2000; UNESCO, 2000) is only lightly affected by border control and integration policies settled in arriving countries. During these last years, facing with a fear of invasion, which did not occur, some have considered that border closure was a general and permanent frame and not an exceptional measure, while Human Rights principles (namely the Universal Declaration of 1948) are reminding the right of everybody to leave his country including his. Are we going to more right for mobility?

We can notice the unwanted consequences and perverse effects of the stop of migration flows of salaried workers, which occurred in France in 1974 at the beginning of the economic crisis. The result was an unforeseen random settlement of workers who practiced before ways there and back with their countries of origin, and an acceleration of family reunifications in the fear of being unable to come back to France. Many workers were strongly penalised by the economic crisis and became unemployed with the de-industrialisation process that struck the car industry, steel industry, textile and mines (North of France, Lorraine, Ile de France). They gathered with their families in so called “banlieues” (inner cities) in the surroundings of big towns (Paris, Lyons, Marseilles), rapidly built in the 1960’s and 1970’s in the period of cleaning off the “bidonvilles” (shanty towns). The consequence is well known: integration problems, urban violence and emergence of collective identities mixing Islam, community belongings and forms of contest of the French model of citizenship.

## **2) Irregular Residents and their Regularisation**

Another unwanted effect of the stop of immigration flows of workers was the development of illegal migration: in the early sixties, illegal migration was a mere management tool of the labour market, in order to maintain low salaried, to supply for the shortages of labour force and to postpone the modernisation of industry and agriculture. In 1968, when the borders were still open to foreign salaried workers, only 18% entered legally, 82% being legalised after their entrance in France and at work. Illegal migration went on to develop after the stop of migration flows in 1974, because the demand of such labour force remained high in some sectors: building industry, domestic services, food and restaurants, garment industry. This led to an ethnic the labour market and to a higher segmentation and stratification of it with some forms of slavery.

It is very difficult to give estimates of irregular residents, which gives place to fancy figures. The best evaluation can be found, according to demographers, in the legalisation process of illegal. In France, we have had two exceptional legalisations, in 1982-1983 and then in 1997-1998. In both of them, the building industry, food, domestic services and garment were the biggest employers and the nationalities involved: Moroccans and

Tunisians, sub-Saharan Africans, Chinese. The difficulty to control illegal migration lies in the fact that in France, most illegal have entered legally as asylum seekers, students, tourists with a Schengen visa. They become illegal as over-stayers or as refused refugees. The securitization of border controls, which is an increasing trend in European policies (Sevilla Summit of 2002, Thessaloniki Summit of 2003) and euro Mediterranean dialogues partly blocked around borders and immigration debates), has had no visible effect on dissuasion to illegal migration. At the borders of France (Sangatte), Spain (Gibraltar) Italy (Sicily islands), there are hundreds of deaths every year. Illegal migration and border trespassing has become an underground and very lucrative economy: all the more the borders are controlled, all the more the prices are rising, as illustrated by Chinese trans national networks proposing travel, false documents and employment as well. Some districts are becoming a delocalisation on the place of sweatshops transferred as such in France, in despise of all rules of social law.

### 3) New Admission Policy

While France had known no reform of admission policies between 1945 and 1980, the last twenty years have developed an exceptional productivity of legislation in this field: the ordinance of 1945 ruling entrance and stay of foreigners has been changed successively in 1980, 1981, 1983, 1984, 1986, 1989, 1993, 1997, 1998, 2003, according to government change of majorities. The last version emphasizes on sanctions to illegal stay, precariousness of short-term stay depending on a successful “integration contract” mainly focussed on French language learning, reinforced control on short-term visits. A ten years residence card is obtained now after five years of stay instead of the previous three years and two years of common life are required to those who have benefited from family reunification to obtain the residence card. No answer is given to the main debate: should we have to open the borders to extra European workers given the demographic and labour force shortages we are facing with? Some possibilities of legal entrance for salaried workers are opened to skilled newcomers and to students entering in the labour market but they do not fit into the requirements of unskilled workers.

The refugees are ruled by a new law of December 2003. Alike in the law on entrance and stay of October 2003, the entrance for asylum is more difficult: an asylum seeker cannot meet the asylum requirements that are appreciated by the criteria of the Geneva Convention of 1951 (territorial asylum, introduced in the former law of 1998 for those coming from countries where the State is not the actor of persecution, like Algeria, has disappeared). But hardly 20% of asylum requirements have chances to be accepted, including the appeal procedure. Many of these refused asylum seekers become illegal and increase the volume of the undocumented.

#### 4) **New Integration Policy**

Even if, in France, the question of “who belongs” is not central, the question of integration is crucial.

##### a) **The Limits of the Citizenship Model**

The ‘problematic’ of political belonging is particularly relevant in France, where the Nation State has been defined from a philosophical approach of republican and universalistic values without referring to cultural or ethnic belongings. The citizen is so the member of a State, considered from the point of view of his political rights and duties. His adhesion to the social contract is pre-defined as far as the new comers (foreigners) do not participate to an evolution of the definition of the Nation State, contrarily with immigrant countries such as the United States or Canada.

But citizenship is evolving and it has always included and excluded members according to some criteria defined as “capacities”. Citizenship has first been limited to male French who had economic resources (those who paid the tax, according to the “suffrage censitaire”) from 1791 to 1848. The universal suffrage was extended to all French men of over 21 years in 1848 (“suffrage universel”), but it excluded the condemned (“déchéance des droits civiques”), some professionals (the army was excluded from the polls during the third republic), the women (who acquired full citizenship in 1944) and the young (the political majority was brought from 21 to 18 years in 1974).

Even if political participation was limited to nationals, the definition of who belongs did not perfectly coincide between nationals and citizens: there were therefore nationals who were not citizens and citizens who were not nationals in special cases. Political belonging was also considered like a grant for those who shared the ideals of the French revolution, being elected at the Convention in 1791 (the German Anacharsis von Clootz, the British Thomas Paine) or having participated to the Commune in 1871.

But usually, foreigners have always been excluded from citizenship, until the definition of European citizenship led to a divorce between nationality and citizenship and to a new definition of national sovereignty after the Masstricht treaty in 1992, for local elections. It extended local political rights to Europeans residing on the French territory.

However, as for citizenship of the welfare state, the inclusion of foreigners has been reached earlier, founded on a legitimacy based on work: in 1975, legal foreigners acquired the equality of rights in the firm and in trade unions (voting rights and eligibility). In 1981, this definition of political inclusion was extended to associative rights in the same terms than French but denied for local elections. The border between foreigners and nationals is progressively replaced by a border between European and non European regarding political inclusion and mobility (visas). Citizenship

based on work is replaced by citizenship based on residence (a claim emerged from civic associations during the eighties).

But the inclusion in the welfare state is complex: all foreigners having a legal status have access to all social rights (health, schooling, public services, family allocations, appeal to tribunal, even at European level – the Court of Justice of the European Union, the right to appeal to the European mediator, the right of petition). Some social minima are also open to illegal, under some conditions (parents of French children) or not (emergency health care, schooling for children).

But the problem lies in the access to belonging, the feasible access to rights: some citizens are less equal than others. Many French citizens of foreign origin (Maghrebians, Muslims, poor people living in urban ghettos) are excluded from the effective equality of treatment: difficulties to be proposed as candidates by political parties, discrimination by the “guichets” of administrations, discrimination at work, for housing, by the police – identity controls.

The debates of the eighties have extended the field of politics and so of citizenship: a citizenship dissociated from nationality, based on active participation in the city. It has also stressed on citizenship of those who are on the margins of citizenship: the “sans papiers”, the undocumented, all those who claim for “the right to have rights”. A citizenship of residence (collective movements called “j’y suis, j’y vote”) has progressively imposed itself, with its own forms of expression.

We can wonder if the universalistic French ideology of equality of rights has not delayed the consciousness of the social and unsaid cultural preconditions for political inclusion in spite of the French values of secularism and social contract, and hidden the discriminative practices towards citizens of colonial origin and coloured foreigners in France. The debate on integration and allegiances illustrates the permanence of political exclusion.

#### **b) The so called “Second Generation”**

We count around one million to 1.5 million second or third generations of French from Maghrebian origin. All of them are belonging to Muslim culture (we evaluate Muslims in France at four millions, the first European country for the presence of Muslims in Europe). Some of them are French if they were born in France, other are foreigners if they have arrived during their youth and the overwhelming majority are double nationals because Muslim countries are ruled by the right of the blood. Since the census of 1968, it is no more possible to take into account religion which makes difficult the statistics on Muslims and of second generations as well. The generation, in spite of many difficulties (unemployment, urban segregation, failure at school, delinquency, male/female conflicts, discrimination) are fully integrated in French popular culture. Most field studies, such as the survey conducted by INED in 1992 among 12000

interviewed show that Algerians and people from Algerian descent are better “integrated” according to several criteria than Portuguese or Turkish: French language is usually spoken at home, mix marriages are more frequent, they have a low practice of Islam, many are living outside immigrant concentrations and have access to qualified jobs. The “beur” culture has also asserted their negotiation of a collective belonging within French society.

The children of North African origin are neither a homogeneous group, nor a cultural community. They are more and more diversified with new comers, elites, middle class, refugees. A part of them are claiming for invisibility, while others are mixing republican values with community belongings. Some expressions of dissent, linked with exclusion such as radical Islamism or refusal of allegiance to French symbols (scarf affairs at school, denial of the French flag) give weight to Jacobian arguments, even if they remain at the margins.

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