

Schweizerische Zeitschrift für Soziologie Revue suisse de sociologie Swiss Journal of Sociology

Vol. 47 Issue 1, March 2021

The Sociology of Migration in Switzerland: Past, Present and Future / Soziologie der Migration in der Schweiz: Vergangenheit, Gegenwart, Zukunft / La sociologie des migrations en Suisse : passé, présent, futur

Edited by Milena Chimienti, Claudio Bolzman, and Didier Ruedin

Sophie Mützel, Judith Nyfeler, Luca Pattaroni Editorial [E]
Marc Perrenoud, and Felix Bühlmann

Milena Chimienti, Claudio Bolzman, Introduction: The Sociology of Migration in Switzerland:
Didier Ruedin Past, Present and Future [E]

Janine Dahinden and Exploring New Avenues for Knowledge Production in Migration
Bridget Anderson Research: A Debate Between Bridget Anderson and Janine
Dahinden Pre and After the Burst of the Pandemic [E]

Adrian Favell Integration: 12 Proposals [F]

Christian Joppke Immigration Policy in the Crossfire of Neoliberalism and
Neonationalism [E]

Lisa Marie Borrelli, Stefanie Kurt, (Un)Conditional Welfare? Tensions Between Welfare Rights
Christin Achermann, and Luca Pfirter and Migration Control in Swiss Case Law [E]

Angèle Flora Mendy Migration and Recruitment of African Nurses in the UK:
Between the Primacy of National Imperatives and Global
Openness [E]

Erica Righard Researching the Dynamics of National Social Policy in a
Globalized Society. A Proposal for a De-Nationalized Analytical
Framework [E]

Dina Bader and Alexandra Feddersen Ideological Boundary-Making: Representing Immigrants in an
Anti-Immigration Party [E]

Schweizerische Zeitschrift für Soziologie Revue suisse de sociologie Swiss Journal of Sociology

Vol. 47, Issue 1, March 2021

The Sociology of Migration in Switzerland: Past, Present and Future / Soziologie der Migration in der Schweiz: Vergangenheit, Gegenwart, Zukunft / La sociologie des migrations en Suisse : passé, présent, futur

Edited by Milena Chimienti, Claudio Bolzman,
and Didier Ruedin

Inhalt / Sommaire / Contents

3 Editorial

Sophie Mützel, Judith Nyfeler, Luca Pattaroni, and Marc Perrenoud (incoming editorial team) and Felix Bühlmann (outgoing editor)

7 Introduction: The Sociology of Migration in Switzerland: Past, Present and Future

Introduction: La sociologie des migrations en Suisse : passé, présent, futur
Einleitung: Soziologie der Migration in der Schweiz: Vergangenheit, Gegenwart, Zukunft
Milena Chimienti, Claudio Bolzman, Didier Ruedin

27 Exploring New Avenues for Knowledge Production in Migration Research: A Debate Between Bridget Anderson and Janine Dahinden Pre and After the Burst of the Pandemic

Nouvelles pistes de production des savoirs dans la recherche sur les migrations : débat entre Bridget Anderson et Janine Dahinden avant et après le déclenchement de la pandémie

Neue Wege der Wissensproduktion in der Migrationsforschung: Eine Debatte zwischen Bridget Anderson und Janine Dahinden vor und nach Ausbruch der Pandemie

Janine Dahinden and Bridget Anderson

53 Intégration: 12 propositions

Integration: 12 Proposals

Integration: 12 Vorschläge

Adrian Favell

71 Immigration Policy in the Crossfire of Neoliberalism and Neonationalism

Einwanderungspolitik in Kreuzfeuer von Neoliberalismus und Neonationalismus

La politique d'immigration dans le feu croisé du néolibéralisme et du néonationalisme

Christian Joppke

93 (Un)Conditional Welfare? Tensions Between Welfare Rights and Migration Control in Swiss Case Law

(Un)bedingte Wohlfahrt? Spannungen zwischen Wohlfahrtsrechten und Migrationskontrolle in der Schweizer Rechtsprechung

Une aide sociale (non) conditionnelle ? Tensions entre droits sociaux et contrôle des migrations dans la jurisprudence suisse

Lisa Marie Borrelli, Stefanie Kurt, Christin Achermann, and Luca Pfirter

115 Migration and Recruitment of African Nurses in the UK: Between the Primacy of National Imperatives and Global Openness

Migration et recrutement d'infirmiers/ières africains au Royaume-Uni : entre la primauté des impératifs nationaux et l'ouverture au marché international

Migration und Rekrutierung afrikanischer Krankenschwestern nach Grossbritannien: zwischen dem Vorrang nationaler Imperative und der Offenheit für den internationalen Markt

Angèle Flora Mendy

137 Researching the Dynamics of National Social Policy in a Globalized Society. A Proposal for a De-Nationalized Analytical Framework

Erforschung der Dynamik der nationalen Sozialpolitik in einer globalisierten Gesellschaft. Ein Vorschlag für einen ent-nationalisierten analytischen Rahmen

A la recherche d'une dynamique de la politique sociale nationale dans une société globalisée. Une proposition de cadre analytique dénationalisé transnationalisme

Erica Righard

157 Ideological Boundary-Making: Representing Immigrants in an Anti-Immigration Party

Frontières idéologiques : représenter les immigré-e-s dans un parti anti-immigration

Ideologische Grenzziehung: Repräsentation von Migrantinnen in einer migrationsfeindlichen Partei

Dina Bader and Alexandra Feddersen

Editorial

Sophie Mützel, Judith Nyfeler, Luca Pattaroni, and Marc Perrenoud (incoming editorial team) and Felix Bühlmann (outgoing editor)

Last year was disruptive in many ways: the world faced the biggest pandemic since decades, family members and neighbors fell ill, some were hospitalized, others died, schools, universities, and other workplaces were closed, and economic hardship and uncertainties ensued. Many of us experienced not only new ways of working (for scholars, working from home is not a particularly new phenomenon, but reading, writing, and teaching while taking care of the family, home-schooling, and doing household chores all at the same time and in the same space continues to be newly challenging), but also our regular social interactions got disrupted, health care systems were overwhelmed, and we experienced new discussions on individual and societal freedom amidst high levels of uncertainties on what the future would hold.

The Swiss Journal of Sociology experienced a change at the end of 2020, when the model of a single editor-in-chief with a consulting editorial committee transitioned into a model of editors-in-chief, a collective of four. After four years, Felix Bühlmann will step down as editor in chief of the journal and pass the torch to a team of four editors, Sophie Mützel (University of Lucerne), Judith Nyfeler (University of St.Gallen), Luca Pattaroni (EPFL) and Marc Perrenoud (University of Lausanne). This change also means a kind of a disruption as the new team will not be easy to replace the outstanding work and vision of Felix Bühlmann, who as the editor-in-chief has so calmly and successfully led the journal for the past four years, since 2016. We sincerely thank Felix for his trust in us and his guidance during the transitional period. We also thank the executive committee of the Swiss Sociological Association for our nomination. We do not expect that it will be easy to navigate the journal as a group of four. Yet we, the new team, recognize that the organizational change and slight disruption it may entail, can bring about new opportunities to develop ideas, to share tasks, and to encourage new formats, from which the journal will benefit. We look forward to guiding the Swiss Journal of Sociology towards its future.

As the new team, we are motivated to highlight sociology as a discipline and field of research that has a lot of insights to contribute to the current, multiple societal crises we face. We are encountering powerful inequalities in health care infrastructures knowledge about basic health care principles, and also in access to vaccinations, the pandemic sheds light on the fabrics of social networks and how they affect viral diffusion; it also questions norms and forms of social encounters, of living

in social isolation, of working from home (or living at work?) during lockdowns, and it re-traditionalizes gender roles, re-nationalizes politics, and points to economic and societal vulnerabilities, to name only a few of many relevant aspects. To reflect upon and engage with the current state of the world, we welcome contributions which address such aspects. Moreover, we are also interested in contributions that sociologically explore institutions and settings beyond the crisis, such as, what have cultural institutions learned, how may alternative forms of economies change the game, or what topics need to be analyzed from a sociological perspective that, at a first glance, seem to be associated with other (sub-)disciplines such as psychology, epidemiology, or economics.

While fostering the “local” Swiss community of sociology, we also aim to advance the journal’s international embeddedness. In particular, capitalizing on our nationally “international” multilingualism, we want to open up new avenues for the dialogue between the intense German, French and Italian speaking sociological traditions and by doing so continue to build a journal at the crossroad of intellectual and linguistic diversity. Beyond celebrating this diversity, we want to promote in particular young scholars in or from Switzerland to publish their research on inter/national cases, on inter/national topics, written by inter/national teams. Moreover, let us emphasize that we welcome ideas for special issues or focus issues.

As the new editors-in-chief we plan to address ongoing challenges and are confident of being able to develop the Swiss Journal of Sociology as a place of debate on Swiss society and its place in the international community. Our work as editors-in-chief would not be possible without the work of an even larger team. Both the outgoing editor and the incoming editorial team would like to thank Marion Beetschen for her essential administrative and editorial work as well as her coordination during the transitional period. We are very grateful for her work as submission manager and her function as our “institutional memory”. Our thanks also include the book review editors who worked for the Swiss Journal of Sociology during the last for years and with whom we will have the pleasure to work in the future. Our thanks go to Dietmar Wetzel who was the German book review editor for many years, to Julie Falcon and Kevin Toffel who was in charge of the French reviews these last years. Kevin will continue his work for the review and will be completed by: Roman Gibel (German), and Carole Christe (English). Further thanks go to the members of the editorial committee until the end of 2020, as well as to all the reviewers who invested their time and passion in order to help us to improve the manuscripts and make the SJS a better journal. Finally, we continue to look forward to work with all staff members at Seismo and Sciendo to bring an open-access journal to an interested international readership.

In 2020, we published one regular issue and two special issues. The first special issue, curated by Ruxandra Oana Ciobanu, Mihaela Nedelcu, Eva Soom Ammann, and Karin van Holten, addressed the “*Intersections between Ageing and Migration*”

Table 1 Swiss Journal of Sociology: Articles published, and manuscripts submitted in 2020

	Articles published		Manuscripts submitted	
	N	%	N	%
Total	22	100	42	100
Methods				
Empirical qualitative	7	31.8	26	63.4
Empirical quantitative	10	45.5	9	22.0
Empirical mixed	2	9.1	4	9.8
Theoretical	3	13.6	2	4.9
Essayistic	0	0.0	0	0.0
Methodological	0	0.0	0	0.0
Total	22	100.0	41	100.0
Language				
German	6	27.3	5	12.2
English	11	50.0	20	48.8
French	5	22.7	16	39.0
Total	22	100.0	41	100.0
Region of Origin (first author)				
German-speaking Switzerland	5	22.7	10	24.4
French-speaking Switzerland	10	45.5	13	31.7
Italian-speaking Switzerland	0	0.0	0	0.0
Germany	2	9.1	2	4.9
France	1	4.5	7	17.1
Other European countries	4	18.2	6	14.6
Non-European countries	0	0.0	3	7.3
Total	22	100.0	41	100.0
Sex (first author)				
Female	12	54.5	20	48.8
Male	10	45.5	21	51.2
Total	22	100.0	41	100.0

through different angles, for instance by examining retirement policies, situations of old refugees or new models of care for the elderly. In November 2020 we published the second special issue, entitled “*Understanding social dynamics: 20 years of the Swiss Household Panel*”. This issue, coordinated by Robin Tillmann, Monica Budowski, Dean R. Lillard, and Annette Scherpenzeel, emphasised the importance of social science research infrastructure such as the Swiss Household Panel and perfectly illustrated its analytical potential for Swiss Sociology.

Articles published and manuscripts submitted: In the three issues of 2020, the Swiss Journal of Sociology published 22 articles, 3 introductions and 9 book

reviews. Compared to 2019, the numbers of submitted manuscripts remained basically constant (43 in 2019, 41 in 2020). A detailed overview of the published and submitted manuscripts can be found in Table 1. Please note that the rejection rate cannot be deduced from a comparison of submissions and publications in the same year.

Publications: As in the last years, most articles the Swiss Journal of Sociology published were empirical papers. Seven articles used qualitative methods, ten articles used quantitative methods and two of them a mixed methods research designs. Pursuing the trend of the last years towards more contributions in English, half of all articles have been written in English, six in German and five in French. A large majority of our first authors were employed at Swiss institutions: 13 at French-speaking institutions and ten at German-speaking institutions. The remaining scholars were employed at institutions in Germany (two), France (one) and extra-European countries (four). Twelve of our first authors in 2020 were women, ten were men.

Submissions: Of the 41 manuscripts submitted in 2020, a large majority used qualitative methods (26). Nine manuscripts were based on quantitative methods, four on mixed-methods and two were of theoretical nature. Again, a majority of the papers was written in English (20), 16 were written in French and five in German. Most of the authors of the submitted manuscripts worked in Switzerland, two were employed at German institutions, seven at a French institution and nine in other countries. We received an almost equal number of papers from women and men as first authors in 2020.

Financial support: The members of the Swiss Sociological Associations are the main funders of the Swiss Journal of Sociology. In addition, in 2020 as in previous years, we have received generous funding from the Swiss Academy of Humanities and Social Sciences. Last but not least, we also received very welcome support from sociological institutes or departments of most of the Swiss universities. We would like to thank all these institutions for their generous contribution!

In 2021, the first Issue 47(1) will be an exciting special issue on “Sociology of migration: past, present, future” edited by Milena Chimienti, Claudio Bolzman and Didier Ruedin. Issues two and three will be the two first issues that come as a “focus issue”, our new format that combines a section of about five papers on a specific topic with a series of varia contributions. The issue 47(2), curated by Barbara Lucas, Jean-Michel Bonvin and Oliver Hümbelin will be on “Non take-up of health and social benefits”, the issue 47(3), edited by Gaëlle Maignez and Lionel Francou, will be on the topic of “Associations and Politics”. We wish you a less disruptive year 2021 and are looking forward to your submissions and contributions to the Swiss Journal of Sociology.

Lucerne, St.Gallen, Lausanne, January 2021

Introduction: The Sociology of Migration in Switzerland: Past, Present and Future

Introduction: La sociologie des migrations en Suisse : passé, présent, futur

Einleitung: Soziologie der Migration in der Schweiz: Vergangenheit, Gegenwart, Zukunft

Milena Chimienti*, Claudio Bolzman*, Didier Ruedin**

After 50 years of research and two major research programmes on migration in Switzerland – the NRP 39 Migration and Intercultural Relations and the NCCR *on the move* – this special issue reflects on the knowledge production, mainly in Switzerland, in this important domain of sociology. What type of research has been produced by sociologists in this field? According to which epistemologies? What public and political impact has this research had? What open questions remain, and in what direction is the sociology of migration likely to move in the future?

At a time when funding sources encourage interdisciplinary research in order to provide a better understanding of social phenomena, it might seem irrelevant to address migration from a single disciplinary angle. We argue, however, that the focus on interdisciplinary research in large research programmes on migration often prevents us from identifying the specificities of sociological research. This might also be a result of the absence of chairs in the sociology of migration in Swiss universities: unlike gender studies, the sociology of migration (and its related fields of citizenship, mobility, diversity, ethnicity and racial studies) remains institutionally marginal in Swiss universities. Yet, as the contributions to this special issue demonstrate, sociological research on migration is thriving in different places.

When social scientists first started to research migration, generating data of various kinds was at the heart of the emerging discipline. In the following, we provide a historical overview of the sociology of migration in Switzerland. Given the profusion of research, our account will not be exhaustive and will invariably omit many important contributions. Yet we believe that this overview will be sufficiently comprehensive for readers to situate the different contributions to the special issue; it should also form the basis for the discussion of open questions for future research in the sociology of migration.

* University of Applied Sciences and Arts, School of Social Work HETS/HES-SO, CH-1211 Genève 4, milena.chimienti@hesge.ch, claudio.bolzman@hesge.ch

** University of Neuchâtel, CH-2000 Neuchâtel, and University of the Witwatersrand, didier.ruedin@unine.ch

1 From the intrinsic and problematic differences between migrants ...

Studies on migration in Switzerland started in the mid-1960s and early 1970s with medical and economic analysis to evaluate the costs and benefits of migrants' presence in the short and long term – for instance, the study by Hagmann (1966; see also Fibbi 1989). A sociology of migration only started to develop in Switzerland in the 1970s, coinciding with the legal and political restrictions for migrants examined by Hans-Joachim Hoffmann-Nowotny from the University of Zurich. As was typical of that time, Hoffmann-Nowotny aimed to develop a grand theory explaining the reasons for migration based on a systemic approach, the main focus for which was the major international differences in income which was leading people from poor countries to migrate to richer ones (1973). Migrants therefore represented an underclass which would lead to the proletarianisation of migrant workers in the “host” society and to the upward social mobility of the “autochthonous” population (Hoffmann-Nowotny 1970). He then concluded that the social position of foreigners in Switzerland was worse than that in their country of origin. Comparing the case of migrants' descendants, he analysed a reproduction of intergenerational social inequalities among the group of people of foreign origin, concluding that young people in this group might eventually only reproduce the subordinate social positions of their parents (Hoffmann-Nowotny 1985) – foreshadowing processes of segmented assimilation (Portes and Zhou 1993).

Hoffmann-Nowotny was also interested in explaining the impact of migration on the host society and attitudes towards migrants. At the time when immigrants from Southern Europe were still widely regarded as “exotic” amid debates on whether they could ever assimilate, Hoffmann-Nowotny explained their cultural difference to Swiss nationals as being due to structural discrimination against them. Indeed, in his earlier work he argued that the lack of structural integration led to incomplete cultural assimilation and not the contrary. In the 1990s, however, his views changed and he now argued that migrants were culturally different from the host society; this difference he saw as problematic, preventing migrants from achieving better socio-economic positions. He explained this incompatibility by the fact that migrants were not only unqualified as workers but also came from “predominantly agrarian and often semi-feudal or feudal structures which, from an internal point of view, are still strongly oriented towards the tribe or clan and may be the bearer of religions that have not yet experienced the Reformation and the Enlightenment” (Hoffmann-Nowotny 1992, 74). Because he still regarded socio-economic inclusion as a predictor of cultural assimilation for South-European migrants (Hoffmann-Nowotny 1973) and, given his analysis of the intergenerational reproduction of lower positions among migrants' descendants, he found that this cultural assimilation was impeded. However, in a later study, Hoffmann-Nowotny (2001) revised

this perspective and concluded that the social distance between “autochthones” and migrants long-resident in the country had actually reduced.

2 ... To the deconstruction of migration as a social problem

As highlighted by Hans-Rudolph Wicker (2003), (sociological) research by Hoffman-Nowotny and other scholars before the 1980s was in concordance with and did not contradict the political problematic vision on “overforeignisation” (Überfremdung). The idea that immigrants are culturally “too different” to assimilate and that there are “too many” of them re-emerged in political discourse in the 1970s (Cattacin and Oris 2013; D’Amato and Ruedin 2018). In the following two decades sociologists started to clearly distance themselves from the political agenda that continued to draw on these ideas.

During the 1980s, a few projects on migration were developed by sociologists but they were not coordinated, as described by Rosita Fibbi (1989, 148, our translation): “There was no faculty that included this theme in a sustainable way in its teaching or research, apart from the sciences of education at the University of Geneva. Research that is not strictly pedagogical is therefore the result of a more or less fortuitous conjunction of factors, such as a thesis or dissertation at university or social studies institutes, a national research programme (i. e. a budget devoted to the study of a politically burning issue). The migration theme is a poor relation in scientific research (in 1988, the humanities received only 19 per cent of the research credits granted by the Swiss National Science Foundation) [...] in conclusion, scattered research dominated, conducted with relatively limited resources, limited geographically, *ad hoc* in nature, and with little accumulation of knowledge. It is therefore easy to understand that, under these conditions, the research topics very closely follow the debates and the evolution of immigration policy”.

In the early 1980s, important funds were allocated to research on migrants’ descendants – the so called “second generation” – leading to three projects on the socio-economic inclusion of and passage from school to the labour market by migrants’ descendants (De Rham et al. 1984; Gurny et al. 1984; Hoffman-Nowotny 1985). During this decade, researchers from different disciplines (history, anthropology, geography, law) started to take an interest in migration and it became an established area of research for the Swiss Sociological Association in 1985.¹ The first article published in the Swiss Journal of Sociology appeared in 1986, written by the coordinators of the new research committee to develop a critical perspective on the production, the legitimation and the meaning of otherness categories (Garcia et al. 1986). Paradoxically it was also in this period that interdisciplinary research started to be encouraged, making it difficult to identify the unique contribution of

1 See: <https://www.sgs-sss.ch/de/forschungskomitees/migration-minderheiten/> (11.08.2020).

sociology. One example of such interdisciplinary work is the collaboration between sociologists and anthropologists in summarising the state-of-the-art in the early 1990s (Wicker et al. 1996). As a cause or consequence of this interdisciplinary work, the focus changed from migrants' difficulties (e. g. school problems, inadaptation) to the problems they may pose in society (xenophobia, national identity), which started a reflection on its own dynamics (Fibbi 1989). Conceptually there was a shift in this period in the terms used to describe this phenomenon – from emigration/immigration to migration – and to grasp it in a more flexible and complete way. This can help us understand the different forms that migration can take – stages/circulation, mono/multidirectional, forced/voluntary, temporary/long term or international/internal (see Lüthi and Skenderovic 2019; Zufferey et al. 2020).

The 1990s formalised research on migration through the National Research Programme (NRP) 39 “Migration and Intercultural Relations”, financed by the Swiss National Science Foundation (SNF). The programme was expected to create “decision-making documents for the political authorities, assistance for social workers responsible for migrants and the opening-up of a more objective public debate on migration” (www.snf.ch). The NRP 39 and its 20+ related projects (Wicker et al. 2003) represent a symbolic recognition of this field of research. In parallel to the NRP 39, an interdisciplinary centre of research and documentation in the field of migration – the Swiss Forum for Migration Studies² – was created with funds from a foundation to carry out research on migration. The different studies of the NRP 39 established migration as a quasi-normal societal phenomenon rather than as a marginal one. These studies focused on the structural barriers to equal treatment, looking at contemporary migration policies, urban and housing conditions and access to labour market and economic positions. A smaller number of studies explored migrants' social, health and educational issues as well as their integration experiences (Wicker et al. 2003). In many ways, the NFP 39 demonstrated how interdisciplinary research can provide a fuller understanding of migration and its challenges.

Migration policy is, of course, the first barrier to equal treatment; to some extent, with its direct democratic system, Switzerland offered a means to represent the national population's preferences. Hans Mahnig and his colleagues (2005) identified three trends in the Swiss policy of migration: a policy of *laissez-faire*, a liberal policy of access motivated by economic and external policy reasons and a restrictive policy of naturalisation following national policy reasons from 1950 to 1980s (Mahnig 1991; Wicker 2003; Ruedin et al. 2015; Piguet 2017). The *jus sanguinis* citizenship system and low rate of naturalisation led to a high percentage of migrants who were foreign citizens and who would have disappeared in the statistics of other countries based on *jus soli* and automatic or facilitated naturalisation.

2 Which became the Swiss Forum for Migration and Population Studies (our emphasis) in 2000 with the arrival of the demographer Philip Wanner and the sociologist and demographer Laurence Charton.

tion. As highlighted by Wicker (2003, 26), Swiss migration policy actively created the “problem of foreigners” with its focus on the dichotomy between citizens and foreigners. Integration became a scientific topic because of the persistence of the foreigner’s status and the focus on long established migrants and their descendants, and because the settlement of the “others” was seen as temporary and not aimed at integration (Bolzman et al. 2001; D’Amato 2001; Cattacin and Chimienti 2010). This vision of migration also explains why cultural diversity, ethnicity and racism have remained associated with the issue of foreigners.

The third policy trends started at the end of the 1980s and marked a new logic: whilst access to the country became more restrictive, access to naturalisation was facilitated as of 1992. As a result, migrants were no longer regarded as a homogeneous group considered as “foreigners”; however, the policy change brought a distinction between (desired and sought-after) high-skilled migrants on the one hand, and (unwanted) unqualified migrants on the other. Highly skilled migrants often came from Western (and mostly European) countries and were often long-term residents, while unskilled immigrants and those with few (formal) qualifications – associated with the Global South and often rejected – represented more recent migration (see also Joppke in this special issue; Zufferey et al. 2020). In this context a new asylum law was established in 1981; it was revised many times, mainly in a more restrictive way, underlying the precariousness of this right (Parini and Gianni 2005).

The second structural barrier on which the NFP 39 focused was the economic dimension of migration. This area of research had been relatively neglected by sociologists, except for studies on access to and discrimination on the labour market. Originally, economists provided contrasting results depending on the economic sectors taken into consideration, and whether they took a short- or a long-term perspective. Existing research argued that migrant workers had complementary positions on the labour market and thus neither represented undue competition for “autochthonous” workers, nor led to lower salaries across the economy (Kindlerberger 1967). Research from the NFP 39 expanded this line of inquiry in order to demonstrate that migrants are strongly segregated on the labour market, depending not only on their migratory background but also their residence permit – the more precarious the residence permit, the worse their labour-market position in terms of prestige and salary – and gender, as foreign women were at the bottom of the scale (De Coulon et al. 2003; Flückiger and Ramirez 2003; Kuster and Cavelti 2003). More-recent research shows not only that immigrants are discriminated against in terms of positions and salary but also that their inclusion on the labour market is more difficult (Fibbi et al 2003). On average, migrants have to send 30 per cent more applications to get a job interview (Zschirnt and Fibbi 2019; see also Jan 2014; Auer et al. 2019 for discrimination on the Swiss housing market; and Ossipov et al. 2019 regarding refugees’ descendants).

At the macro level and taking a long-term perspective, the economist George Sheldon explored the effect of migration on the Swiss economy between the 1950s and the 1990s and concluded that it caused a slowdown of the public economy in terms of innovation and growth because liberal Swiss migration policy allowed the entry of many unqualified workers (2003). His analysis supports past and current migration policies of “selectivity”, prioritising both qualified and unqualified migrants who support the economy. The long-term analysis, from a sociological angle, of the effect of migration on the national economy might provide a complementary perspective to that of Sheldon by showing that unskilled immigrants and those with little formal education have also enriched the landscape of those small and medium-sized enterprises which are significant for the Swiss economy (Piguet 2005). Moreover, these migrants also helped to streamline the socio-economic structure of Switzerland thanks to the massive entry of their descendants into intermediate white-collar jobs (Bolzman et al. 2003).

The NFP 39 also studied the urban and housing contexts: research showed a similar level of urban segregation of migrants over the years. It also heralded the start of an inversion of minority and majority populations in several urban neighbourhoods inhabited by foreigners or migrants (Huissoud et al. 2003) as well as the phenomenon occurring in popular neighbourhoods whereby the “established” residents are not necessarily Swiss nationals and the “outsiders” are not only new migrants (Wimmer 2003). On the other hand, greater levels of xenophobia in more-diverse neighbourhoods compared to more homogenous ones reveals the structural dimension of this phenomenon (Arend 2003; Wicker 2003) although more recent work emphasises the possibilities for contact (see Green et al. 2010). Urban sociologists also highlighted how cities and local policies played key roles in developing integration measures (Cattacin and Kaya 2005; Cattacin 2009).

Microsociology looked at the problems and challenges which migrants experienced in areas such as social support, health or education. During this period a key result of the different studies was that neither the nationality nor the migrants’ culture determined their problems and challenges but their socio-economic belonging (Chaudet et al. 2000; Chimienti et al. 2001; Bolzman et al. 2003). The diversification of migrant characteristics in terms of age, gender and legal situation has led researchers to analyse the differences between immigrants and to stop treating them as a homogenous group – a perspective now banished to politics. Since then, studies tend to explore the heterogeneity among immigrants and their descendants, even among migrants of the same national origin (Bolzman 1996; Alber et al. 2000; Bolzman et al. 2001; Frauenfelder 2007; Lieber 2010; Chimienti et al. 2019). In line with a wider recognition of intersectionality, Swiss sociology has demonstrated the specific needs of some migrants at the intersection of unequal power relations. In addition to the classic determinants of social inequality (class, gender and nationality) researchers have begun to analyse the legal dimension of inequality and the

production of irregularity and marginalisation of asylum-seekers (Efionayi-Mäder et al. 2001), refugees, provisionally admitted foreigners (Achermann and Chimienti 2006), irregular migrants (Chimienti et al. 2003) and, more recently, regularised undocumented migrants (see Jackson et al. 2019) and migrants who depend on social assistance (Bolzman et al. 2002).

The focus on social problems led to researchers exploring migrants' individual and collective resources and understanding them not as passive or the victims of circumstances but as actors (Bolzman and Fibbi 1991; Bolzman 1996; Achermann et al. 2006; Chimienti 2009; Chimienti and Lieber 2019; Mellini et al. 2016). These studies have in common that they demonstrate that formal education and paid work are insufficient to ensure social integration, partly because of a lack of resources but also because of a lack of awareness of the specific needs of migrant populations or populations of foreign origin. It became clear that social integration can only occur structurally and transversally; the acquisition of rights is the best driver of integration, whilst rights are still conceived as an outcome of integration in Switzerland, as illustrated by the naturalisation law (for recent work in this field see, for instance, Hainmueller et al. 2015).

Since the 1980s, researchers have questioned the sedentary norm in migration policy and earlier studies. They have highlighted the role of legal discrimination, segregation and inequality in migrants' social trajectories, deconstructed migrants as a homogeneous category and shown the diversity of migrants' resources and their forms of mobilisation at the individual and the collective levels. Yet the political impact of these studies remains limited. Whilst a federal law on integration was implemented in 2001, its outreach was sectorial and based on activation policies, demanding more than encouraging the participation of migrants (Bolzman 2002; Cattacin and Chimienti 2009). Integration policy, while allowing more public resources to support migrants' programmes, for some became a policy of control in relation to their legal stabilisation (see, for instance, Bolzman et al. 2002; Borelli et al. in this special issue). Indeed, migrants have to demonstrate their local language skills, employment and financial autonomy if they want to keep or improve their residence permit. Migration and naturalisation laws have become more restrictive in some areas and attempts at coordination in the field of asylum (via, for example, the Dublin agreement) show very unequal treatment between countries. This limited political impact of migration studies in Switzerland has led different scholars to critique knowledge production in this field, smoothing the way for a reflexive turn in migration studies in the subsequent decade.

3 The reflexive turn and calls for de-migranticisation

The questioning of knowledge production concerns both the methods used to generate knowledge, the analysis of the collected information and the transfer of the knowledge. In migration studies, the critique of “methodological nationalism” – popularised by Andreas Wimmer and Nina Glick Schiller (2003), though going back to Martins (1974) and Smith (1983) – leads us to question the nation-state as a unit of analysis. Wimmer and Glick Schiller show that this analytical bias, *inter alia*, in migration studies necessarily describes immigrants as “political security risks, as culturally others, as socially marginal or as an exception to the rule of territorial confinement ... have mirrored the nationalist image of normal life” (2003, 599). The argument is that scholarship is often implicit in a “(re)ification of migrants as a distinct category of human mobility” (Lüthi and Skenderovic 2019, 14; see also Poglia Mileti 2000; De Genova 2013; Dahinden 2016).

But how to achieve a “methodological fluidism” and construction of knowledge which would prevent the production of stigmatisation? (Wimmer and Glick Schiller 2003, 600). The nationalist and sedentarity critique led to a new terminology with which to describe migration. The term mobility helps to encompass a larger group of people (migrants as well as tourists, business people, the armed forces etc.) and the concept of transnationalism enables researchers to emphasise that migration/mobility is potentially experienced by everyone and connects people beyond national boundaries or across two nations (Kaufmann 2008; Söderström et al. 2013). The concept of “super diversity” coined by Stephen Vertovec (2007) highlights that diversity allegedly reached such a degree that there is now “diversity within diversity” and that the idea of majority/minority social groups is obsolete because groups may contain widely differing statuses within them.

The recognition that mobility and diversity are common human experiences led some researchers to react against the use of the term “migrant” because it was regarded as an external ascription of identity (Yıldız 2015). Post-migration perspectives move beyond the widespread use of migration as a relevant demarcation line and “describe cultural, ethnic, religious and national diversity as normality” (Canan and Foroutan 2015, 15). Instead of reaffirming a “migrantology” – the study of migration – in which researchers permanently consolidate their own object of study – the “migrant” as the “other” – post-migration perspectives seek to “overcome such distinctions” (Ring Petersen and Schramm 2017, 6). It is argued that post-migrant and post-ethnic societies should be conceived of as “‘societies of negotiation’, where former dogmas about ‘integration’ are challenged and increasingly replaced by struggles over exclusion and inclusion via the renegotiation of hierarchies and through attempts to develop more inclusive notions of who we are” (Foroutan 2016, quoted in Ring Petersen and Schramm 2017, 6). It follows that these terms

include a normative political vision of “how we want to live together in societies characterized by increasing heterogeneity” (Foroutan 2016, 248).

Some researchers prefer the term “de-migrantisation” to post-migration, following the critique of post-colonial studies which are seen to “still share the discourses and values of (post-)modernity and consequently of coloniality” (Siegenthaler and Allain Bonilla 2019, 5). Decolonial thinking has been theorised as “epistemic disobedience” (Mignolo 2010a) and as “learning to unlearn” (Tlostanova and Mignolo 2012). It therefore means “to change the terms and not just the content of the conversation” (Mignolo 2010b, 313). The de-migrantisation perspective coined by Janine Dahinden (2016) follows the same logic: not just a re-negotiation of power relationships but, in particular, the refusal and denunciation of the inequalities at the root of this social order.

These critiques also lead to “comprehensive analyses of the structures, institutions and discursive frames of the societies of origin and arrival, with their particular local or regional variants, including factors such as industrialization, gender roles, family economies or demographic details” (Lüthi and Skenderovic 2019, 10). These studies reconsider the power relationship in the production of knowledge and encourage the sharing of this power through participative research where actors and “spaces of knowledge” are partners – from the research’s conceptualisation to the transfer of knowledge (Dahinden et al. 2020).

Two social-science research programmes financed by the SNF over the past two decades, namely the National Centers of Competence in Research (NCCR) “Overcoming Vulnerabilities: Life Course Perspective” 2010–2021 (hereafter LIVES) and “*on the move*” (2014–) were developed in this context. The NCCR LIVES emphasised the shared condition of vulnerability of all human beings over the life course, independent of power relationships. One aspect of the research programme “explores the effects of spatial im/mobility on the reconfiguration of gender vulnerabilities. It studies and compares the different forms of spatial im/mobility (expatriation, migration, residential change, educational mobility) in order to establish their links to vulnerability processes”, especially the legal and administrative contexts that favour or hinder spatial mobility. The programme also looks at particular periods in the life course, such as the transition to adulthood (Bolzman et al. 2017) or to retirement (Bolzman and Bridji 2019; Ciobanu et al 2019) and their relation with spatial and social im/mobility and vulnerability (Kaufmann and Audikana 2020).

The NCCR *on the move* focuses more directly on migration and human mobility. Like the NCCR LIVES, the NCCR *on the move* reflects recent developments in which different approaches now coexist and build on one another. Uniting researchers from across the social sciences and law, some of the projects in the NCCR *on the move* develop the changes initiated by the reflexive turn, while others take a perhaps more pragmatic approach in order to enhance our understanding of contemporary phenomena related to migration and mobility. It reflects a recent tendency in the

social sciences to focus on specific social phenomena and societal challenges such as inequality or social cohesion. Less afraid to work with administrative categories and data, such a focus tries to maintain an appropriate distance from political discourse and simplistic descriptions of “problems”. Through such an approach, finding solutions to social phenomena like discrimination on the labour market takes precedence over fears of reifying labels and categories which take on a life of their own outside academic research and are therefore “real” in their consequences. With large datasets, access to register data, and new methodologies, the divisions and sub-divisions within the different migrant groups can now be explored without necessarily reifying undue categories. Assumptions such as vulnerability or transnational lifestyles have become expectations that can be tested empirically (Steiner and Wanner 2019; Zufferey et al. 2020).

4 Open questions and contributions to this special issue

This overview of (sociological) research on migration has outlined a profound change in the way in which sociologists have approached this phenomenon over time. Much knowledge and data has been generated over the years, although many questions remain unanswered. Today, the need for migration is widely accepted; indeed, international migration has come to represent a central element in the demographic evolution of the countries of the Global North (see, among others, Wanner 2001). Migration, to some degree, compensates for the ageing of the native population and meets the need for labour. At the same time migration, together with other social phenomena, arguably leads to an increasing diversification of the population in Switzerland – which brings questions of social cohesion to the fore and raises new challenges. Here we identify four such challenges related to the production of knowledge, the sovereignty of the state, tensions between protectionism and globalisation, and social cohesion.

The production of knowledge. How can we produce knowledge that will not simply reproduce the national and social order? How can we move beyond nationality- or ethnicity-centred epistemologies? How can we collect data, analyse them and also communicate the results of studies without reproducing unduly homogenous and potentially stigmatising categories?

Crisis in the sovereignty of nation states. The increasing mobility of people, economic globalisation, the international legal framework and the creation of supra-national entities like the European Union, as well as transnational risks (epidemics, environmental disasters or terrorism) have all called national sovereignty into question. While migration is not a right and the legal concept of citizenship is still viewed from an assimilationist perspective, these phenomena require consideration of the

ways of thinking about identity, belonging and participation beyond nation-states, while recognising the important role of states in shaping and implementing policies.

Tensions between protectionism and globalisation. Migrant and immigrant populations are seen both as a threat to the welfare state and as a necessary workforce for the economy and the social security system. Which economic sectors need foreign labour? What is the impact of migrant labour on the economy, the workforce and on innovation and structural change in the long term? How can the economy both defend the national labour market and remain competitive on the global market? How can governments respond to these needs: to be both open and economically attractive to international companies while controlling immigration and/or the different forms of social dumping?

Mobility, diversity and social cohesion. The population has diversified but what forms does this diversification take and how are they experienced on a daily basis? How can we form a political community that reflects the different scales of our memberships and belongings? How does transnationalism create or renew intercultural links and conflicts? What adjustments will cities need to make to cope with mobility and diversity? Who is still defined as a migrant or a foreigner and why? What are the mechanisms that reproduce discrimination and racism in different spheres of social life and how could we tackle them? How can individuals without the protection of a state (exiles, migrants, etc.) claim citizenship rights elsewhere?

The papers in this Special Issue were presented at an international workshop organised at the HETS/HESSO Geneva in December 2018. The Special Issue was then prepared during the confinement that followed the pandemic in early 2020 – the guest-editors took this opportunity to reflect on this period. The papers included provide some insights into the questions set out above in an innovative format, as we mixed theoretical articles, more empirically driven articles and a dialogue between two leading scholars in this field: *Bridget Anderson* and *Janine Dahinden*. These two scholars were invited to engage with each other's perspectives on the challenges of knowledge production in migration studies. Janine Dahinden argues for the need for “de-migranticisation” in order to avoid the reproduction of social and national order within migration studies. She introduces the concept of the “migrant–citizen nexus” to show that some migrants are granted citizenship whilst some citizens are criminalised or stigmatised. In so doing, she emphasises that the process leading to the production of alterity and sameness shares its logic with national and social order. Bridget Anderson also analysed the many different ways in which migrancy and citizenry are entangled. She shows that the subject making of migrants and of citizens is mutually constitutive. She uses migration as a lens to investigate precarisation, stigmatisation and racialisation processes. She argues that the emphasis on social class in the sociology of migration tends to elude the dynamics of racialisation and as also argued by Saskia Bonjour and Sébastien Chauvin (2018) to naturalize

classed strategies of mobility. Finally both Anderson and Dahinden discuss the nationalistic policies adopted in reaction to the pandemic.

The contribution by *Adrian Favell* provides a critique of the sovereignty of nation-states and methodological nationalism. Written in the spirit of the reflexive turn, we believe that this contribution is best read as a manifesto to further unpack the nationalist preconception underpinning the concept of integration. It seeks to abandon the notion of integration in migration studies because it is regarded as a synonym for assimilationism, which in turn reproduces *une pensée d'Etat* (a state thought) necessarily linked to nationalism. In outlining the argument, the article contends that methodological nationalism underpins the literature on integration and, in some places, conflates early and contemporary strands of the literature for rhetorical reasons. While we recognise that contemporary researchers on integration who focus on societal challenges such as inequality or social cohesion may not feel that their efforts reflect diversity, we encourage scholars of migration to reflect on their use of terminology and how this may affect how we address specific social phenomena.

On the tension between protectionism and globalisation, the different papers in this special issue offer contrasting results, reflecting the current state of affairs in the sociology of migration. For Christian Joppke, protectionism and globalisation can work together in the same neoliberal logic whilst, for Lisa Borelli et al. and Angèle Mendy, these logics enter into conflict and remain unresolved. The article by Erica Righard invites new ways of thinking about social protection in a transnationalised world.

In his paper, *Christian Joppke* analyses immigration policies in the light of neoliberalism and what he calls “neonationalism”. Based on the policies in Western countries and a scholarly and journalistic literature review, Joppke shows that both policies reinforce each other and have the same logic of excluding unqualified migrants whilst recruiting qualified ones – a distinction is thus created between “wanted” and “unwanted” migrants. In this way, protectionism and globalisation follow the same neoliberal logic. He argues that the principle of selection in migration is determined by those skills which push race and ethnicity to the second level, although these phenomena are entangled with social class and thus skills.

On the contrary, the article by *Lisa Borrelli*, *Stefanie Kurt*, *Christin Achermann* and *Luca Pfirter* argues that much of the tension between protectionism and globalisation remains unresolved. The authors analyse the judgments of the Swiss Federal Supreme Court concerning its refusal to extend a residence permit to any migrant in the last ten years. Based on these judgments, the article shows that a permanent residence permit (Permit C) or an extension of a temporary permit (Permit B) is often denied if the holder is dependent on social assistance (a recognised social right against poverty) for a living. They conclude that the holders of a permanent residence permit and, even more so, those of a temporary permit are not full citizens,

unlike Swiss natives. The article analyses the arguments in the appeals that justify the revocation or non-prolongation of a residence permit, before concluding that social welfare institutions become a tool for immigration control and make migrants the scapegoats of institutional dysfunction.

In a similar way, *Angèle Mendy* looks into the policy of labour recruitment in public health in the UK, and shows that the labour policies remain embedded in a nationalist protectionist logic despite the (international) General Agreement on Trade in Services (GATS). National migration policy allows important room for manoeuvre in the selection of migrant workers who have, in principle, agreed to remain and work in the UK. In contrast with Joppke's contribution, Mendy argues that the increased restrictions on migrant labour in the health sector – in particular, migrants coming from non-EU/EEA countries – were influenced by ethical issues in the 2000s related to pressure by international public opinion to try to prevent brain drain in the countries of origin. She also shows that the globalised and borderless labour market in the health sector stills functions as long as the presence of migrant workers from the Global South does not conflict with UK immigration policy – which regulates its internal market in favour of national interests – or as long as the migrants are very highly skilled, meaning that high skilled migration has many shapes.

Erica Righard's contribution hints at how we can solve the tension between protectionism and globalisation. Her paper shows the process of transnationalisation of national social policies, looking at the case of the public old-age pension scheme in Sweden. Her article uses an innovative de-nationalised lens through which to analyse the old-age pension – considering various forms of mobility (e/immigration, national and foreign) and public policy responses to these circumstances. This frame raises a different set of questions, seeking to consider who is eligible for the pension – questions which are not related to nationality but to the time–space conditions of mobility. For instance, she asks how long after emigration should eligibility expire. How extended is transnational outreach when different countries are implicated because a person has lived, worked and became sick in different countries? Righard shows that these transnational social policies on the public old-age pension have, however, reproduced patterns of global inequality within the national population, excluding those who are not citizens of a country with an international agreement.

Dina Bader and *Alexandra Feddersen's* contribution investigates how a migrant organisation associated with a right-wing party reconciles its claim to represent immigrants with the party's anti-immigrant agenda. They draw on a content analysis of the websites of two organisations: one associated with a left-wing and one with a right-wing party. The analysis shows that even extreme, opposite positions can lead to internal cohesion through the establishment of distinction – i. e. new hierarchies, including those migrants who were affiliated with the opposite site as the “good” ones, whilst the others are depicted as the “bad” ones. This moves the “blame” to

others, a process which the authors refer to as “ideological boundary-making”. It promotes the formerly excluded, who are now included in the group via a process already well analysed by Ervin Goffman (1996 [1963]) as well as Georg Simmel, looking at newcomers (1979 [1908]). For the party, the inclusion of immigrants may be a way to avoid accusations of xenophobia and racism.

5 Conclusion: Anchoring the future sociology of migration in the past

In this introduction to the special issue on the sociology of migration in Switzerland, we have chosen to emphasise the continuous and changing challenges of knowledge production in the sociology of migration. To do so, we took a historical perspective, outlining how contemporary contributions are a development of previous work. While the earliest work on migration closely followed administrative logic, it is because of sociological contributions that we, as a community of social scientists studying immigration and related social phenomena, have developed an independent approach necessary for the scientific study of the subject. On the one hand, sociologists have emphasised the experience of immigrants and their descendants, a strand of the literature that continues today – as several contributions in this special issue demonstrate. On the other hand, sociologists have contributed to the reflexive turn in migration studies, which has questioned how social scientists may be implicit in the different immigrants being presented as a homogenous population with its political consequences. The different contributions to this special issue demonstrate that reflexivity is an ongoing process and show how hard it can be to avoid a nationalist perspective in our research.

Looking at the areas of research over time, we recognise a certain continuity on many topics – for instance, issues of inclusion and exclusion, attitudes towards migrants or the integration of immigrants in various aspects of the everyday. If there is continuity at this level, however, we observe an unprecedented willingness by researchers to challenge earlier perceptions of “immigrants” as a homogenous population – something largely banished to populist political discourse these days. In this sense, as several contributions to this special issue demonstrate, some of the contemporary research in the sociology of migration may appear to have moved closer to the administrative logic of the state so heavily criticised by the reflexive turn. On close examination, however, the focus on specific social phenomena and the dedication to finding solutions to societal challenges such as inequality or social cohesion often allows the necessary distance to be achieved. Better data and methodological advances allow sociologists to acknowledge and study in detail the divisions within larger groups – thus addressing pressing issues of intersectionality.

In this sense, we foresee a healthy future for the sociology of migration in Switzerland, one in which sociological studies provide important contributions to

interdisciplinary work. On the one hand the focus on specific societal challenges, coupled with better data and methodological advantages, will allow sociologists to move beyond the description of inequalities and exclusion and towards the creation of solutions for an inclusive future. On the other hand, the important voices behind the reflexive turn will continue to warn researchers to stay clear of preconceptions and consider how the social sciences may be complicit in patterns of exclusion. The contributions to this special issue demonstrate that finding solutions to societal challenges and making efforts to view fieldwork, analysis and knowledge transfer through a de-nationalised lens remain formidable challenges that will stay with us in the future.

6 Acknowledgements

Our thanks go to those participants in the workshop which we organised in December 2018 who have not been able to participate in this special issue – in particular John Solomos, Maurizio Ambrosini, Ana Paula Beja Horta, Paolo Boccagni, Sébastien Chauvin, Marco Martiniello and João Peixoto; their comments during the workshop were invaluable.

We are grateful to the reviewers of the articles in this special issue for helping us to improve their quality and for their flexibility to work within a very short timeframe. We thank, in particular, Gianni D’Amato for his astute comments and support. Finally, many thanks to Felix Bühlmann for his trust, patience and help in preparing this special issue, as well as Marion Beetschen. This research was supported by the NCCR *on the move* programme funded by the Swiss National Science Foundation.

7 References

- Achermann, Christin, and Milena Chimienti, with the collaboration of Stants Fabienne. 2006. *Prekarität und Gesundheit. Ressourcen und Risiken von vorläufig Aufgenommenen und Sans-Papiers in Genf und Zurich*. Neuchâtel : Forum Suisse pour l’Etude des Migrations et de la Population.
- Alber, Jean-Luc, Laurence Ossipow West, Valérie Outemzabet, and Barbara Waldis. 2000. *Mariages binationaux. Approches pluridisciplinaires des couples binationaux*. Fribourg : Editions Universitaires.
- Arend, Michal. 2003. La planification urbaine et la politique du marché du logement peuvent-elles contribuer à une meilleure intégration des migrants? Pp. 227–244 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi and Werner Haug. Zurich: Seismo.
- Auer, Daniel, Julie Lacroix, Didier Ruedin, and Eva Zschirnt. 2019. *Ethnische Diskriminierung auf dem Schweizer Wohnungsmarkt*. Grenchen: BWO. <https://www.bwo.admin.ch/bwo/de/home/Wohnungsmarkt/studien-und-publikationen/diskriminierung-auf-der-schweizer-wohnungsmarkt.html> (25.07.2020).

- Bolzman, Claudio. 1996. *Sociologie de l'exil. Une approche dynamique. L'exemple des réfugiés chiliens en Suisse*. Zurich: Seismo.
- Bolzman Claudio. 2002. La politique migratoire suisse. Entre contrôle et intégration. *Ecarts d'identité* 99(1): 65–71.
- Bolzman Claudio, and Rosita Fibbi. 1991. Collective Assertion Strategies of Immigrants in Switzerland. *International Sociology* 6(3): 321–341.
- Bolzman, Claudio, Rosita Fibbi, and Marie Vial. 2001. La famille: Une source de légitimité pour les immigrés après la retraite? Le cas des Espagnols et des Italiens en Suisse. *Revue Européenne des Migrations Internationales* 17(1): 55–78.
- Bolzman Claudio, Raffaella Poncioni, Sophie Rodari, and Jean-Pierre Tabin. 2002. *La précarité contingente. Les conséquences de l'aide sociale sur le statut de séjour des personnes de nationalité étrangère*. Geneva and Lausanne: Les Editions IES et les Cahiers de l'EESP.
- Bolzman, Claudio, Rosita Fibbi, and Marie Vial. 2003. *Secondas-Secondos: le processus d'intégration des jeunes adultes issus de la migration espagnole et italienne en Suisse*. Zurich: Seismo.
- Bolzman Claudio, Laura Bernardi, and Jean-Marie Le Goff (eds.). 2017. *Situating Children of Migrants Across Borders and Origins. A Methodological Overview*. Dordrecht (NL): Springer Open.
- Bolzman Claudio, and Slim Bridji, S. 2019. Older Immigrants Living in Switzerland and Ambivalence Related to Return Around the Retirement Period. *International Journal of Comparative Sociology* 60(1–2): 14–36.
- Bonjour Saskia, and Sébastien Chauvin (2018). Social Class, Migration Policy and Migrant Strategies: An Introduction. *International Migration* 56(4): 5-18 DOI: 10.1111/imig.12469
- Canan, Coşkun, and Naikan Foroutan. 2015. *Deutschland postmigrantisch III. Migrantische Perspektiven auf deutsche Identitäten – Einstellungen von Personen mit und ohne Migrations- hintergrund zu nationaler Identität in Deutschland*. Berlin: BIM.
- Cattacin, Sandro. 2009. Differences in the City: Parallel Worlds, Migration, and Inclusion of Differences in the Urban Space. Pp. 250–259 in *Bringing Outsiders In: Transatlantic Perspectives on Immigrant Political Incorporation*, edited by Jennifer L. Hochschild, and John H. Mollenkopf. Ithaca: Cornell University Press.
- Cattacin, Sandro, and Bülent Kaya. 2005. Le développement des mesures d'intégration de la population migrante sur le plan local en Suisse. Pp. 288–320 in *Histoire de la Politique de Migration, d'Asile et d'Intégration en Suisse depuis 1948*, edited by Hans Mahnig. Zurich: Seismo.
- Cattacin, Sandro and Milena, Chimienti. 2009. Lokale Politik der Eingliederung der Migrationsbevölkerung in der Schweiz. Pp. 655–671 in *Lokale Integrationspolitik in der Einwanderungsgesellschaft: Migration und Integration als Herausforderung von Kommunen*, edited by Frank Gesemann, and Roland Roth. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Cattacin, Sandro and Milena, Chimienti. 2010. Intégration et différence. Une perspective historique et une focalisation sur l'urbain. Pp. 35–43 in *Dolmetschen, Vermitteln, Schlichten: Integration der Diversität?* edited by Janine Dahinden, and Alexander Bischoff. Zürich : Seismo.
- Cattacin, Sandro, and Michel Oris. 2013. Introduction. L'apprentissage de la xénophobie. Pp. 5–12 in *La migration italienne dans la Suisse d'après-guerre. Identités, discours et réalités*, edited by Morena La Barba, Christian Stohr, Michel Oris, and Sandro Cattacin. Lausanne: Antipodes.
- Chaudet, Isabelle, Caroline Regamey, Beatriz Rosende, and Jean-Pierre Tabin. 2000. *Migrations et travail social*. Lausanne: Réalités Sociales.
- Chimienti, Milena. 2009. *Prostitution et migration. La dynamique de l'agir faible*. Zurich: Seismo.
- Chimienti, Milena, and Sandro Cattacin, en collaboration avec Denise Efonyi-Mäder, Martin Niederberger, and Stefano Losa. 2001. "Migration et santé": priorité d'une stratégie d'intervention. Neuchâtel: Forum Suisse pour l'Etude des Migrations et de la Population, SFM Research Report No. 18.

- Chimienti, Milena, and Denise Efonyai-Mäder, avec la collaboration de Romaine Farquet. 2003. *La répression du travail clandestin à Genève. Application et conséquences pour les personnes concernées*. Neuchâtel: Forum Suisse pour l'Etude des Migrations et de la Population.
- Chimienti, Milena, Alice Bloch, Laurence Ossipow, and Catherine Wihtol de Wenden. 2019. Second Generation from Refugee Backgrounds in Europe. *Comparative Migration Studies* 7(40): 1–15 DOI : 10.1186/s40878-019-0138-2.
- Chimienti, Milena and Marylène Lieber 2019. A 'Continuum of Sexual Economic Exchanges' or 'Weak Agency'? Female Migrant Sex Work in Switzerland. Pp. 126–141 in *Understanding Sex for Sale. Meanings and Moralities of Sexual Commerce*, edited by May-Len Skilbrei, and MarlenSpanger (eds), London: Routledge.
- Ciobanu, Ruxandra Oana, Tineke Fokkema, and Mihaela Nedelcu (eds.). 2019. *Ageing as a Migrant: Vulnerabilities, Agency and Policy Making*. London: Routledge.
- Dahinden, Janine. 2016. A Plea for the “De-Migranticization” of Research on Migration and Integration. *Ethnic and Racial Studies* 39(13): 2207–2225. DOI: 10.1080/01419870.2015.1124129.
- Dahinden, Janine, Caroline Fischer and Joanna Menet. 2020. Knowledge Production, Reflexivity, and the Use of Categories in Migration Studies: Tackling Challenges in the Field. *Ethnic and Racial Studies* 1–20. DOI: 10.1080/01419870.2020.1752926.
- D'Amato, Gianni. 2001. *Vom Ausländer zum Bürger: Der Streit um die politische Integration von Einwanderern in Deutschland, Frankreich und der Schweiz*. Munich: Lit-Verlag.
- D'Amato, Gianni, and Didier Ruedin. 2018. Immigration and Populist Political Strategies: The Swiss Case in a European Perspective. Pp. 48–65 in *Populism and the Crisis of Democracy: Vol. 3 Migration, Gender and Religion*, edited by Gregor Fitzl, Juergen Mackert, and Bryan S. Turner. Abingdon: Routledge.
- De Coulon, Augustin, Jean-Marc Falter, Yves Flückiger, and José Ramirez. 2003. Analyse des différences de salaires entre la population suisse et étrangère. Pp. 263–289 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- De Genova, Nicholas. 2013. “We Are of the Connections”: Migration, Methodological Nationalism, and “Militant Research”. *Postcolonial Studies* 16(3): 250–258.
- De Rham, Gérard, Rosita Fibbi, and Olivier Virnot. 1984. *L'entrée dans la formation professionnelle. Rapport de recherche sur la formation et l'insertion professionnelles des jeunes étrangers et suisses (FIPES)*. Lausanne and Geneva: Programme National de Recherche « Education et vie active».
- Efonyai-Mäder, Denise, Milena Chimienti, Janine Dahinden, and Etienne Piguet. 2001. *Asyldestination Europa. Eine Geographie der Asylbewegungen*. Zurich: Seismo, Reihe Sozialer Zusammenhalt und kultureller Pluralismus.
- Fibbi, Rosita. 1989. La recherche sur les migrations en Suisse. *Revue Européenne des Migrations Internationales* 5(3): 148–156. DOI: 10.3406/remi.1989.1981.
- Fibbi, Rosita, Bülent Kaya, and Etienne Piguet. 2003. *Le Passeport ou le Diplôme ? : Etude des discriminations à l'embauche des jeunes issus de la migration*. Neuchâtel: Forum Suisse pour l'Etude des Migrations.
- Flückiger, Yves, and José Ramirez. 2003. Positions hiérarchiques et ségrégation par origine en Suisse. Pp. 290–307 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- Foroutan, Naikan. 2016. Postmigrantische Gesellschaft. Pp. 227–255 in *Einwanderungsgesellschaft Deutschland. Entwicklung und Stand der Integration*, edited by Heinz Ulrich Brinckmann, and Martina Sauer. Wiesbaden: Springer VS.
- Frauenfelder, Arnaud. 2007. *Les paradoxes de la naturalisation. Enquête auprès des jeunes issus de l'immigration*. Paris: L'Harmattan.

- Garcia, Carlos, Rosita Fibbi, and Claudio, Bolzman. 1986. Création, légitimation et sens des catégories de l'altérité. *Revue suisse de sociologie* 12(1): 231–246.
- Goffman, Erwin. 1996 [1963]. *Stigmata. Les usages sociaux des handicaps*. Paris: les éditions de Minuit.
- Green, Eva, G.T., Nicole Fasel, and Oriane Sarrasin. 2010. The More the Merrier? The Effects of Type of Cultural Diversity on Exclusionary Immigration Attitudes in Switzerland. *International Journal of Conflict and Violence* 4(2): 177–190 DOI: 10.4119/ijcv-2824.
- Gurny, Ruth, Paul Cassée, Hans Peter Hauser, and Andreas Meyer. 1984. *Karrieren und Sackgassen: Wege ins Berufsleben junger Schweizer und Italiener in der Stadt Zürich*. Diessenhofen: Ruegger Verlag.
- Hagmann, Hermann-Michel. 1966. *Les travailleurs étrangers, chance et tourment de la Suisse*. Lausanne: Payot.
- Hainmueller, Jens, Dominik Hangartner, and Giuseppe Pietrantuono. 2015. Naturalization Fosters the Long-Term Political Integration of Immigrants. *Proceedings of the National Academy of Sciences of the United States of America* 112(41): 12651–12656. DOI: 10.1073/pnas.1418794112.
- Hoffmann-Nowotny, Hans-Joachim. 1970. *Migration: Ein Beitrag zu einer soziologischen Erklärung*. Stuttgart: F. Enke.
- Hoffmann-Nowotny, Hans-Joachim. 1973. *Soziologie des Fremdarbeiterproblems eine theoretische und empirische Analyse am Beispiel der Schweiz*. Stuttgart : Enke
- Hoffmann-Nowotny, Hans-Joachim. 1985. The Second Generation of Immigrants: A Sociological Analysis with Special Emphasis on Switzerland. Pp. 109–133 in *Guests Come to Stay: The Effects of European Labor Migration on Sending and Receiving Countries*, edited by Rosemarie Rogers. London: Routledge.
- Hoffmann-Nowotny, Hans-Joachim. 1992. *Chancen und Risiken multikultureller Einwanderungsgesellschaften*. Berne: Conseil Suisse de la Science, FER-Bericht, n° 119.
- Hoffmann-Nowotny, Hans-Joachim (ed.). 2001. *Das Fremde in der Schweiz*. Zurich: Seismo.
- Huisoud, Thérèse, Suzanne Stofer, Antonio Cunha, and Martin Schuler. 2003. Structures et tendances de la différenciation dans les espaces urbains en Suisse. Pp. 175–196 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- Jackson, Yves, Delphine S. Courvoisier, Aline Duvoisin, Giovanni Ferro-Luzzi, Patrick Bodenmann, Pierre Chauvin, Idris Guessous, Hans Wolff, Stéphane Cullati, and Claudine Burton-Jeangros. 2019. Impact of Legal Status Change on Undocumented Migrants' Health and Well-Being (Parchemins): Protocol of a 4-Year, Prospective, Mixed-Methods Study, *BMJ Open* 9(5): e028336. DOI 10.1136/bmjopen-2018-028336.
- Jann, Ben 2014. Diskriminierung auf dem Wohnungsmarkt: Untersuchungsergebnisse und Empfehlungen. Bericht von „Stimme dergewählten MigrantInnen für alle“ in Zusammenarbeit mit NCBI Schweiz.
- Kaufmann, Vincent. 2008. *Les paradoxes de la mobilité: bouger, s'enraciner*. Lausanne: Presses Polytechniques et Universitaires Romandes.
- Kaufmann, Vincent, and Ander Audikana. 2020. Mobility Capital and Motility. Pp. 41–47, in *Handbook of Urban Mobilities*, edited by Ole B. Jensen, Claus Lassen, Vincent Kaufmann, Malene Freudental-Pedersen, and Ida Sofie Gøtzsche Lange. London and New York: Routledge.
- Kindlerberger, Charles P. 1967. *Europe's Postwar Growth: The Role of Labour Supply*. Cambridge: Harvard University Press.
- Kuster, Jürg, and Guido Cavelti. 2003. Le recrutement de la main-d'oeuvre étrangère. Effets des règlements du droit des étrangers et du droit d'asile. Pp. 247–262 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- Lieber, Marylène. 2010. Du diplomate à l'expatrié. Les migrations chinoises en Suisse. *Revue européenne des migrations internationales* 26(2): 191–214.

- Lüthi, Barbara, and Damir Skenderovic. 2019. Changing Perspectives on Migration History and Research in Switzerland: An Introduction. Pp. 1–30 in *Switzerland and Migration, Historical and Current Perspectives on a Changing Landscape*, edited by Barbara Lüthi, and Damir Skenderovic. Cham: Springer/Palgrave Macmillan.
- Mahnig, Hans 1991. *La politique suisse à l'égard des étrangers*. Unpublished Master thesis. Paris: Institut d'études politiques de Paris.
- Mahnig, Hans (ed.). 2005. *Histoire de la politique de migration, d'asile et d'intégration en Suisse depuis 1948*. Zurich: Seismo.
- Martins, Herminio. 1974. Time and Theory in Sociology. Pp. 246–294 in *Approaches to Sociology: An Introduction to Major Trends in British Sociology*, edited by John Rex. London: Routledge and Kegan Paul.
- Mellini, Laura, Francesca Poglia Mileti, and Michela Villani. 2016. Migrantes et séropositives en Suisse: Les stratégies de l'agir secret. *ζ Interrogations* ?, 22 June, L'enquêteur face au secret, <http://www.revue-interrogations.org/Migrantes-et-seropositives-en> (25.07.2020).
- Mignolo, Walter D. 2010a. Epistemic Disobedience, Independent Thought and Decolonial Freedom. *Theory, Culture & Society* 26(7–8): 159–181.
- Mignolo, Walter D. 2010b. Delinking: The Rhetoric of Modernity, the Logic of Coloniality and the Grammar of De-Coloniality. Pp. 303–368 in *Globalization and the Decolonial Option*, edited by Walter D. Mignolo, and Arturo Escobar. London: Routledge.
- Ossipow, Laurence, Anne-Laure Counilh, and Milena Chimienti. 2019. Racialization in Switzerland: Experiences of Children of Refugees from Kurdish, Tamil and Vietnamese Backgrounds. *Comparative Migration Studies* 7(19): 1–17. DOI: 10.1186/s40878-019-0117-7.
- Parini, Lorena and Gianni, Matteo. 2005. Enjeux et modifications de la politique d'asile en Suisse de 1956 à nos jours. Pp 189–252 in *Histoire de la politique de migration, d'asile et d'intégration en Suisse depuis 1948*, edited by Mahnig Hans. Zurich: Seismo.
- Piguet, Etienne. 2005. *Les migrations créatrices. Etude de l'entrepreneuriat des étrangers en Suisse*. Paris : L'Harmattan.
- Piguet, Etienne. 2017. *L'Immigration en Suisse : soixante ans d'entrouverture*. Lausanne : Presses Polytechniques Romandes.
- Poglia Mileti, Francesca. 2000. Les catégories de la migration. Enjeu social ou référent identitaire ? *Revue suisse de sociologie* 26(1): 3–35.
- Portes, Alejandro, and Min Zhou. 1993. The New Second Generation: Segmented Assimilation and its Variants. *The ANNALS of the American Academy of Political and Social Science* 530(1): 74–96.
- Ring Petersen, Anne, and Moritz Schramm. 2017. (Post-)Migration in the Age of Globalisation: New Challenges to Imagination and Representation. *Journal of Aesthetics & Culture* 9(2):1–12. DOI: 10.1080/20004214.2017.1356178.
- Ruedin, Didier, Camilla Alberti, and Gianni D'Amato. 2015. Immigration and Integration Policy in Switzerland, 1848 to 2014. *Swiss Political Science Review* 21(1): 5–22. DIU 10.1111/spsr.12144.
- Siegenthaler, Fiona, and Marie-Laure Allain Bonilla. 2019. Introduction: Decolonial Processes in Swiss Academia and Cultural Institutions. Empirical and Theoretical Issues. *Tsantsa* 24(1): 4–13.
- Simmel, George. 1979 [1908]. Digressions sur l'étranger. Pp. 53–77 in *L'école de Chicago: naissance de l'écologie urbaine*, edited by Grafmeyer Yves and Isaac, Joseph. Paris : Ed. Du Champ Urbain.
- Sheldon, George. 2003. L'impact de la main-d'oeuvre étrangère sur les salaires relatifs et la croissance en Suisse. Pp. 322–354 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Wicker, Hans-Rudolf, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- Smith, Anthony D. 1983. Nationalism and Classical Social Theory. *The British Journal of Sociology* 34(1): 19–38. DOI: 10.2307/590606.

- Söderström, Ola, Shalini Randeria, Didier Ruedin, Gianni D'Amato, and Francesco Panese (Eds.). 2013. *Critical Mobilities*. Abingdon: Routledge.
- Steiner, Ilka, and Philippe Wanner (eds.). 2019. *Migrants and Expats: The Swiss Migration and Mobility Nexus*. New York: Springer.
- Tlostanova, Madina V., and Walter D. Mignolo. 2012. *Learning to Unlearn: Decolonial Reflections from Eurasia and the Americas*. Columbus: Ohio State University Press.
- Vertovec, Steven. 2007. Super-Diversity and its Implications. *Ethnic and Racial Studies* 30(6): 1024–1054. DOI: 10.1080/01419870701599465.
- Wanner, Philippe. 2001. *Immigration en Suisse. Situation et caractéristiques démographiques*. Neuchâtel: OFS.
- Wicker, Hans-Rudolf. 2003. Introduction: migration, politique de migration et recherche. Pp. 11–62 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- Wicker, Hans-Rudolf, Jean-Luc Alber, Claudio Bolzman, Rosita Fibbi, Kurt Imhof, and Andreas Wimmer (Eds.). 1996. *Das Fremde in der Gesellschaft. Migration, Ethnizität und Staat*. Zurich: Seismo.
- Wicker, Hans-Rudolf, Rosita Fibbi, and Werner Haug (eds.). 2003. *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*. Zurich: Seismo.
- Wimmer, Andreas. 2003. Etrangers établis et outsiders indigènes. Pp. 197–226 in *Les migrations et la Suisse. Résultats du Programme National de Recherche « Migrations et relations interculturelles »*, edited by Hans-Rudolf Wicker, Rosita Fibbi, and Werner Haug. Zurich: Seismo.
- Wimmer, Andreas, and Nina Glick Schiller. 2003. Methodological Nationalism, the Social Sciences, and the Study of Migration: An Essay in Historical Epistemology. *International Migration Review* 37(3): 576–610.
- Yıldız, Erol. 2015. Postmigrantisches Perspektiven. Aufbruch in eine neue Geschichtlichkeit. Pp. 19–36 in *Nach der Migration. Postmigrantisches Perspektiven jenseits der Parallelgesellschaft*, edited by Marc Hill, and Erol Yıldız. Bielefeld: Transcript.
- Zschirnt, Eva, and Rosita Fibbi. 2019. Do Swiss Citizens of Immigrant Origin Face Hiring Discrimination in the Labour Market? *Working Paper #20 February, 2019*. NCCR On the Move and Université de Neuchâtel, https://nccr-onthemove.ch/wp_live14/wp-content/uploads/2019/02/nccrotm-WP20-Zschirnt-Fibbi_Feb19.pdf (25.07.2020).
- Zufferey, Jonathan, Ilka Steiner, and Didier Ruedin. 2020. The Many Forms of Multiple Migrations: Evidence from a Sequence Analysis in Switzerland, 1998 to 2008. *International Migration Review*. DOI: 10.1177/0197918320914239.

Exploring New Avenues for Knowledge Production in Migration Research: A Debate Between Bridget Anderson and Janine Dahinden Pre and After the Burst of the Pandemic

Janine Dahinden* and Bridget Anderson**

Abstract: Janine Dahinden and Bridget Anderson discuss each other's responses to the challenges of knowledge production in migration studies. Dahinden introduces the concept of the "migrant-citizen nexus" and Anderson argues for more attention to be paid to the racialisation of "the migrant" through the ways that nationality elides race and discuss the nationalistic policies adopted in reaction to the pandemic.

Keywords: De-nationalisation, de-migrantisation, migrant-citizen-nexus, racialisation

Nouvelles pistes de production des savoirs dans la recherche sur les migrations : débat entre Bridget Anderson et Janine Dahinden avant et après le déclenchement de la pandémie

Dans cette contribution, Janine Dahinden et Bridget Anderson discutent leurs réponses respectives aux défis de la production des savoirs dans la recherche sur les migrations. Dahinden introduit le concept de "migrant-citizen nexus" et Anderson estime qu'il est nécessaire de porter une plus grande attention aux processus de racialisation des « migrant-e-s » et à la manière dont la nationalité co-produit simultanément la race et la citoyenneté. Toutes deux discutent des politiques nationalistes adoptées en réaction à la pandémie.

Mots-clés : Dé-nationalisation, dé-migrantisation, migrant-citizen-nexus, racialisation

Neue Wege der Wissensproduktion in der Migrationsforschung: Eine Debatte zwischen Bridget Anderson und Janine Dahinden vor und nach Ausbruch der Pandemie

Janine Dahinden und Bridget Anderson diskutieren in diesem Beitrag ihre jeweiligen Antworten auf die Herausforderungen, vor denen die Migrationsforschung bezüglich ihrer Wissensproduktion steht. Dahinden führt das Konzept des "migrant-citizen nexus" ein. Anderson argumentiert, dass eine vermehrte Aufmerksamkeit auf Prozesse von "Racialisation" von «Migrant*innen» notwendig ist, da Nationalität gleichzeitig über Staatsbürgerschaft und "race" hergestellt wird. Beide diskutieren die nationalistischen Antworten mit denen die Politik auf die Pandemie antwortete.

Schlüsselwörter: De-Nationalisierung, De-Migrantisierung, Migrant-citizen-nexus, Racialisation

* University of Neuchâtel, Laboratory for the Study of Social Processes and nccr – on the move, CH-2000 Neuchâtel, janine.dahinden@unine.ch

** Director Migration Mobilities Bristol, University of Bristol, UK. Bridget.anderson@bristol.ac.uk

Janine Dahinden, University of Neuchâtel, Laboratory for the Study of Social Processes and nccr – on the move, Switzerland

1 Introduction

Bridget Anderson (2019) and I (Dahinden 2016a) have both recently articulated fundamental concerns regarding particular ethical, epistemological and political problems in migration research, and we have both created new concepts to address them. While I have pled for researchers to “de-migranticise” migration and integration research, Anderson has argued for “methodological de-nationalism” by “migrantising citizens”. What do our proposals have in common, and how do they speak to each other? Do they represent two sides of the same coin, or do they deal with different issues? The editors of the *Swiss Journal of Sociology* have asked us to engage in a debate on these questions. It is with enormous pleasure that I have accepted this (in my eyes) challenge.

I will first briefly explain how I understand Anderson’s suggestion to migrantise citizens and move towards methodological de-nationalism in migration research. I will then reflect upon possible ways to link Anderson’s approach and mine and argue that her suggestions can be considered a particular form of de-migranticisation while also raising new, original issues. I will introduce the concept of the “migrant-citizen nexus” as a way to develop these theoretical considerations further. Finally, I will turn to a more general issue: I will ask what our approaches stand for, on a more theoretical level, regarding the way knowledge is produced within migration studies.

2 Epistemological and Political Challenges of Migration Research

Anderson grounds her argument in two significant observations, namely that in political debates, a “migrant” is generally perceived as a person whose movements or presence are problematic, and that the study of migration continues to run the risk of reinforcing the deeply entrenched belief that there are such things as stable national communities whose existence is threatened by migrants (2019, 2). Put differently, Anderson asserts that migration scholars often fail to propose alternative narratives regarding migration and have had little effect in countering the commonly told story of migration as a threat to sovereignty, security, national identity and national culture (2019, 2). Accordingly, Anderson reflects on how to do migration research without reinforcing the view of the migrant as a problematic

subject, hence her proposal to methodologically de-nationalise migration research. She defines “methodological de-nationalism” as

an approach that [...] recognises that borders and citizenship are politically constituted and historically and economically embedded. [...] It makes visible and investigates the workings of state-imposed categories of migrant and citizen in all their differentiations, their impacts on the experiences of individuals and groups, and the management, governance and accountability of national(ised) territories and international/global relations more generally. It recognises the continuing power of the state and the national order of things, how they work together to inform our understanding of ‘society’, political power and accountability [...]. (2019, 5–6)

A key element of her proposal is to migrantise the citizen: As she argues, the distinction between “migrant” and “citizen” is crucial to the creation and governance of nation-states and their territorial borders. Immigration controls are framed as necessary for the protection of citizens, and “they mark states’ claims to prioritise their citizens’ needs over those of foreign residents” (2019, 2). To migrantise the citizen is to explore the many “connections between the formal exclusion of non-citizenship and the multiple, and sometimes informal exclusions within citizenship” and thus challenge the simplistic opposition between “migrant” and “citizen” (2019, 2). At the core of the investigation, methodological de-nationalism thus places the relationships between immigration, race, nationality, gender and class; the ways they reinforce and are entangled with each other; how they are contested; and how, in practice, all of this complicates the migrant/citizen binary (2019, 10). Anderson offers an insightful and original way to de-centre migration research in order to go beyond its nationalist lens and the normative connotation of migration as a problem.

Similarly to Anderson, I have been looking for ways to overcome the nation-state- and ethnicity-centred epistemologies that continue to inform much of migration research. This is important in order to overcome the risk of reproducing through our research particular hegemonic power relations and concomitant forms of social and political exclusion. We are both striving to come to terms with such serious ethical, epistemological and political challenges involved in doing migration research, but without abandoning migration studies altogether.

3 Towards the Theorisation of a Migrant-Citizen Nexus?

I have been wondering whether Anderson’s attempt to migrantise citizens could be considered a particular, innovative form of de-migrantising research. I proposed a three-fold strategy to de-migrantise research (2016a, 2213–8): I argued that it might be possible to disembed this field of research from the logic of the nation-

state and normalised discourses of migration-related difference by distinguishing between common-sense and analytical categories, by connecting migration theory more closely with other social-science theories (e. g. using social science concepts from other fields than migration studies like boundary work, gender theories, mobility studies, etc.) and by re-orienting the focus of investigation away from “migrant populations” and towards the “overall population” (e. g. by choosing as units of research neighbourhoods, cities, school classes, etc.). As I understand Anderson’s argument, her attempt to migrantise citizens is clearly connected to my plea to change the unit of analysis from migrants to the overall population in order to investigate empirically when and how the category of “migrant” becomes significant – empirically, theoretically and politically. Put differently, Anderson’s proposal speaks to my call for de-migrantisation because she expands the focus beyond the object of the “migrant” in two ways. The first involves her inclusion of the non-migrant population in her analysis. On the one hand, she includes the *non-migrant population* in her analysis in order to explore the ways in which migrancy and citizenry are entangled rather than binary. Anderson demonstrates the many ways in which citizens can be affected by immigration laws. For instance, the recent tendency to criminalise citizens who are engaged in migration politics – by assisting people who cross borders and providing migrants with shelter or food, for example – demonstrates one way in which the migrant/citizen binary becomes entangled. On the other hand, she goes beyond the issue of *immigration control* (2019, 9), which can also be considered a way of de-migrantising research. Anderson argues that immigration controls are mostly attempts to control the mobility of the poor and suggests investigating them as part of a more encompassing governance of the mobility of the poor, whatever their citizenship. She offers as an example attempts to regulate the homeless and panhandlers, who are sometimes deprived of the right to be in particular public spaces, despite their being citizens (2019, 10).

Second, Anderson raises an issue that clearly extends beyond my three-fold strategy: She proposes conceiving of “migrantised” people as created by racialised (and classed) processes connected to particular locations within (local and transnational) societies. Her insistence on the “migrant” as a racialised category is both timely and significant and could be considered a *fourth strategy* of de-migrantisation that I neglected in my proposal. This difference is probably a result of our respective research foci and mirrors the different theoretical anchors of our respective pleas. Strictly speaking, Anderson brings together critical race theories and theories of migration in order to understand the processes at stake, something that, as she rightly argues, migration scholars have been reluctant to do. She argues that once migration is no longer at the border, it becomes “race”, and that ethnic-minority citizens are often migrantised (2019, 8).

Applying her argument to the case of Switzerland is an interesting endeavour: Switzerland has no knowledge of the post-colonial concept of “ethnic- or racial-

minority citizens”. There are Swiss national minorities, defined on the basis of national language groups, on the one hand, and migrants, or people with a “migration background”, on the other. Policies target these two groups very differently (Dahinden 2016b). Of course, racism and processes of racialisation are nevertheless present in Switzerland, but they are entangled with culturalisation processes based on ethnicity (Ossipow et al. 2019). Switzerland has recently been referred to as a “colonialism without colonies” (Purtschert and Fischer-Tiné 2015). Given the Swiss elite’s strongly entangled history with colonial powers, but also their role in perpetuating dominant racist representations, ideas and practices – including in colonial scientific networks – processes of racialisation and coloniality are significant in Switzerland as well, although somewhat differently than in “classical” colonial countries. Put differently, racialisation exists in Switzerland, but it is detached from concepts like “ethnic- or racial-minority citizens”, and scholars thus face the challenge of theorising and translating ideas based on post-colonial approaches developed in Anglo-Saxon countries with their distinct histories in the context of a “colonialism without colonies”.

Swiss scholars have started to work with post-colonial approaches in order to better understand contemporary migration in Switzerland: They have analysed, for example, political propaganda whose “raceless racism” betrays its colonial influences (Michel 2015), shown the influence of colonial discourses in contemporary right-wing discourses about the sexuality of migrants (Fischer and Dahinden 2017) and demonstrated the orientalisng nature of discourses arguing that migrant women need to be saved from culturally Other (Muslim) oppressors and assume the supremacy of gender equality among (white) Swiss citizens (Dahinden et al. 2018; Khazai 2019). This research demonstrates the strength of Anderson’s argument. I would claim that the ways in which citizens are migrantised can only be properly understood by, on the one hand, recognising the historical colonial embeddedness of systems of dominance and concomitant representations of the “Other” and, on the other hand, by exploring the power of the nation-state logic: Hence, issues of racialisation as much as of culturalisation, ethnicisation, class and gender work intersectionally and need to be investigated carefully.

Finally, I would like to suggest expanding Anderson’s approach. There is a flipside to exploring the ways in which citizens are migrantised, one that remains, it seems to me, implicit in Anderson’s article and which might be worthwhile making explicit. Therefore, I would like to introduce the concept of a “migrant-citizen nexus”. Carling (2017) has recently criticised the “nexification” tendency in migration research, but I think the “migrant-citizen nexus” concept – according to which not only are citizens migrantised, but migrants are also “citizenised” (with my apologies for introducing yet another inelegant term to these debates) – makes it possible to perceive interconnections that otherwise remain invisible. Anderson briefly alludes to this possibility in discussing Isin and Nielson’s (2008) concept of

“acts of citizenship” in terms of politics outside of citizenship (Anderson 2019, 4), but she does not elaborate on it further.

In the case of Switzerland, citizens are migrantised in several ways. For example, descendants of migrants, even when they are citizens, are referred to as “second-generation migrants” or “people with a migration background”. These terms suggest non-belonging, and that only multigenerational sedentariness in a specific national territory turns a person into a “true” citizen. Also, “migration background” is a highly contested category, mainly used in German-speaking countries, that became transformed from a statistical into a social category, mirroring a shift from class-centred problematisations in statistics to individualising and culturalising ones (Horvath 2019). Both categories indicate that formal citizenship does not coincide perfectly with symbolic membership in the citizenry (Bonjour and Block 2016). Another example of the migrantisation of citizens is the following: Until 1952 Swiss women who married foreigners were deprived of their citizenship. They became foreigners, and in the event of illness or dependency on the welfare state they could be deported. Between 1952 and 1992, women were able to retain their Swiss citizenship by filing a declaration stating their desire to do so upon marriage with a foreigner, but they continued not to have the right to transmit their nationality to foreigners or their children (Studer 2001; Kristol and Dahinden 2019).

At the same time, Switzerland also offers several examples of ways in which migrants become citizenised. For example, many French-speaking cantons grant foreigners voting rights in cantonal and municipal elections and sometimes also the right to hold public office on the cantonal and municipal levels. The history of voting rights in the Canton of Neuchâtel is revealing with respect to the gendered aspects of citizenship. Male foreigners first gained the right to vote at the municipal level in 1849. This right was revoked shortly thereafter and reinstated in 1875. Swiss women only obtained the right to vote in this canton in 1959 – which was comparatively early, given that women did not have the right to vote in federal elections until 1971. These are all instances of citizenising migrants (while migrantising Swiss female citizens). Migrants are also citizenised by having their human rights recognised by legal instruments such as the Universal Declaration of Human Rights, the European Convention of Human Rights and Title 2 of the Swiss Federal Constitution, which can have clear consequences. For instance, undocumented migrants in Switzerland have the right to basic healthcare. This right is based on the Swiss Federal Constitution and regulated by the Public Health Insurance Law. They also have the right and obligation to possess basic health insurance. But persons without health insurance – including most undocumented migrants – are also entitled to basic medical assistance when in need¹.

1 <https://www.bag.admin.ch/bag/en/home/strategie-und-politik/nationale-gesundheitsstrategien/gesundheitsliche-chancengleichheit/chancengleichheit-in-der-gesundheitsversorgung/gesundheitsversorgung-der-sans-papiers.html> (20.6.2020).

These reflections only hint at the gendered, classed, racialised and ethnicised processes that could be investigated through the theoretical framework of the migrant-citizen nexus. A fuller articulation of this nexus is beyond the scope of this brief commentary,

4 Knowledge Production in Migration Research

I would like to add a final comment about knowledge production in migration studies more generally. The suggestions to migrantise citizens and de-migrantise migration research are not alone in their attempts to find new avenues for research that avoid reproducing nationally coloured epistemologies. On the contrary, they are deeply anchored in a debate that began 30 years ago. In 1990 Liisa Malkki (1992, 25-6) emphasised that the “national order of things” is not only built into everyday language, but often also implicit into scholarly work. Moreover, it has been 20 years since Andreas Wimmer and Nina Glick Schiller (2002) published their seminal article on methodological nationalism. Anderson mentions a wide body of scholarly work as well – transnational studies, border and mobility studies, post-colonial approaches – which address these challenges and introduce new concepts to avoid reproducing the logic of the nation-state and views of the “migrant other” (2019, 3-5). Likewise, attempts to critically scrutinise categories – as we both undertake to do in our work (e.g. Dahinden et al. 2020) – is far from new in migration research, and there has been a proliferation of such endeavours in recent years. Many scholars have investigated the “work” (nation-)state-based categories do, with what effects and for whom. They have, for instance, scrutinised the political consequences of the label “refugee” (Zetter 1991; Scalettaris 2007; Crawley and Skleparis 2017), the hegemonic connotations and production of gendered and racialised (national) non-belonging through the category of “integration” (Korteweg 2017; Schinkel 2018) and the way migration maps are anchored in and reproduce a national logic (van Houtum and Bueno Lacy 2019), and they have also offered alternatives, for instance by proposing to “de-naturalize the national” in migration research (Amelina and Faist 2012). How can this proliferation be understood, and why is it that scholars have continued to struggle with these challenges for almost 30 years? As I understand it, what is common to this body of work is the attempt to find (ethical and scientifically sound) ways to avoid reproducing hegemonic, racialised and nationalised forms of exclusion in migration research. There is a paradox here, however. Despite this long-lasting debate and the proliferation of such critical or reflexive work, critical or reflexive migration scholars have not succeeded, it seems to me, in anchoring their alternative concepts in academia more broadly. First, mainstream migration research has not yet integrated these ideas, as Adrian Favell (2016) has convincingly argued, and second, many other fields in the social

sciences have also been quite detached from this wide body of reflexive or critical work, and research often continues to treat the nation-state as, in Anderson's words, "the repository of cultures of nationhood" (2019, 4). It seems that we as migration scholars have been caught in a self-referencing circle – detached from other social-science disciplines and mainstream research – as I tried to explain in my article (Dahinden 2016a). Additionally, we might self-critically ask how we could better introduce these alternative approaches *outside* academia, in politics for instance, given the toxic climate regarding migration in Europe. Which would be interesting avenues to de-migrantise migration policy, state-funded programmes and NGO projects that exclusively targeting "migrants"? Finally, if we as scholars are not more successful in bringing up other narratives of migration than problem-related ones, we might ask ourselves how migrantised citizens and citizenised migrants contest forms of exclusion, and what alternative narratives *they* create. Put differently, perhaps we could more rigorously include the situated knowledge of those considered migrantised citizens or citizenised migrants in our knowledge production and give their voices more space in our work. I propose to engage in a debate about these issues, because they seem to me crucial to issues of knowledge production, legitimacy, representation and power relations in migration studies.

Bridget Anderson, Director Migration Mobilities Bristol, University of Bristol, UK

1 Introduction

Janine Dahinden and I both are responding to a challenge that migration scholars have, as she points out, been struggling with for over thirty years: How do we move on from methodological nationalism? How can researchers avoid reproducing states' efforts to fix mobilities' role in social relations in ways that make "the migrant" a racialised and problematic figure? We both seek to move beyond critique to propose ways forward, contributing to the "proliferation" of attempts to think beyond or outside hegemonic nation state-based constructions of "migration".

Those who might self-describe as "critical migration scholars" are in general agreement that "the migrant" is a social construction and that "the migrant" as an identity is relatively recent. This is not because moving about the world is a new phenomenon. What is new, however, is the state and social categorisation of certain people as "migrants". But this leaves open the question concerning the *kind* of social construction is the migrant is, and relatedly: *So what* if the "migrant" is socially constructed? It is not social constructs which are drowning in the Mediterranean.

How does such an analysis help engage with the kinds of injustices that characterise the treatment of migrants?

In her seminal piece in *Ethnic and Racial Studies* Dahinden (2016a) analyses the problem – the uncritical use of nation-state developed categories that naturalize migration-related difference – and proposes three “ways out”: simple acceptance; strategic positive essentialism; and reflexive working to de-naturalise and de-ethnicise the studies of migration and integration. Focusing on the last of these, she puts forward three strategies for pursuing reflexivity: Distinguishing between analytical and common-sense categories, integrating migration research into social theory, and changing the object of study from the migrant population through, for example taking place-based approaches or focusing on bordering practices. In what follows I will respond to that piece with some thoughts of my own, and then consider what that means for the proposal of the analytical lens of the migrant/citizen nexus.

2 Making Up People in Migration Research

From the 1970s onwards social theory and the social sciences have debated the challenge methodological nationalism poses to social scientific thinking. Methodological nationalism equates “society” with the modern nation state, naturalising the nation state as a container of social processes. It thereby pre-determines and defines certain objects of sociological enquiry and overlooks others, most crucially the nation state form itself (Wimmer and Glick-Schiller 2002). As social scientific interest in migration and human mobility has grown, so this problem has loomed larger. Scholars of migration continue to find methodological nationalism a particularly vexing epistemological, empirical and ethical challenge, as it normalises controls over cross border mobility and positions the international migrant as transgressing naturalised territorial boundaries and disrupting the “national order of things” (Malkki 1995). Scholars concerned about the uncritical embracing of the nation/state/society as a natural social and political form have become increasingly vocal about the risks of intellectual “co-optation” and the ways that migration/integration scholars can find themselves implicated in nation state making processes (Favell 2015; De Genova 2017; Schinkel 2018; Sharma 2020).

Importantly, this concern about co-optation is not confined to migration studies. Ian Hacking has theorised how human sciences “make up people”, and under the rubric of human sciences he includes “many social sciences, psychology, psychiatry and, speaking loosely, a good deal of clinical medicine ... specific sciences should never be defined except for administrative and educational purposes. Living sciences are always crossing borders and borrowing from each other” (Hacking 2006, 23). His work on “dynamic nominalism” builds on and critiques the philosophical nominalist tradition that holds, crudely, that taxonomies are created by human beings. When it

comes to the classification of people, he argues, names interact with the named, and human action is tightly linked to human description. It is not that bureaucrats and social and human scientists recognise an already existing kind of person, but rather that a kind of person can emerge at the same time as the kind is being invented: The generation of the category generates new possibilities for (or delimitations of) action. In Hacking's analysis, experts and scientists play an important role in what he calls the "looping effect". Experts are important in the initial identification of a potential form of grouping and later in the generation of expert knowledge on the grouping which is both legitimised and disseminated via institutions. One of the examples Hacking gives is of the female refugee in Canada (Hacking 2000, 11), and perhaps a particularly notable contemporary category of relevance to migration researchers is the Victim of Trafficking (VoT). Like other recently identified social-forensic categories, from autism to trans-identity, once identified as a phenomenon, numbers rocket, and the identification changes how people feel about themselves and their experiences, and shapes the possibilities for action. It also becomes an area of expertise and intervention, and we have seen with trafficking a huge increase in the numbers of state functionaries, businesses, NGOs and international organisations generating knowledge and policies about trafficking and, more recently, "modern slavery".

The epistemological and ethical issues of scientific expert knowledge are not confined to migration studies, and neither is the challenge of methodological nationalism, which runs across the social sciences. However, the category of the migrant/non-citizen, is exceptional because it is integral to the logic of contemporary state making. As John Torpey, following Weber, has argued in his history of the passport, modern states' monopoly over the legitimate means of movement is an essential element of the "state-ness of states" (2000). The state and governance are critical to much social categorisation and population making but what *types* of populations are made are largely contingent. So for example contemporary European states have made populations using the label "autistic" but they have not made a population of "prophets", though perhaps they will in the future, while COVID-19 means that having a population labelled "COVID-19 immune" makes sense today in ways that would have been inconceivable when Dahinden and I wrote our respective pieces. However, the form of the nation state is such that the labelling of some people as "nationals" and others as "non-nationals" or "migrants" is not contingent but necessary. Nation states can make many different and varied kinds of populations. They may or may not make an autistic population, but they *must* make "migrants" if they are to be a nation state (Sharma 2020). Importantly the migrant is not the only group that is foundational to contemporary nation state making. Others might include the criminal/law breaker and the indigenous/native/national. It is worth noting that both of these are complexly and contingently related to "migration",

and the migrant-citizen nexus could be a useful analytical lens to help tease out potential connections between these foundational categorisations.

Making up people “changes the space for possibilities of personhood” (Hacking 1986, 165), and for “migrants” these changes are generally negative. While it is possible to imagine a world where incomers are feted and given privileges, in the world as it is, the “migrant” is a subordinated subject, and the possibilities of personhood for many migrants is severely constrained. This is, I suspect, why methodological nationalism, which is a problem pervasive to the social sciences, is particularly troubling for migration scholars. It exposes how our expert knowledge is implicated in nation state building processes that directly produce subordinated subjects.

3 New Approaches to Researching “Migration” and Mobilities

Key to Dahinden and my responses to the issues raised above is to challenge the uncritical importing of the category “migrant” into social scientific research. Dahinden distinguishes between the “common-sense categories” of politics and “analytical categories” of research: “Conflating them, and in particular using the common-sense categories in social scientific research is a central way in which researchers reproduce normalized migration and ethnic difference and the logic of the migration apparatus” (Dahinden 2016, 2213). My interest in the state-making nature of immigration controls means that I am particularly interested in the power and role of the law as a category producing mechanism, and the ways it blurs the distinction between categories of analysis and categories of practice. The law is explicitly constructive: It creates “migrants”, or at least, creates first the foundational distinction of citizen/non-citizen and then the multiple categorisations of non-citizen. The law also gives these differences significance: The law does not only describe who is allowed over a border, but also their conditions of life post-entry, how long they can stay, where they can work, their social and political rights and so on. Discrimination between citizens and certain groups of migrants is not only legal, but often legally required.

Laws must be respected and enforced, but assessing a person’s legal status is extremely complicated. The general population is increasingly drawn into immigration enforcement, and poorly trained and anxious to err on the side of the law deputized actors often “directly reinforce symbolic and moral distinctions of otherness and illegality” (Walsh 2014, 247). In many states those charged with imposing immigration checks typically rely on race and/or ethnicity as a marker of national difference. In the UK this is precisely what happened in the Windrush scandal: The fact that people were Black was read as meaning they were migrants and potentially “illegal”, and therefore their status was subject to heightened scrutiny. They were illegally evicted, sacked and in some cases even deported as a consequence. There is a developing area of scholarly work that seeks to explicate the relation between

migration and “race” (Lentin 2008; Bhattacharya 2018; Yuval Davis et al. 2019; El-Enany 2020; Sharma 2020) but so far little attention has so far been paid to the role of “nationality”. Nationality can be read as both a legal status, consonant with citizenship, AND as signifying belonging to the nation of the nation state. National membership in both senses is traced through ancestry and nationality is sutured to race. “A blurring of the vocabularies of nationality and race is a founding strategy of the modern nation-state that makes it impossible to inquire into the modern state without attending to its creation in a global context of colonialism and racism” (Mongia 2018, 113). It is not simply that migration is imagined as disturbing a previous national homogeneity, but that migration precipitated the emergence of nationality as a territorial attachment. Thus, not only is migration central to state development and rule rather than, as is often imagined, a challenge to it, but racism also is not an unfortunate characteristic of immigration enforcement, but is absolutely baked into immigration controls and enforcement (Goldberg 2002; Mongia 2018; El-Enany 2020).

One way of challenging the stigmatised status of “migrant” is to foreground the technicalities of legal status. While ethnic minorities may be more likely to have their papers checked, it is not only the negatively racialised and the poor who are deportable and subject to immigration controls. In the past decade, migration research has become far more attentive to the movement of the (relatively) privileged with a growing number of studies on expats, lifestyle migration and youth mobility schemes for example. The mobilities’ paradigm has helped make connections between different kinds of human movements, between the mobilities of tourists and the movement of hospitality workers for example. Mobilities encourages us to think relationally and also to connect the mobilities of different kinds of things, the movement of goods with the movement of people for instance. Too often scholars are like the blind person feeling the elephant, missing the overall, and not connecting the migration trunk to a body which is trade, finance, history and infrastructure. In this way we risk replicating public understandings of migration which treats the movement of people as unattached to other economic, social and political processes. Thus, for example, in the UK the migration of significant numbers of people from the Caribbean to help build the National Health Service is much celebrated as a success of a tolerant and multicultural society – it was the centrepiece of the opening ceremony of the 2012 London Olympic Games in 2012. What is not visible is its relation to trade and profit: “When in about 1950 British democracy created a welfare state at home, it too depended on invisible donations from tea-pickers in Ceylon, rubber-tappers in Malaya, goldminers in South Africa, copper-miners in Rhodesia, the oil of Iraq and especially Iran” (Drayton 2012, 162).

4 Beyond Binaries: Migrant-Citizen Nexus

Dahinden proposes the introduction of “the ‘migrant-citizen nexus’ concept – according to which not only citizens are migrantised, but migrants are also ‘citizenised’ – *thereby revealing* interconnections that otherwise remain invisible. This would indeed be a valuable tool to destabilise the binary thinking of migrant and citizen and the naturalisation of the “migrant”. Some of those working on the undocumented/ illegalised categories of “migrant” emphasise the importance of not regarding “illegality” as an end state, recognising that immigration status as a process and that a person can move in and out of many different types of status. Similarly, the nexus proposal enables us to view citizenisation/migrantisation as processual rather than end states. This is important, as citizenship is too easily depicted as the “gold standard”, the answer to the problem of the migrant as subordinated subject, when citizenship theorists have long challenged the assumption that citizenship is a status of equal membership in terms of diversity of race, gender, sexuality or disability. As Cohen puts it: “In the final analysis citizenship does not make a citizenry equal. In fact, it appears to institutionalize both difference and inequalities, albeit in sometimes unexpected ways” (Cohen 2009, 12).

To undertake such a project, we will need to integrate migration not only into social theory as Dahinden suggests, but also into political theory. The importance of nation state formation for the emergence of “the migrant” means that the migrant is an inescapably political figure which is of relevance to theories of state and people, nationalism, and democracy. This has been particularly developed in theories of citizenship where in the past twenty years migration has significantly reshaped contemporary theorisations.

Dahinden’s “de-migrantization” and my “migrantizing the citizen” are complementary facets of the same project. We have a shared interest in not assuming a difference between migrants and non-migrants (whoever these may be). I suspect that our different emphasises are shaped by the fact that while we are both interested in “post migration studies” – I really like that description! – we are attached to the field for different reasons. Dahinden’s primary interest is in knowing when being a migrant matters. Only once we have de-migrantized we can see the significance of migration both for the people themselves and for others. My primary interest is using “migration” as means to understand the conditions of marginalised populations more generally. The two are, in the final analysis, not possible to separate, and in fact we need both if we are to build on the insights of migration studies and move beyond them.

The Migrant-Citizen Nexus in View of the Coronavirus Pandemic: Can We De-Migrantise Responses?

Janine Dahinden

Between the first and second rounds of this debate between Bridget Anderson and me, the context has changed dramatically, since the world was confronted with the coronavirus pandemic. Strikingly, European countries (and others, but I focus here on EU and Schengen member states) have fallen back on national(ist) answers. We are witnessing a closure along national lines, moving at a pace that was unimaginable a few weeks ago. Many European countries have closed their borders, some have implemented travel restrictions, others have imposed border controls, and on March 17, 2020 the European Council agreed to introduce a pan-European travel ban for the Schengen Area.² European countries have retreated into national fortresses which, however, remain highly unequal within. Governments have presented these measures as inevitable, and as intending to prioritise their own citizens' needs over those of foreigners. In other words, the debate Bridget and I started a few weeks ago has acquired a new twist and meaning in view of this nationalist, culturalised and racialised response to the current pandemic.

In her seminal article, Bridget challenges the simplistic opposition between “migrant” and “citizen”. She adopts the lens of “migrantising the citizen” to explore the many connections between the formal exclusion of non-citizenship and the multiple exclusions within citizenship. Building on her insights, I proposed the lens of the “migrant-citizen nexus” as a way to scrutinise citizenship/migrantisation as an entangled processes. Analogously to Bridget’s argument that citizenship does not make a citizenry equal, I argued that migrancy is also not equal and can be more or less citizenised. How can the migrant-citizen nexus help us make sense of Europe’s nationalist reaction to COVID-19 and its consequences? What is currently happening to processes of citizenship/migrantisation in Europe? I offer a tentative reading – of course highly selective and far from complete, rather *à chaud*, as we say in French – of some of these recent developments in terms of this migrancy/citizenship debate.³

2 For an overview of the border closures, travel restrictions and border controls, see https://www.lemonde.fr/planete/article/2020/04/12/coronavirus-dans-l-union-europeenne-ce-que-revele-la-cartographie_6036364_3244.html?_ga=2.229022748.1490414115.1586762015-160644985.1586762015 (19.6.2020), as well as data from nccr – on the move: https://public.tableau.com/views/Covid-19outbreak_15843550159920/Lists?:display_count=y&publish=yes&c:origin=viz_share_link&c:showVizHome=no (19.6.2020).

3 Please hold in mind, that this chapter was written during the peak of the “first wave” of the pandemic in early Summer 2020.

In her seminal article, Bridget refers to the ways in which migration/integration scholars can implicitly or explicitly be involved in nation-state-making processes, a risk she calls “intellectual ‘co-optation’” – a term I like for its accuracy. She correctly argues that this concern is not specific to migration studies, but that migration studies have the particularity of dealing with a (legal and symbolic) category of people – migrants/non-citizens – which emerged from nation-state-building processes and which has directly produced subordinated subjects. Yet, in view of the spread of the coronavirus, it is striking how swift migration scholars have been in offering important insights and voicing critical views – often in the form of blog entries,⁴ but also open calls⁵ – while showing a high degree of reflexivity with regard to the risk of intellectual co-optation. In other words, many migration and mobility scholars have applied already-existing critical knowledge to this new reality: They discussed the problematic aspects of travel restrictions, border controls and border closures in terms of their consequences for citizenship and unequal human im/mobility. They addressed the social inequalities that are inscribed in the capitalist system and migration regimes based on racialised, classed and gendered logics – for instance, when it comes to whether individuals have the privilege of being able to work from home, or even have access to sanitation infrastructure. Many have also reflected on the impact of these measures on asylum seekers and the human rights violations they result in. I interpret these voices as demonstrating that, as I argued in my first commentary, critical approaches that attempting to avoid intellectual co-optation not only have a long history within migration studies, but also have a great deal in common with a growing list of scholars outside mainstream migration studies who are also promoting similar reflexive knowledge.

But why does it remain so difficult to make these voices heard beyond academia? So far, politics and policies remain mostly untouched by this knowledge. In what follows, I reflect on what “de-migranticised” and “citizenised” – or, to use Bridget’s term, “de-nationalised” – pandemic measures to protect vulnerable people could look like. Concretely, I use the migrant-citizen nexus to present some alternatives to the nationalism-based policies and measures that have been adopted in reaction to the coronavirus pandemic, and I focus on the Swiss case as a specific example of a more general pattern in Europe as a whole (and beyond).

-
- 4 Examples include COMPAS’s Coronavirus and Mobility Forum at Oxford University: <https://www.compas.ox.ac.uk/project/the-coronavirus-and-mobility-forum/> (19.6.2020), and the nccr – on the move blog series, <https://nccr-onthemove.ch/news-covid-19-and-mobility/> (19.6.2020),
- 5 An example is the open call by ERC-funded migration scholars for the EU to respect human rights, evacuate detained asylum seekers, halt deportations and radically revise EU migration policy: https://www.ethnos.gr/sites/default/files/images/2020/03/a_call_by_eu-funded_researchers.pdf (19.6.2020).

Processes of Citizenisation and Migrantisation in View of the Pandemic

On March 13, 2020, the Swiss Federal Council announced border controls and closures during a news conference. The government argued that in order to ensure that the healthcare infrastructure in all the cantons could deal with the projected volume of COVID-19 cases, entry into Switzerland along its border with Italy would be restricted. In the words of the Federal Councillor in charge of the Federal Department of Justice and Police,

*These measures are intended to protect the population of our country, namely the functioning of the healthcare system so that we have the capacity to treat our patients. We need to prevent people from Italy from coming here to be treated in our hospitals, especially in the border cantons of Ticino, Valais and Grisons.*⁶

The Federal Council emphasised that these restrictions also applied to asylum seekers coming from Italy. “There’s no need for asylum seekers to enter Switzerland because there’s no immediate danger in Italy (which at this point was most heavily touched by the pandemic). Asylum seekers can ask for asylum in Italy and do not need to cross the border into Switzerland”. The Federal Council emphasised that the border closure would be in accordance with both the Schengen Agreement on free movement and the Dublin Convention (see Daniel Thym’s blog⁷ for the legal problems with these measures).

A few days later, the Federal Council imposed restrictions on entry by land and air to Italy, France, Germany, Austria, Spain and all non-Schengen states. On March 25th, it extended these restrictions to all remaining Schengen states with the exception of the Principality of Liechtenstein. Exempted from these restrictions are citizen of Switzerland and Liechtenstein, persons with a Swiss residence permit and persons who have to travel to Switzerland for work-related reasons or because of an emergency.⁸

A Foreign Virus and the Nationalist Lockdown: “De-Nationalising” the Pandemic by Framing it as a Global Crisis Requiring Non-National Solidarity

By framing the virus as foreign from the very beginning, European governments have culturalised and racialised it. Their policy responses have been consistent with this “Othering” of the virus – border controls and closures for people from foreign “risk areas”, with exceptions for countries’ own citizens (for whom costly efforts have

6 My translation. The press conference (in German and French) can be watched here: <https://www.youtube.com/watch?v=LF17vQU-YnY&list=PLEnHzNShzOwbxmvpk7ajVhE3m1mO6h6p9&index=12&t=0s> (19.6.2020).

7 <https://verfassungsblog.de/travel-bans-in-europe-a-legal-appraisal/> (19.6.2020).

8 <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-78563.html> (19.6.2020). For an overview of all other measures (as of April 14), see https://www.swissinfo.ch/eng/covid-19_coronavirus--the-situation-in-switzerland/45592192 (19.6.2020).

been made to repatriate them⁹). From the onset of the crisis, another framing was possible: It quickly became clear that, as with climate change we are faced with a global problem that requires both local and global action. *Citizenising* the pandemic would have entailed going beyond nationalist closures by highlighting solidarity and adopting non-national – *local* and *international* – measures.

The Frame of the Universal Human Right to Health

Is the strategy to protect “our” citizens and close borders to people coming from “risk areas” and “foreign countries” the most effective way to deal with this pandemic? Or, as Speranta Dimitru appropriately put it, «le nationalisme est-il bon pour la santé»?¹⁰ There are other possible strategies for dealing with the virus and protecting the most vulnerable – strategies that do not rely on nationality and race that would make it possible to citizenise the crisis in terms of universal human rights. The Universal Declaration of Human Rights (UDHR) guarantees a universal right to health, as a result of which access to healthcare can be reframed, from the protection of “our citizens” to the protection of all who need it. In other words, border controls – instead of outright border closures – might be useful, but they should be implemented independently of the nationality of the border crossers (for a more detailed argument, see Constantin Hruschka’s blog¹¹). The screening of all arriving and departing persons, distribution of information material in multiple languages, isolation of persons suspected of being infected and transfer of the sick to healthcare facilities would be an alternative, and very effective, strategy (and one that Singapore has adopted). Or, as Hruschka put it, “Border controls should [...] rather be conducted for the purpose of health, i.e. the controls should aim to check whether or not a person is potentially carrying the virus. This would mean no passport or residence permit checks but temperature and corona tests”. Such an approach could circumvent the migrantising effects of travel restrictions that have been highlighted by many scholars (see, for instance, Lorenzo Piccoli¹²): Border closures jeopardise the lives of the most vulnerable, like migrants who find themselves unable to return to the countries where they are supposed to study, work or care for their families. Instead of migrantising people, such an approach would citizenise them. Very exceptionally, there have been some efforts that hint at a universalising citizenship regime: Switzerland and Germany, among others, have taken a small number of patients from France and Italy.¹³ Additionally, such an outlook would have

9 For Switzerland, see for instance <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-78550.html> (19.6.2020).

10 <https://theconversation.com/le-nationalisme-est-il-bon-pour-la-sante-135709> (19.6.2020).

11 <http://eumigrationlawblog.eu/the-pandemic-kills-also-the-european-solidarity/> (19.6.2020).

12 <https://www.washingtonpost.com/politics/2020/04/05/coronavirus-restrictions-movement-may-jeopardize-lives-most-vulnerable/> (19.6.2020).

13 For the numbers, see https://www.lemonde.fr/planete/article/2020/04/12/coronavirus-dans-l-union-europeenne-ce-que-revele-la-cartographie_6036364_3244.html?_ga=2.229022748.1490414115.1586762015-160644985.1586762015 (19.6.2020).

meant that, instead of introducing measures to prevent Italians (living near the Swiss border) from being treated in Swiss hospitals, Switzerland could have facilitated the exchange of patients between hospitals from different cantons: In late March 2020, healthcare infrastructure in Ticino, the first canton affected by the coronavirus, was under heavy strain, in contrast to German-speaking cantons, where, because the virus arrived later and safety measures were introduced early enough, healthcare infrastructure was never strained beyond its limits in 2020.

Filtering the Borders for Nationalist Purposes: Reinforcing Inequalities

Ironically, the Swiss healthcare system functions partly thanks to the very high number of Italian healthcare workers in Ticino, as well as German and French healthcare workers in Switzerland's other linguistic regions. These individuals have become "system relevant" workers (or who in English are referred to as "key workers"). Such workers are often women and migrants, and they are mostly poorly paid. In this particular situation, they have been citizenised in the sense that they are still permitted to cross the border. Simultaneously, and cynically, their families and friends cannot receive treatment in Swiss hospitals. As Van Houtum (2005, 673) has argued, bordering processes are always entangled with ordering and othering, and border regimes always filter individuals according to particular criteria, but this has become almost absurdly obvious during the pandemic: We let others enter as long as it is for our benefit. We are witnessing this attitude throughout Europe, mainly in regard to agricultural and hospital workers. The vivid debate about whether to "import" Romanians and Bulgarians to Germany via special (expensive) flights to harvest asparagus for low wages reveals some of these inequalities and filtering mechanisms within Europe. At the same time, jobs which are typically performed by migrant workers are also being citizenised: Again in Germany, for example, massive efforts have been made to recruit German replacements for foreign harvest workers. These replacements could come from "the unemployed", but also from among those who are temporarily unemployed because of the lockdown.

Racialisation and Culturalisation: Überfremdung Reloaded

In Switzerland, the virus has been culturalised and racialised in a particular way, but similar mechanisms are observable elsewhere (see Bridget's postscript). A prominent Swiss geographer has explained the high number of COVID-19 fatalities in Italy, Spain and France, as well as the higher fatality rates in Switzerland's Italian- and French-speaking regions relative to its German-speaking regions, as resulting from differences in "culture".¹⁴ He has claimed that the virus spreads faster in the

14 https://twitter.com/mhermann_/status/1241626700070486017 (19.6.2020), Leaving everything else aside, the data he presents is highly questionable. To calculate fatalities per million inhabitants without taking into account case incidences or the time when the virus arrived and social-distancing measures were introduced, for example, is clearly unsound.

“Latin-speaking area” than in the German-speaking area because social distancing is a culturally determined phenomenon, and that German-speaking Switzerland therefore needs to be cautious about adopting “Latin measures”. These arguments were picked up by a populist journalist who has argued that the different rates of infection in French- and German-speaking regions can be explained by their different, historically grounded “mentalities”, especially their attitudes regarding state benefits and economic responsibility.¹⁵ This type of culturalisation and othering, which comes at the cost of ignoring systems of dominance and power, is common in Switzerland. It echoes concerns about *Überfremdung* (“over-foreignisation”), a Swiss term with origins in the late nineteenth century which was re-appropriated by various populist parties in the twentieth and twenty-first centuries in order to argue against immigration. At the core of *Überfremdung* is the fear that too much or certain forms of immigration will compromise Switzerland’s cultural identity and integrity as a nation, and that migrants should therefore not be allowed to enter because they are culturally too different (Kury 2003; Fischer and Dahinden 2017). What is surprising, however, is that this culturalising and exclusionary discourse stopped being targeted at European “migrants” years ago and has instead come to focus mainly on Muslims and migrants from non-European countries. The coronavirus seems to have enabled a reloading of culturalising and racialising ideas from the past by once again targeting them at groups that had come to be seen as belonging to Europe and hence “like us”. The virus has also been used to revitalise imagined insurmountable differences between German and French speakers, thus culturalising majority-minority power relations. These forms of culturalising are not only essentialist and reifying, but historically have also always been mobilised in order to secure socio-economic and structural privileges among the Swiss or the Swiss-German majority – a function that culturalisation and racialisation have fulfilled in most European countries (Hall 1997; Phillips 2010).

Migratisation of European citizenship

The Swiss example points to a transformation of European citizenship towards a migrantisation of EU citizens living in other member states. European citizenship, with its freedom of movement for nationals within the EU, was one of the most developed forms of “post-national membership” in the world (Soysal 1994). Through a case study of the United Kingdom and Germany, Barbulescu and Favell (2020) have shown that the principle of free movement in the EU had been transformed into a specific form of “immigration” and a way of limiting access to welfare to EU citizens even before the coronavirus pandemic. The freedom of movement of persons has increasingly been seen as problematic and framed as welfare tourism and poverty migration, including in Switzerland. But governments’ reaction to

15 <https://www.thurgaukultur.ch/magazin/weshalb-das-virus-den-thurgau-am-wenigsten-trifft-4375> (19.6.2020).

the crisis has increased this migrantisation of EU citizens to an extent that would have been unimaginable before this crisis. This is especially remarkable, because the severe restrictions of cross-border movements in Europe were mostly not accompanied by restrictions on domestic mobility. While Switzerland has closed its borders and imposed travel restrictions in 2020, the public transportation system continues to work (albeit at reduced volume) and people are in principle permitted to travel throughout Switzerland – even though the government urges the population to stay home (some countries, including Spain and Italy, have restricted internal mobility). Is travelling between Geneva and St.Gallen less dangerous than travelling between Geneva and Hamburg? If so, it would probably make sense to treat this crisis regionally, perhaps by limiting mobility in the most heavily affected regions.

Asylum Seekers: From (Partial) Human Rights Protection to Migrantisation

We can observe a clear de-citizenisation and a reinforced migrantisation in the context of asylum. Human rights regimes offer a road towards citizenisation. Some of the rights afforded to asylum seekers by the UDHR and the refugee system based on it are currently under attack. Border closures affect people seeking protection – as the Swiss Federal Council's news conference I discussed above demonstrates – since these people are also foreigners who should be prevented from entering the country. According to Hruschka, denying entry to persons seeking protection is a violation of international law.¹⁶ Additionally, asylum seekers are the ignored vulnerable during this crisis. The situation in refugee camps in Greece and elsewhere, where Europe is failing to showing any solidarity, is catastrophic, and social distancing is mostly impossible in Switzerland's asylum centres, as grassroots organisations have been arguing since the pandemic reached the country.¹⁷

A Plea for Citizenising Measures in the Face of the Pandemic

Examining the current situation through the migrant-citizen nexus reveals a tendency within Europe to simultaneously migrantise some people, mainly the most vulnerable, and citizenise others, mainly the most privileged, reinforcing established gendered, racialised and classed inequalities. The arguments I raise here are partly well-established ones that date to pre-pandemic times and circumstances, but which may now have a chance to break out of the “echo chamber”. I have attempted to outline some avenues by which we could move towards a citizenised response to the coronavirus pandemic, which could contribute to outcomes that are less nationalistic and unequal. I would like to reiterate an argument I made in my original commentary, but which has become much more urgent: Migration scholars need to step outside of academia and reach out to policymakers and wider audiences. Together with the

16 <http://eumigrationlawblog.eu/the-pandemic-kills-also-the-european-solidarity/> (19.6.2020).

17 See also <https://www.woz.ch/2015/asylpolitik/ausgeliefert-im-bunker> (19.6.2020).

many grassroots solidarity networks, we must do everything possible to contribute to the creation of a world of citizenship rights, which are not restricted by nationality.

COVID Postscript

Bridget Anderson

Re-reading our work from only a few weeks' ago is surreal. It seems like a message from an old world and, to paraphrase Gramsci, as the new one struggles to be born, who knows what monsters will emerge. As I write, citizens of wealthy democracies are confined in ways that would have been unimaginable even one month ago. In England no person may leave the place where they live "without a reasonable excuse". Leaving home for the purposes of "buying paint and brushes simply to redecorate a kitchen", or "driving for prolonged period with only brief exercise" for example do not constitute acceptable reasons (College of Policing 2020). In the US several states have introduced border checkpoints and are targeting motorists with out of state licence plates. In Spain the Guardia Civil have been given the power to check any documentation that can prove a person's reason for being outside, including shopping receipts. These are the kinds of measures with which non-citizens or citizens on probation may be familiar but are extraordinary for most. They are compounded by the experience of a kind of "asylum seeker time", an unrolling and flat present, a temporariness that extends until we-know-not-when, and over which people have limited control.

Public health is an instantiation of the "migrant/citizen nexus". It exposes our species being-in-common as the micro-biological does not recognise passports or bank balances. In that sense "we are in this together". Yet the analysis and responses to the pandemic are very much through a national lens. While the pandemic is global, the metaphors of being "at war", fighting and enlisting are promoted as if other humans were the enemies. In the UK we watch the daily press briefings flanked by Union Jacks and Georgian panelling and listen to comparisons with other states while the government seeks to explain the relative steepness of our "curve". In the early days countries would refer smugly to their national cultures: "Italians' demonstrative nature could be contributing to the spread of coronavirus", "The lifestyle and diet of Myanmar citizens are beneficial against the coronavirus". However, national thinking can be misleading and methodological denationalism has the potential to help us identify key issues that overly focussing on this scale obscures.

Firstly, thinking nationally suggests that those residing on the same territory are "in it together". Now of course it is undeniable that the state where people were present at the time of the virus has direct consequences for their health. Na-

tional governments are responding quite differently to the public health crisis, and their responses affect rates of sickness and death. However, the virus also exposes the mechanisms that promote and maintain inequality within as well as between states. For example, in UK, Sweden and the USA, among other countries, evidence is emerging that Black and Minority Ethnic people are disproportionately likely to catch and die from coronavirus. Increased susceptibility is in part because of poorer living conditions and long-term health inequalities, but also the likelihood of working in “forward facing” and essential jobs – in the UK the first ten named doctors to die from COVID-19 were all from minority ethnic backgrounds. The virus infected regardless of race, class and passport, and this is precisely what exposes race, class and passports as the inequality producing mechanisms that they are, as certain populations are far more likely to sicken and die.

These discrepant vulnerabilities and their association with race and class divisions are acknowledged, but citizenship status has so far been overlooked in reports and data on those who have caught and died from the virus. Non-citizens account for a substantial share of employment in many sectors that are now defined as essential. This includes health professionals: In Switzerland 34% of doctors are non-citizens, in the UK it is 28% (Baker 2019) and a report by the Migration Advisory Committee found that migrant nurses are paid significantly less than their UK national colleagues (Migration Advisory Committee 2016, Annex B).

The legal restrictions that are part of “making up migrants” are a key element in the interaction between the socio-economic and the biological that has consequences for everyone’s public health. This interaction is key to the origin and spread of the virus, and again nationalist assumptions mean we miss how the multiple intersections of (im)mobilities of capital, of food, of humans, of animals, of the microbiological, have produced the contemporary situation. The COVID virus is a human infection of animal origin, and the outbreak is likely to have originated in a market selling dead and live wild animals as food. However, to see the virus as originating in China is to miss the powerful transnational forces at play because of a distraction with the scale of the national. Across the world, big business has undermined local food security, pushing smallholders off their land and fisherfolk from their fishing grounds, increasing the cost of food and making subsistence more difficult. As price of protein has risen, the urban poor have turned to wild game, and rural people have moved to land that is more difficult to cultivate, sometimes encroaching on areas previously uninhabited by human populations, exposing them to new animal harms. Factory farming too has driven the emergence of new diseases. The mass “production” of livestock crowds together millions of farmed animals in breeding grounds for disease and species jumping (Wallace et al. 2020). Livestock production and multinational agribusinesses are owned and controlled by a handful of multinational corporations – JBS, Tyson Foods, Cargill and Smithfields (the last owned by the Chinese WH Group). Powerful transnational financial interests are

also invested in them: For example, after the 2008 financial crisis Goldman Sachs bought into Chinese poultry farms – reservoirs of avian flu¹⁸. Methodological denationalism can help develop the kind of relational thinking that locates the origins of the crisis – and therefore its long term solutions – not in a single animal in a wet market in Wuhan, but in entanglements whose “knots” are not only in Beijing and Hong Kong but also in New York, London and Paris.

This is particularly important in a situation where the virus is already being used as an excuse for brutal crackdowns. Border closures have been used to limit spread for centuries – the word “quarantine” comes from the 14th century Venetian practice of requiring ships from infected ports to sit at anchor for 40 days, *quaranta giorni*, before landing. In the contemporary world it is a measure associated with strong government, with taking action to protect the nation. “This is why we need borders” tweeted President Trump, directing attention to the borders and away from the internal community spread and chronic failures that facilitated it. Hungarian President Viktor Orban not only closed Hungary’s borders but also its universities on the grounds that “we cannot separate the tens of thousands of foreign students from the Hungarian students”, inadvertently demonstrating a key slippage that nationalism facilitates: Associating spread not with movement but with foreignness and ethnicity. The fact is that, in a globally integrated economy, international movement cannot be simply halted. This is illustrated by the continuing demand for temporary migrants to harvest crops across Europe in the Spring and Summer of 2020. The European Commission advised that agricultural workers be permitted to cross European borders while Germany, the UK, Italy and Spain desperately sought to recruit seasonal pickers. Movement, it seems, is necessary to “keep us safe, healthy and with food on the table”¹⁹.

Milton Friedman wrote: “Only a crisis – actual or perceived – produces real change. When that crisis occurs the actions that are taken depend on the ideas that are lying around” (Friedman 1982, xiv). Times like this expose how politicised judgements of reasonableness and realism are. A national lens normalises strict mobility controls, hyper surveillance and the ready association of race and disease, it distracts from the powerful financial and industrial interests that today shape the interface between the socio-economic and the biological today. Bizarrely, it makes preventing human movement more imaginable than planetary public health at a time when our energies should be devoted to the latter.

18 <https://thepoultrysite.com/news/2008/08/goldman-sachs-buys-chinese-poultry-farms>.

19 (<https://www.euractiv.com/section/agriculture-food/news/eu-recommends-keeping-borders-open-as-agri-labour-conundrum-looms-large/>).

References

- Amelina, Anna, and Thomas Faist. 2012. De-Naturalizing the National in Research Methodologies: Key Concepts of Transnational Studies in Migration. *Ethnic and Racial Studies* 35(10): 1707–1724. Doi: 10.1080/01419870.2012.659273.
- Anderson, Bridget. 2019. New Directions in Migration Studies: Towards Methodological Denationalism. *Comparative Migration Studies* 7(1):1–36. Doi: 10.1186/s40878-019-0140-8.
- Baker, Carl. 2019. *NHS Staff from Overseas: Statistics*. House of Commons Library Briefing Paper no. 7783 8th July, <https://researchbriefings.files.parliament.uk/documents/CBP-7783/CBP-7783.pdf> (20.06.2020).
- Barbulescu, Roxana, and Adrian Favell. 2020. Commentary: A Citizenship without Social Rights? EU Freedom of Movement and Changing Access to Welfare Rights. *International Migration* 58(1): 151–165. Doi: 10.1111/imig.12607.
- Bhattacharya, Gargi. 2018. *Rethinking Racial Capitalism: Questions of Reproduction and Survival*. Maryland: Rowman & Littlefield.
- Bonjour, Saskia, and Laura Block. 2016. Ethnizing Citizenship, Questioning Membership. Explaining the Decreasing Family Migration Rights of Citizens in Europe. *Citizenship Studies* 20(6–7): 779–794. doi: 10.1080/13621025.2016.1191429.
- Carling, Jorgen. 03.07.2017. Thirty-Six Migration Nexuses, and Counting, in *Jørgen Carling*, <https://jorgencarling.org/2017/07/31/thirty-six-migration-nexuses-and-counting/> (20.06.2020).
- Cohen, Elizabeth. 2009. *Semi-Citizenship in Democratic Politics*. Cambridge: Cambridge University Press.
- College of Policing. 2020. What Constitutes a Reasonable Excuse to Leave the Place Where You Live. Coventry: College of Policing, <https://www.college.police.uk/What-we-do/COVID-19/Pages/Understanding-the-Law.aspx> (20.06.2020).
- Crawley, Heaven, and Dimitris Skleparis. 2017. Refugees, Migrants, Neither, Both: Categorical Fetishism And the Politics of Bounding in Europe's "Migration crisis". *Journal of Ethnic and Migration Studies*, 44(1): 48–64. Doi: 10.1080/1369183X.2017.1348224.
- Dahinden, Janine. 2016a. A Plea for the 'De-Migrantization' of Research on Migration and Integration. *Ethnic and Racial Studies* 39(13): 2207–2225. Doi: 10.1080/01419870.2015.1124129.
- Dahinden, Janine. 2016b. Switzerland. In *The Wiley-Blackwell Encyclopedia of Race, Ethnicity and Nationalism*, edited by John Stone, Dennis Rutledge, Polly Rizova and Anthony Smith. John Wiley & Sons. Retrieved from Wiley Online Library. Doi: 10.1002/9781118663202.
- Dahinden, Janine, Carolin Fischer, Joanna Menet, and Anne Kristol. 06.09.2018. Gendernationalism As a new Expression of Political Nationalism, in *GenderCampus*, <https://www.gendercampus.ch/en/blog/post/gendernationalism-as-a-new-expression-of-political-nationalism/> (20.06.2020).
- Dahinden, Janine, Carolin Fischer, and Joanna Menet. 2020. Knowledge Production, Reflexivity, and the Use of Categories in Migration Studies: Tackling Challenges in the Field. *Ethnic and Racial Studies*: 1–20 (IFirst). Doi: 10.1080/01419870.2020.1752926.
- De Genova, Nicholas. 2017. The "Migrant Crisis" as Racial Crisis: Do *Black Lives Matter* in Europe? *Ethnic and Racial Studies* 41(10): 1765–1782. Doi: 10.1080/01419870.2017.1361543.
- Drayton, Richard. 2012. Imperial History and the Human Future. *History Workshop Journal* 74(1): 156–172. Doi: 10.1093/hwj/dbr074.
- El-Enany, Nadine. 2020. *(B)ordering Britain: Law, race and empire*. Manchester: Manchester University Press.
- Favell, Adrian. 2015. Integration Policy and Integration Research in Western Europe: A Review and Critique. Pp. 69–122 in *Immigration, Integration and Mobility: New Agendas in Migration Studies 1998–2014*, edited by Adrian Favell. Colchester: ECPR Press.

- Favell, Adrian. 2016. Just Like the USA? Critical Notes on Alba and Foner's Cross-Atlantic Research Agenda. *Ethnic and Racial Studies* 39(13):2352–2360. Doi: 10.1080/01419870.2016.1203447.
- Swiss Federal Office for Public Health, International Center for Migration Policy Development and Swiss Forum for Migration, and Population. 2011. *Access to Healthcare for Undocumented Migrants in Switzerland. Policies-People-Practices*. Vienna: Communication Network.
- Fischer, Carolin, and Janine Dahinden. 2017. Gender Representations in Politics of Belonging: An Analysis of Swiss Immigration Regulation From the 19th Century Until Today. *Ethnicities* 17(4): 445–468. Doi: 10.1177/1468796816676844.
- Friedman, Milton. 1982. *Capitalism and Freedom*. Chicago: University of Chicago Press.
- Goldberg, David Theo. 2002. *The Racial State*. Oxford: Blackwell Publishing.
- Hacking, Ian. 1986. Making Up People. Pp. 161–171 in *The Science Studies Reader*, edited by Mario Baigioli. New York, NY: Routledge.
- Isin Engin and Nielson, Brett (eds). 2008. *Acts of Citizenship*. New York: Palgrave Macmillan.
- Khazai, Faten. 2019. *Manufacturing Difference. Double Standard in Swiss Institutional Responses to Intimate Partner Violence*. PhD-thesis, University of Neuchâtel, Switzerland.
- Korteweg, Anna C. 2017. The Failures of 'Immigrant Integration': The Gendered Racialized Production of Non-Belonging. *Migration Studies* 5(3): 428–444. Doi: 10.1093/migration/mnx025.
- Kristol, Anne, and Janine Dahinden. 2019. Becoming a Citizen Through Marriage: How Gender, Ethnicity and Class Shape the Nation. *Citizenship Studies* 24(1): 40–56. Doi: 10.1080/13621025.2019.1691152.
- Kury, Patrick. 2003. Über Fremde reden. Überfremdungsdiskurs und Ausgrenzung in der Schweiz 1900–1945. Zürich: Chronos.
- Lentin, Alana 2008, Europe and the Silence About Race. *European Journal of Social Theory* 11(4): 487–503. Doi: 0.1177/1368431008097008.
- Malkki, Liisa. 1992. National Geographic: The Rooting of Peoples and the Territorialization of National Identity Among Scholars and Refugees. *Cultural Anthropology* 7(1):24–44.
- Michel, Noémi. 2015. Sheepology: The Postcolonial Politics of Raceless Racism in Switzerland. *Post-colonial Studies* 18(4): 410–426.
- Migration Advisory Committee (MAC). 2016. *Partial Review of the Shortage Occupation List: Review of Nursing*. London: Crown copyright. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/510630/Partial_review_of_the_shortage_occupation_list_-_review_of_nursing.pdf (20.06.2020).
- Mongia, Radhika. 2018. *Indian Migration and Mpire: A Colonial Genealogy of the Modern State*. Durham: Duke University Press.
- Ossipow, Laurence, Anne-Laure Counilh, and Milena Chimienti. 2019. Racialization in Switzerland: Experiences of Children of Refugees From Kurdish, Tamil and Vietnamese Backgrounds. *Comparative Migration Studies* 7(1): 1–7. Doi: 10.1186/s40878-019-0117-7.
- Phillips, Anne. 2010. What's Wrong With Essentialism? *Scandinavian Journal of Social Theory* 11(1): 47–60. Doi: 10.1080/1600910X.2010.9672755
- Purtschert, Patricia, and Harald Fischer-Tiné. 2015. Introduction. The End of Innocence: Debating Colonialism in Switzerland. Pp. 1–23 in *Rethinking Colonialism from the Margins*, edited by Patricia Purtschert and Harald Fischer-Tiné. Basingstoke: Palgrave Mcmillan.
- Scalettaris, Giulia. 2007. Refugee Studies and the International Refugee Regime: A Reflection on a Desirable Separation. *Refugee Survey Quarterly* 26(3): 36–50.
- Schinkel, Willem. 2018. Against "Immigrant Integration": For an End to Neocolonial Knowledge Production. *Comparative Migration Studies* 6(31): 1–17. Doi: 10.1186/s40878-018-0095-1.

- Sharma, Nandita. 2020. *Home Rule: National Sovereignty and the Separation of Natives and Migrants*. Durham North Carolina: Duke University Press.
- Soysal, Yasemin Nuhoglu. 1994. *Limits of Citizenship: Migrants and Postnational Membership in Europe*. Chicago: University of Chicago Press.
- Studer, Brigitte. 2001. Citizenship as Contingent National Belonging: Married Women and Foreigners in Twentieth-Century Switzerland. *Gender & History* 13(3): 622–654. Doi: 10.1111/1468-0424.00246.
- Torpey, John. 2000. *The Invention of the Passport. Surveillance, Citizenship and the State*. Cambridge, New York: Cambridge University Press.
- Van Houtum, Henk. 2005. The Geopolitics of Borders and Boundaries. *Geopolitics* 10(4): 672–679. Doi: 10.1080/14650040500318522.
- Van Houtum, Henk, and Rodrigo Bueno Lacy. 2019. The Migration Map Trap. On the Invasion Arrows in the Cartography of Migration. *Mobilities* 15(2): 1–24. Doi: 10.1080/17450101.2019.1676031.
- Wallace, Robert, Alex Liebman, Luis Chaves, and Rodrick Wallace. 2020. COVID-19 and Circuits of Capital. *Monthly Review* 72(1). <https://monthlyreview.org/2020/05/01/covid-19-and-circuits-of-capital/> (20.06.2020).
- Walsh, James. 2014. Watchful Citizens: Immigration Control, Surveillance and Societal Participation. *Social and Legal Studies* 23(2): 237–259. Doi: 10.1177/10964663913519286.
- Wimmer, Andreas, and Nina Glick Schiller. 2002. Methodological Nationalism and Beyond: Nation-State Building, Migration and the Social Sciences. *Global Networks* 2(4): 301–334. Doi: 10.1111/1471-0374.00043.
- Yuval-Davis, Nira, George Wemyss, and Kathryn Cassidy. 2019. *Bordering*. Cambridge: Polity Press.
- Zetter, Roger. 1991. Labelling Refugees: Forming and Transforming a Bureaucratic Identity. *Journal of Refugee Studies* 4(1): 39–62. Doi: 10.1093/jrs/4.1.39.

Intégration : 12 propositions

Adrian Favell*

Résumé : A partir d'une critique récente de la notion d'« intégration des immigrés », cet article développe douze propositions pour identifier le nationalisme méthodologique de la recherche dominante. La notion d'« intégration » implique des préconceptions théoriques sur la nature et le fonctionnement de la société moderne qui, dans un contexte post-industriel et post-colonial, se trouvent bornées par les erreurs liées à la pensée normative pour l'État-nation. L'article suggère une opérationnalisation empirique alternative vouée à rendre l'approche des modèles traditionnels de l'assimilation et de l'intégration caduques.

Mots-clés : Intégration, assimilation, immigration, inégalités globales, critique

Integration: 12 Proposals

Abstract: Developing the critique of notions of the “integration of immigrants”, twelve propositions are advanced to diagnose the methodological nationalism of mainstream approaches. The concept of “integration” contains assumptions about the nature and functioning of modern society which, in a post-industrial and post-colonial context, are falsely trapped within the normative bounds of thinking for the nation-state. An alternate empirical operationalisation is suggested that would render traditional types of assimilation and integration research obsolete.

Keywords: Integration, assimilation, immigration, global inequalities, critique

Integration: 12 Vorschläge

Zusammenfassung: Inspiriert von der jüngeren, englischsprachigen Kritik am Gebrauch von «Integration von Einwanderern», unterbreitet der Artikel zwölf Thesen, die den methodologischen Nationalismus dieser Mainstream-Debatten aufzeigen. Das Konzept «Integration» setzt Annahmen über Wesen und Funktionsweise der modernen Gesellschaft voraus, die in einem postindustriellen und postkolonialen Kontext zwangsläufig über die normativen Grenzen des nationalstaatlichen Denkens hinaus gehen. Der Artikel schlägt eine Operationalisierung eines neuen Ansatzes vor, der traditionelle Assimilations- und Integrationsforschung überflüssig machen würde.

Schlüsselwörter: Integration, Assimilation, Immigration, globale Ungleichheiten, Kritik

* School of Sociology and Social Policy, Université de Leeds, Leeds LS2 9JT, a.favell@leeds.ac.uk

Il aura fallu longtemps pour qu'un ensemble d'études critiques prenne forme autour de la recherche et des politiques sur *l'intégration des immigrés*, concept central de toutes les politiques préconisées aux États-nations européens par le courant dominant/progressiste concernant l'installation de nouveaux arrivants issus des migrations internationales (voir Favell 1999/2001, 2003 pour mes formulations antérieures; voir aussi Bauböck 1994a; Sayad 1996; Bommès 1998; Wimmer et Glick Schiller 2002; Simon 2005; Crul et Schneider 2010; Bommès 2012). Il est important d'approfondir ce type de travaux questionnant les approches traditionnelles sur l'immigration qui n'ont cessé de reprendre aveuglément les éléments de langage et la logique des politiques nationalistes – en particulier autour de l'idée d'*intégration des immigrés*. Dans cet article, je soutiens que plutôt que d'élaborer des mesures et des modèles descriptifs de trajectoires d'intégration réussie – avec toutes les hypothèses délétères que cela implique sur le fonctionnement supposé d'une *société nationale* – une recherche critique autonome doit s'attacher à démonter ces hypothèses, leurs mécanismes et les processus de cooptation par les politiques nationalistes qui caractérisent une grande partie des sciences sociales dans ce domaine. Comme en témoignent les travaux présentés dans ce volume, il existe aujourd'hui un riche débat qui remet en question le nationalisme méthodologique des idées traditionnelles sur l'intégration des immigrés, autour des travaux de chercheuses et chercheurs tels que Bridget Anderson (2013; 2019), Janine Dahinden (2016), Willem Schinkel (2013; 2017; 2019), Anna Korteweg (2017) et Sivamohan Valluvan (2017) (voir également Gryzmala-Kasłowska et Phillimore 2017; et Fox et Mogilnicka 2017, pour les applications; d'autres enquêtes transnationales sur la recherche et les politiques d'intégration dans Simon et al. 2015; Scholten et al. 2015; et la version révisée, élargie et mise à jour de mon rapport de 1999 pour le Carnegie Endowment sur « la politique d'intégration et la recherche sur l'intégration », Favell 2015). Cette vague d'études critiques sur les migrations s'inscrit elle-même dans un cadre de recherches plus larges issues de la théorie sociale critique et des études sur les frontières, inspirées par un mélange de marxisme et de Foucault aux accents principalement italiens (via Agamben et Negri), qui analysent la façon dont les migrants et les migrations sont utilisés pour établir des frontières physiques et politiques autour de la citoyenneté et des marchés du travail (par exemple, de Genova 2010; McNevin 2011; 2019; Mezzadra et Neilson 2013).

Les éléments du puzzle théorique sont cependant loin d'être tous réunis: en grande partie à cause des limites évidentes du cadre dominant en matière de travail critique, qui est rattrapé par la critique (post-) marxiste du *néo-libéralisme* – alors que c'est en fait le *néo-libéralisme* capitaliste toujours « maléfique » qui a été fondamentalement (et paradoxalement) la cause et le moteur de nombre des migrations et des libres mouvements à travers les frontières; des « mobilités » par ailleurs qui sont généralement célébrés, ou du moins défendus, par les chercheurs dans ce champ de recherche (sur ce point, voir ma contribution sur Will Kymlicka, Favell 2016a; et

sur Bridget Anderson, Favell 2017). Les marxistes de la vieille école, comme Stephen Castles (2011), se sont montrés moins réticents dans le contexte post-2008 du capitalisme contemporain frappé par la crise à affirmer qu'une grande partie des migrations internationales a des effets négatifs et n'est pas souhaitable (voir aussi de Haas 2012). Cependant, une fois que les migrants ont franchi les frontières et sont entrés dans le pays, la plupart des progressistes sont prêts à s'aligner avec les spécialistes du courant dominant et à rechercher des modèles d'inclusion progressistes. Cela veut dire que leurs modèles relèvent plus souvent que non du registre de l'*intégration*, une notion manifestement nationaliste voire coloniale au niveau conceptuel, centrée sur la construction nationale et partagée par tous les différents gouvernements nationaux en Europe. Notamment, la recherche appliquée dans ce registre se traduit facilement dans les bourses de recherche gouvernementales. Comme je le soutiendrai, ce nationalisme méthodologique problématique, implicite dans l'adoption du bagage conceptuel de l'*intégration* et son opérationnalisation, s'étend au-delà des études traitant explicitement de l'intégration nationale des immigrants, à d'autres études concevant l'*intégration* dans des contextes plus localisés, ou à des méthodologies ostensiblement plus neutres.

En tout cas, ce ne sont plus seulement les nations les plus influencées par le modèle républicain à la française (dont la Suisse) qui mettent l'accent sur une conceptualisation essentiellement durkheimienne de la société basée sur l'*intégration*. Il convient également de noter le retour en force du concept d'*intégration* au Royaume-Uni, où il a fait l'objet d'un discours très critique pendant de nombreuses décennies (voir Casey 2016; Favell 1998, pour l'historique); et que d'éminents chercheurs américains ont maintenant commencé à formuler des études comparatives transatlantiques sur l'*intégration des immigrants* (voir en particulier Alba et Foner 2015; et mon examen critique de l'asymétrie funeste de ce programme de recherche, qui néglige particulièrement la question de la libre circulation et des mobilités au sein de l'Europe comme élément majeur du paysage des migrations; Favell 2016b).

Ce que le récent article essentiel de Schinkel *Against «immigrant integration»* («Contre l'intégration des immigrants») (2019) qualifie de manière cinglante de *multiculturalisme* aux Pays-Bas et ailleurs – fondamentalement un nationalisme réactionnaire et néoconservateur – est donc devenu la norme par défaut partout en Europe. Au Royaume-Uni, cela s'illustre par le succès considérable commentateurs néoconservateurs tels que Paul Collier (2013) et David Goodhart (2013), pour qui l'*intégration* en tant qu'objectif ultime revient comme leitmotiv. Comme Schinkel le révèle aussi de façon saisissante, ce triomphe populiste est encouragé par les chercheurs en sciences sociales comparatives sur l'intégration des immigrants, dont les travaux sont bien plus sérieux et dignes d'intérêt, mais qui réagissent avec hostilité lorsque sont exposés le nationalisme méthodologique de leurs hypothèses non réfléchies et ses implications (Alba et Foner 2016).

Cependant, comme la plupart des études provenant de la théorie critique, les travaux de Schinkel offrent peu de choses que les chercheurs ou les décideurs « mainstream » sont susceptibles de trouver utiles. Mon propos est qu'il faut faire plus pour engager le débat avec ce courant dominant si l'on veut s'y opposer. La déconstruction du courant dominant sur ses propres termes n'est pas tâche facile. En partie parce que d'autres approches critiques ont trouvé leurs propres zones de confort, avec des réseaux qui permettent de faire carrière dans le milieu universitaire, je ne crois guère à la possibilité que « l'anomalie théorique » que Schinkel dissèque soit déconstruite sur le long terme. Les universitaires des différentes affiliations épistémologiques ne se parlent tout simplement pas – parce qu'ils n'en ont pas besoin. Mais on n'arrive à rien en sciences sociales sans rendre les choses opérationnelles. Aussi mon objectif est ici d'avancer par étapes dans une logique d'opérationnalisation qui peut nous faire progresser vers la science sociale dé-coloniale que Schinkel et d'autres appellent de leurs vœux, mais qui est applicable et empiriquement viable. Je fais en ce sens *une série de propositions* qui forment un ensemble visant à fonder une nouvelle approche (reprenant par là un format souvent utilisé par Stephen Castles, par exemple 2007).

1. *Le passage de l'assimilation à l'intégration (tel que défendu par Alba et Foner 2015) est, à y regarder de plus près, rétrograde et naïf: il ne résout rien. Les mesures d'intégration les plus sérieusement opérationnalisées sont en fait des mesures d'assimilation, comparant des minorités statistiquement désignées à une population majoritaire supposée et construite (voir aussi Brubaker 2001). L'autre type principal est celui des indices de dissimilarité. Les termes sont donc interchangeables. Qu'on l'appelle assimilation ou intégration, la question fondamentale – l'intégration de qui dans quoi? – n'est pas résolue.*

La recherche est tiraillée entre les modèles où les populations s'assimilent dans un « mainstream » de classe moyenne statistiquement construite, et ceux où il existe des groupes de comparaison catégoriels construits sur la base de la « race » en relation avec une population « visible » dominante. Le modèle du mainstreaming (« indifférent à la couleur ») progresse dans la recherche européenne, influencée par les modèles nord-américains dominants (Alba et Nee 2003 ; Alba et Foner 2015) ; aux États-Unis, l'assimilation (segmentée) fondée sur la race reste l'approche dominante (Portes et Zhou 1993 ; Portes et Rumbaut 2001). La recherche britannique sur l'intégration/les inégalités raciales est plutôt hybride. La comparaison des inégalités raciales persistantes y est mesurée par rapport au groupe majoritaire identifié comme une population nationale *blanche* – conçue comme si elle était indigène (Modood et al. 1997 ; Heath et Cheung 2007 ; Khan et al. 2014 ; Demireva et Heath 2017) ; cette hybridité se retrouve également de manière évidente dans de récents travaux français et néerlandais reconnaissant l'ethnicité et les groupes différentiels au sein de la population nationale (Kesler et Safi 2011 ; Safi et Simon 2013 ; Crul 2015).

2. *L'intégration est un concept et non une métaphore. Les concepts impliquent des hypothèses sur le fonctionnement de la société; ils ne devraient pas être de simples éléments de substitution rhétoriques ou du jargon à consonance progressive malléable (comme ils peuvent l'être lorsqu'ils sont repris de manière instrumentale par des décideurs politiques). L'utilisation métaphorique d'un terme devrait par conséquent être bannie de tout travail sociologique opérationnel. S'il s'agit d'insertion, d'inclusion ou d'adaptation, et que l'on veut moins d'implications théoriques (ou simplement pour utiliser des statistiques sociales descriptives, athéoriques), alors il faut le conceptualiser comme de l'insertion, de l'inclusion ou de l'adaptation et non de l'intégration, qui contient implicitement au sein de sa logique conceptuelle la notion d'unité délimitée et partagée, laquelle a été dans la modernité la forme par défaut de l'État-nation-société.*

De nombreuses utilisations du terme *intégration* par les sociologues du courant dominant – un exemple étant de définir l'*intégration économique* comme la convergence des taux d'activité des groupes ethniques minoritaires issus de l'immigration et du groupe majoritaire blanc (comme le font Demireva et Heath 2017, par exemple) – sont strictement athéoriques dans ce sens; c'est à dire, en l'absence d'une théorie structurelle sur la manière dont cette convergence est censée produire une unité délimitée et partagée fondée sur l'égalité, plutôt que la simple assimilation à un groupe dominant. Cependant, à un moment donné, il nous faut une théorie de la société si nous voulons réellement faire de la sociologie, par opposition aux statistiques sociales naïves de ce genre. L'intégration est un concept théorique à part entière. C'est pourquoi tant d'utilisations de ce terme destinées aux décideurs politiques adoptent de manière inadéquate son vernis à sonorité progressive (i.e., en tant que métaphore) sans montrer comment une assimilation statistiquement mesurable (comme par exemple Demireva et Heath 2017 cités ci-dessus) change réellement de l'intérieur une population nationale dominante « mainstream », ou rend les majorités et les minorités moins inégales. Si l'intégration se produisait réellement, elle modifierait en fait l'unité ainsi que la manière dont nous identifions statistiquement et juridiquement les populations ou groupes qui la composent (comme c'est le cas avec l'*intégration européenne* qui modifie les sociétés nationales et les populations désignées *européennes* qui la composent). Pourtant, dans les études classiques de l'*immigration*, l'unité de la nation reste toujours constante en tant qu'unité permettant de désigner les populations en tant que groupes, même dans des travaux qui prétendent éviter cela en changeant d'échelle (i.e., passant à une ville ou une localité). Si l'on mesure l'*intégration des immigrants* à une ville diversifiée (par exemple Londres), il s'agit toujours des minorités (reconnues au niveau national en tant qu'autrefois des ressortissants étrangers) comparées à une population "nationale" dominante (prétendument autochtone) plus ancienne (c'est à dire les Britanniques blancs).

De plus l'*intégration* est un concept fonctionnaliste durkheimien, qui ne peut donc pas être utilisé de manière pertinente en dehors de ce type de dispositif théorique. L'intégration implique un système délimité (se différenciant de son environnement); une différenciation interne (c'est-à-dire la division du travail); un ordre (équilibre) et des valeurs abstraites, spécifiques (et différenciées) de ce système; une complexité interne, progressive, organique, conduisant à une plus grande différenciation de l'individu en tant que sujet autonome. Fondamentalement, il s'agit de la théorie de la modernisation. Cela nous libère potentiellement de l'unité de l'État-nation-société (comme Durkheim l'avait envisagé; voir Trenz 2011), mais laisse l'unité totale et les groupes de population qui la composent (à intégrer par rapport à une population dominante) encore à préciser. Schinkel propose que nous comprenions ce fonctionnalisme dans les termes de Luhmann (une société « mondiale » ou « planétaire »), mais il peut également être conçu en termes d'autres théories de modernisation du développement comme l'école de John Meyer (2010). Il s'ensuit également qu'il ne fait aucun sens de suggérer que l'*intégration* est une propriété d'un individu particulier; par exemple dans une phrase comme « cet immigré est plus ou moins intégré que celui-là ». L'intégration doit être une propriété d'un système social qui fonctionne. Sa plus petite variante possible est un système de deux individus en interaction. L'intégration, dans le cadre durkheimien classique, est ce qui produit l'individu (libre et égal).

3. *Si l'on utilise le terme intégration aujourd'hui, il faudrait par conséquent que ce soit une intégration mondiale (ou mieux : planétaire). L'idée d'intégration nationale à laquelle les usages courant sont explicitement ou implicitement voués – pour la raison théorique énoncée ci-dessus – est, dans cette optique, un anachronisme absurde.*

Par rapport à d'autres points de vue dans les sciences humaines et de critique sociale – dont les hypothèses cosmopolites, féministes ou post- et dé-coloniales sont désormais absolument inévitables – on dirait qu'il est étonnant que nous devions encore souligner cette absurdité. Ce serait comme si les études globales et transnationales de ces 25 dernières années ne nous apprenaient rien en matière d'*études migratoires*; peut-être même qu'en fait rien d'*international* ne s'était passé au 20^{ème} siècle. Quid des systèmes mondiaux complexes de l'industrialisation et du colonialisme? Les historiens nous diront tous que l'*intégration nationale* n'a jamais vraiment eu lieu telle qu'on l'avait imaginée; et si elle a eu lieu, c'est seulement dans le contexte de l'industrialisation (fortement mondialisée) et de l'exploitation coloniale. L'*intégration* économique, culturelle et sociale au niveau strictement national est *de toute évidence* une absurdité conceptuelle. Les économies *nationales*, par exemple, s'inscrivent toujours dans une économie régionale et mondiale plus large, et pas seulement en Europe, où tout cela est formalisé juridiquement depuis plus de cinquante ans. En fait, l'illusion d'États-nations-sociétés qui pourraient

s'auto-définir n'est aujourd'hui entretenue qu'en raison de l'hégémonie des États-Unis, le dernier État-nation *conteneur*, l'archétype sur lequel tous les autres États-nations projettent consciemment ou non leur identité. Ce qui reste de la pensée intégrationniste est ainsi guidé par la théorie de la société américaine, comme il sied à son hégémonie dans les sciences sociales. En sociologie, cela apparaît comme le curieux vestige parsonien d'un Durkheim américanisé visible dans les discussions contemporaines de l'intégration (tel que diagnostiqué pour la première fois par Rex 1961). En Europe, l'endurance des idées d'intégration nationale révèle le fantasme persistant d'une construction des nations de la fin du 19^{ème} siècle, dont l'apogée ne pourrait au mieux être défendue que comme une certaine image illusoire de l'État-providence de l'après-guerre (comme vue, par exemple, par T. H. Marshall). Dans le cas de la Grande-Bretagne, de la France et d'autres pays, il s'agissait là d'un fantasme *postcolonial* – de se retirer dans un État au territoire national selon les principes wilsoniens, qui n'a jamais vraiment existé – parce que ces *nations* étaient avant tout, et sont toujours dans une certaine mesure, des *empires*. Cela incluait leurs États providence *intégrés* construits grâce à l'exploitation coloniale (Bonnett 1998). Le système mondial moderne au sens wallersteinien est de toute évidence très loin d'être intégré, mais il y a des aspects d'intégration que nous pouvons évoquer en termes de régionalisme, d'organisations internationales, d'économie politique internationale, de réseaux transnationaux, d'isomorphisme institutionnel, de mondialisation culturelle, de constructions coloniales en cours, etc. Il s'agit juste d'études globales, *business as usual*. Mais il est plus qu'étrange que les études migratoires – l'étude des mobilités humaines dans l'espace mondial – n'y occupent pas une place centrale, en raison de la façon dont elles sont mises en pratique de façon dominante, avec l'obsession de l'État-nation autour des « immigrés », de la politique nationale et de l'intégration nationale suivant sa logique marshallienne. C'est bien sûr la position transnationaliste classique sur le nationalisme méthodologique (Wimmer et Glick Schiller 2002). Mais ce que Wimmer et Glick Schiller ont peu développé, et qui fait défaut, comme je l'ai souligné dans mon introduction, c'est de poursuivre un travail critique sur le concept fondamental d'*intégration sociétale*, qui sous-tend le nationalisme méthodologique.

4. *Tout le discours qui subsiste aujourd'hui sur l'intégration nationale – en particulier sur l'intégration des immigrés dans des sociétés nationales données – relève donc de la sociologie normative et non de la sociologie analytique ou empirique. Il ne s'agit pas d'un discours scientifique autonome, mais d'une forme de pensée d'État.* (Sayad 1996)

Ce mode de pensée concentre l'attention sur l'organisation/la gouvernance de la société, cherchant à ré-imaginer et à représenter la réalité de la société mondiale selon un modèle national de la politique soutenu et géré par des institutions nationales et des citoyens nationaux. Ainsi, on ne devient pas seulement un individu

moderne, on devient un *citoyen* moral/politique pleinement autonome. En ce sens, les chercheurs qui travaillent sur le paradigme de l'intégration nationale agissent directement au service d'un processus politique; leurs recherches, pour reprendre encore une fois les termes de Schinkel, sont *évidemment* une forme de biopolitique (voir Tyler 2010), reflétant des présupposés politiques courants (les politiciens, les décideurs, les médias, la culture quotidienne, tous reflètent cela – ce que j'ai appelé les « philosophies publiques » dans Favell 1998). La recherche orientée vers les politiques, axée sur l'*impact*, n'a aucun problème avec cette forme de *savoir/pouvoir* gouvernemental (ou « habitus politique », Scholten et al. 2015 citant Favell 2001), mais cela ne devrait pas être le cas pour des sociologues autonomes crédibles et critiques. Les universitaires spécialistes des politiques publiques peuvent soutenir que leurs travaux alimentent le discours public, les connaissances qui influencent la politique, etc. Nous disposons de bons exemples de savoir/pouvoir mondial et régional: la gouvernance d'experts à niveaux multiples de l'UE ou de l'ONU en font partie. Mais le pouvoir au sens commun de concepts tels que l'intégration – et le type de société ainsi imaginé – est révélateur de l'ascendant que reprend la forme politique de l'État-nation dans notre époque post-mondiale. La forme que prend généralement ce pouvoir pour représenter la réalité est encore naïvement celle de la souveraineté politique au service du Prince et du Léviathan, fondamentalement hobbesienne (cf. Latour 2006). La forme justificative que celle-ci prend de manière prédominante dans le monde moderne est bien sûr la *Démocratie*. L'idée que le Peuple peut déterminer la Nation en tant qu'unité politique de gouvernance: imposer cette représentation sur la société internationale. Fondamentalement, compte tenu des mobilités au niveau mondial, cela implique l'acte normatif constituant de la souveraineté de l'État qui consiste à identifier les *nationaux* et les *étrangers* parmi les populations à l'intérieur, sur, ou en dehors, de ses frontières. Le Brexit est un cas de figure intéressant (Favell et Barbulescu 2018). Dans la société mondiale inachevée des années 1990 et 2000, il est frappant de constater comment cette notion du politique/démocratique s'est détachée des autres formes et dimensions de l'intégration sociale – économie, culture, relations sociales, géographies humaines et, de plus en plus, l'ensemble des représentations scientifiques de ces systèmes mondiaux. La citoyenneté transnationale/affiliation post-nationale est une énigme qui n'a pas du tout été résolue mais qui reste essentielle (Soysal 1994; Bauböck 1994b; Jacobson 1996); les sciences sociales aujourd'hui régressent dans leur réflexion normative sur ce sujet (voir toutefois Soysal 2012).

5. *L'intégration n'est pas toujours souhaitable. Les sociétés nationales pleinement intégrées peuvent ressembler à la Corée du Nord ou à l'Allemagne de l'Est sous Honecker, comme l'a souligné Durkheim dans sa conception d'une intégration excessive. Une intégration complète implique rigidité, conformité, différenciations figées et fermeture.*

Si nous voulons que notre science soit normative, il est clair que nous n'avons pas du tout de mesure normative évidente de la forme que peut prendre une « bonne » intégration, étant donné les compromis inévitables en matière de liberté/individualité (par opposition aux phénomènes de type « passager clandestin » etc.) d'une part, et les critiques décoloniales/foucaaldiennes de l'assimilation à la modernité (de la *blanchité*) d'autre part (dans la lignée de Schinkel). Les « immigrés » peuvent être soumis à trop d'intégration. Certes, dans la vision mondiale/planétaire, l'invisibilité est généralement la conséquence, mais cela n'a pas grand-chose à voir avec le fait de devenir un ressortissant du pays. Dans le paradigme de l'intégration nationale, beaucoup de célébrations de l'intégration *réussie* sont en réalité des célébrations des inégalités de classes – comme il est merveilleux que les minorités ethniques aient atteint le modeste succès des classes ouvrières blanches nationales, etc.

6. *Le mythe de l'intégration nationale est clairement un alignement de l'individu avec les normes (la moyenne) du courant dominant de la société. Et l'opérationnalisation fonctionne (jusqu'à un certain point) avec des regroupements et des mesures comportementales, dans le type d'approches des statistiques sociales mentionnées ci-dessus. Mais aucune assimilation structurelle (qui est véritablement ce qui est proposé) ne peut fonctionner sans alignement des valeurs et de la culture : la citoyenneté proprement dite. Cela nécessite des capacités cognitives, des connaissances, une conscience de soi et, en fin de compte, la démonstration de sa propre autonomie en tant qu'individu moral.*

Cela s'est avéré évident, tant que les États-nations partout en Europe et ailleurs ont mis en pratique les idées d'intégration. Tous les tests d'intégration dans les processus de naturalisation utilisent ce genre de critères : c'est le résultat sur lequel on peut examiner un individu ; sur la façon dont il ou elle a été socialisé(e) et dont il/elle est devenu(e) indépendant(e). Mais une fois que l'attention n'est plus portée sur le comportement, il ne s'agit plus de se concentrer sur un corps dans l'espace et dans le temps (qui peut être territorialisé), mais sur un esprit constitué d'un vaste lexique de composantes de pensée, de sentiments, de parole et d'imagination, composants qui sont bien sûr dans une certaine mesure mondialisés ; même l'électeur typique du UK Independence Party (UKIP) appartenant à la classe ouvrière blanche et vivant à Grimsby, dans le Lincolnshire en Angleterre (ainsi que dans la soi-disante « France périphérique »), a déjà regardé la télévision américaine (voir Aksoy et Robins 2008 sur le « transnationalisme banal »). Cela menace la nation en tant qu'unité dominante de l'intégration sociale. L'État a donc bien sûr tout intérêt à pénétrer autant qu'il le peut dans les esprits : concevoir et opérationnaliser l'intégration en fin de compte comme national est le moyen d'y parvenir ; l'intégration est la façon dont l'État pense (encore une fois, à la suite de Sayad 1996).

7. *Si nous devons utiliser l'intégration comme un concept sociologique, ce serait plutôt une mesure de la dé-différenciation du national par l'étranger (sous la forme de la*

personne étrangère) : jusqu'à quel point la société nationale est-elle intégrée dans la société planétaire ?

Les politiques d'immigration font le contraire : elles sont le moyen pour les États-nations de se tenir à l'écart du monde (Waldinger 2015). Ce qu'ils nomment *intégration* est en fait une mesure de la manière dont ils réussissent à différencier la société nationale de ses ancrages plus larges. Les indices de dissimilitude dans les contextes nationaux ou locaux mesurent efficacement l'assimilation d'une autre manière. Une autre utilisation comparative des indices de dissimilitude – qui mesure le degré de déclin ou d'érosion de la spécificité des pratiques comportementales ou culturelles des populations nationales par rapport à leurs voisins internationaux en raison de présence croissante d'étrangers et de migrants – pourrait être ici un bon moyen d'arriver jusqu'à l'intuition véritablement post-nationale qui est au cœur de la recherche sur la superdiversité.

8. *Mais : l'intégration dans quoi ? La quintessence de l'intégration serait la construction de l'individu translucide (moderne, mondialisé) : ce serait (encore) l'individu, le moi, l'âme libre, la personne capable d'être différente ; pouvoir, individualité, autonomie, etc. ; c'est-à-dire ce que les philosophes ont toujours identifié comme la philosophie du sujet.*

C'est aussi tout simplement le *citoyen du monde* présenté comme le fruit de pratiquement toutes les politiques éducatives *internationalisées* dans les pays développés et en développement dans le monde entier (Schissler et Soysal 2005, dans la tradition de la sociologie mondiale de Meyer). La critique de la blanchité méthodologique devrait venir ensuite. Le fait est, cependant, que cette critique doit être empirique : oui, l'accès au monde de Meyer diffère *de manière observable* en fonction de la race, de la classe, du genre, de la culture (ethnicité), du handicap – toutes choses dont parlent habituellement les sociologues empiriques. En d'autres termes, l'assimilation peut et doit être modélisée (de manière critique) comme l'assimilation dans la *blanchité* – dans la Modernité (en tant que telle) – devenir un individu moderne *translucide* (bien que ce soit souvent la même chose dans certains contextes, pour éviter la confusion lorsque *blanc/blanchité* ne se rapporte plus forcément à la couleur de la peau, translucide pourrait être la forme générale que prend aujourd'hui l'invisibilité moderne de la blancheur). Mais ce processus est *évidemment* basé (empiriquement) sur la classe, la race, le genre, la condition au regard du handicap, etc. Ce que je veux dire, c'est qu'il y a ici une intersection où les assimilationnistes (planétaires) rejoignent les études critiques sur la race ou les lectures foucauldienne (si elles diffèrent, ce serait pour des raisons normatives liées à des compréhensions différentes de l'autonomie kantienne et du « Qu'est-ce que les Lumières ? » de Foucault). Une personne moderne bien *intégrée* n'est pas quelqu'un qui atteint les normes de la classe ouvrière dans un contexte national donné. C'est ici que le caractère douteux des approches traditionnelles est le plus clairement mis en évidence. Leurs logiques

suggèrent implicitement que les *immigrés* sont *intégrés* dès qu'ils franchissent le seuil de pauvreté et commencent à être un *problème* social moins visible (en tant que groupe). La question ne disparaît pas ici lorsque cette assimilation est conçue en termes d'obtention d'un salaire moyen ou de devenir une *classe moyenne*. Le fait est que la stigmatisation est liée à la visibilité (statistique). Il n'est donc pas surprenant que beaucoup de chercheurs critiques trouvent cela offensant : tout comme, notamment, Schinkel, qui qualifie plus crûment cette logique néocoloniale de « raciste » (Schinkel 2019).

On peut convenir que l'intégration nationale imaginée et projetée avec de tels critères de seuil sur les *immigrés* est *automatiquement* une forme de subordination/domination par rapport aux individus modernes véritablement translucides. En général, l'intégration nationale ne se contente pas seulement de comparer les *immigrés* aux *perdants* de ce système ; elle les *regroupe* (généralement par le biais du concept d'*ethnicité*) afin d'empêcher ou de rendre difficile toute différenciation individuelle. Toute forme de mesure de la réussite à se conformer à un courant dominant national met inévitablement en jeu des marqueurs culturels de cette réussite qui ne sont plus exigés des individus globaux translucides, qui par définition ont une relation à *la carte* avec les exigences culturelles nationales qui doivent être plébiscitées (démocratiquement) chaque jour, selon les anciens termes républicains de Renan, et qui sont imposées aux nouveaux arrivants dans la société afin qu'ils prouvent leur appartenance (c'est-à-dire dans des *tests* d'intégration nationale). L'idée ici est que l'on n'atteint la subjectivité néolibérale qu'au-delà d'un certain seuil de salaire/de richesse/d'éducation. Les dominations basées sur la classe et la race ou l'immigration sont donc essentiellement les mêmes. Si l'acculturation nationale n'était pas à *la carte* pour ceux qui se considèrent *libres*, la vie moderne serait absolument insupportable. Bien sûr, certains *immigrés* ont des trajectoires sociales qui les placent dans les classes sociales mondiales de la modernité ; en fait certains y sont même déjà dès la naissance (un petit pourcentage, même dans certains pays très pauvres). La race, le genre, la culture, le handicap ne peuvent expliquer *tous* les désavantages dans la production stratifiée des *citoyens du monde*. Cela n'est pas surprenant en soi. Mais – et c'est l'étape clé sur le plan empirique – c'est le désavantage probable lié à une nationalité de faible valeur avec laquelle ils sont nés qui compte le plus, et non leur statut chanceux de membres de l'élite mondiale. C'est ce que théorisent les spécialistes des inégalités mondiales et des droits liés à la naissance en termes de chances dans la vie selon la nationalité et la valeur d'indice de la nationalité (Shachar 2009 ; Milanovic 2010 ; Kochenov 2019).

9. *Les inégalités mondiales et la loterie des droits acquis à la naissance montrent clairement qu'indépendamment d'une citoyenneté mondiale putative (qui, de toute façon, reste en grande partie liée à la nationalité), la nationalité à la naissance peut compter pour 60 à 80 % des chances de vie.*

La race, le genre, la culture, ou encore le handicap peuvent avoir des effets plus locaux ou liés au contexte sur la différenciation, mais le tableau général des inégalités absolues reste bien illustré par la différence qu'il y a entre être né aux États-Unis avec la citoyenneté américaine et être né en Somalie avec la citoyenneté somalienne, indépendamment de la race, du genre, de la culture, du handicap, etc. C'est ce que la politique de M. Trump a littéralement établi avec le « Muslim Travel Ban » interdisant aux ressortissants de huit pays d'aller aux États-Unis, quel que soit leur statut socio-économique. Au Royaume-Uni, la politique d'intégration nationale est fondée sur l'idée que le long et tortueux chemin à suivre pour devenir un « bon » citoyen britannique permet en fin de compte de prouver que les citoyens britanniques de naissance et de culture ont effectivement gagné à la loterie de la vie, et ce quel que soit le niveau auquel ils sont nés dans la hiérarchie nationale (comme ils aiment bien à le penser). C'est-à-dire en les faisant renoncer à leur jugement sur leur position dans la pyramide hiérarchique des ressortissants britanniques (tant qu'ils peuvent valoriser leur nationalité en se disant que d'autres ne l'ont pas). C'est peut-être la raison qui explique pourquoi des personnalités comme Collier ou Goodhart, dont les idées trouvent un écho populaire, parlent tant de lutter contre l'affaiblissement de la citoyenneté nationale, alors même qu'ils acceptent des critères *moraux* de plus en plus restrictifs et gouvernementaux pour déterminer qui est un « bon » citoyen appartenant légitimement à la *communauté de valeurs* nationale (Anderson 2013).

10. *Toute approche de l'intégration qui veut dépasser cette forme brute de nationalisme (colonial) doit donc avoir comme priorité son impact sur les inégalités mondiales qui sont structurées par les inégalités de nationalité: l'intégration des immigrés au sens traditionnel accentue fondamentalement ce phénomène lorsqu'elle l'ignore ou qu'elle se fonde sur l'hypothèse de bénéfices en termes de redistribution au-delà du modèle centré sur la nation.*

L'idée est bien sûr tirée de la littérature sur le transnationalisme et la libre circulation/développement, mais s'éloigne des tenants optimistes du transnationalisme de deuxième génération qui ont essayé de soutenir que ce dernier était compatible avec l'intégration nationale (Levitt et Glick Schiller 2004; voir également des arguments similaires dans Snel et al. 2006, Erdal et Oeppen 2013, Trenz et Triandafyllidou 2017 – tous ces travaux ne parviennent pas à définir l'intégration en dehors du paradigme national, et évacuent l'inévitable coercition et la domination qu'impliquent les processus d'intégration, faisant malgré eux preuve de nationalisme méthodologique sur ces deux points). Mais non : le transnationalisme ne peut être compatible avec l'intégration nationale. En raison des inégalités mondiales et de la valeur indexée de la nationalité, il existe clairement une contrepartie négative entre le fait de devenir un Américain nationalisé et celui d'être un Mexicain transnational. Ce type de relation *peut* être positif *en l'absence* de frontière. Mais lorsqu'il y a une frontière, comme c'est toujours le cas *dans une certaine mesure*, et en particulier lorsque l'État s'engage à la

renforcer (d'où la valorisation des nationaux par rapport aux étrangers), la relation devient de plus en plus défavorable (cf. Waldinger 2015). Ce type de question et son évolution dans le temps peuvent être mesurés empiriquement.

11. *Les processus de frontièrisation jouent un rôle central dans la production et la reproduction des inégalités mondiales.*

Lorsque le transnationalisme est limité, contrôlé et gouverné – comme il l'est inévitablement toujours jusqu'à un certain point – la situation des inégalités mondiales empire. Cela peut paraître évident à la lecture de la littérature sur les migrations et le développement. Mais ce qui l'est peut-être moins, c'est que l'opération de catégorisation des transactions transfrontalières, et en particulier l'identification de flux de migration légaux et illégaux, ou distinction entre immigration voulue/indésirable, et l'intégration imposée à un nombre toujours plus réduit de « bons » immigrés identifiés comme tels, constituent les moyens par lesquels la nation résiste au développement pour les autres, se reproduisant elle-même et reproduisant ses relations coloniales avec le reste de la planète (voir aussi Anderson 2013). C'est là que la joyeuse utopie mutualiste de la *Richesse des nations* d'Adam Smith se transforme en tout autre chose, à savoir l'économie politique mercantiliste du colonialisme global. Il s'agit de la source même du pouvoir national de la construction de l'État. De plus en plus, dans un monde mondialisé et poreux, ce sont ces processus de frontièrisation qui génèrent le pouvoir (politique) de l'État à partir des mobilités transfrontalières, également désignées (en termes néo-libéraux) comme la libre circulation des capitaux, des biens, des services et des personnes. Nous entrons ici dans un débat intéressant avec les marxistes (italiens) qui considèrent la frontièrisation comme une production essentielle au capitalisme néo-libéral plutôt/ainsi qu'au pouvoir étatique nationaliste (cf. Mezzadra et Neilson 2013 ; ou, également influencé par Agamben, de Genova 2010).

12. *Le pouvoir politique découle de la réussite de l'imposition de catégories de migration/population sur les mobilités. Il s'agit du cœur de la souveraineté.*

Cela a des conséquences considérables. La manière dont les processus de frontièrisation des États gèrent les différents types de mobilités en jeu dans l'intégration mondiale a une grande importance. Quelle différence font les 35 millions de touristes qui visitent Londres chaque année s'ils ne sont pas reconnus comme faisant partie de la société *nationale* ordinaire ? Ou encore les plus de 3 millions de ressortissants de l'UE au Royaume-Uni qui ont été rattrapés par une frontière nationale le 24 juin 2016 – quand, du jour au lendemain, ils sont devenus des *immigrés* désignés comme tels dans un pays où ils étaient simplement des résidents profitant de la *liberté de circulation* dans une région de l'UE ? Quelle différence cela fait-il que les migrants ne représentent qu'un faible pourcentage des passages de frontière quotidiens entre le Mexique et les États-Unis ? Que les murs sont en grande partie de la

poudre aux yeux? L'État a tout intérêt à tout gouverner/classer/contrôler, même si l'irrégulier/informel le dépasse toujours. Cependant, il est très utile pour l'État de séparer clairement l'*immigration* des autres mobilités. L'accent mis alors sur l'*intégration des immigrés* est un élément clé de cette conceptualisation. Une fois de plus, par conséquent, les spécialistes de l'immigration/intégration du courant dominant sont en fin de compte des coproducteurs naïfs de pouvoir et de domination. Et il n'y a qu'un pas vers une deuxième prise de conscience, plus importante : le fait que la production de frontières *internes* à la nation – les distinctions sociales – peut également être au cœur du pouvoir politique (de la gouvernance) en tant que tel : la gouvernance démocratique de la race, de l'ethnicité, de la culture, du genre, du handicap, voire de la classe sociale, par la reconnaissance institutionnalisée en catégories de la différence/des inégalités – de la manière dont l'État rend ses objets et sujets lisibles et donc exploitables pour la domination (cf. Mann 1986/1993 ; Scott 1998). La nation est en fin de compte l'unité structurante du pouvoir politique démocratique ; ses différenciations intégrantes et son intégration différenciée sont le mode par lequel le politique produit et concentre, lie et limite son pouvoir sur la société dans un contexte par ailleurs mondial/planétaire. Ces processus instituent de multiples façons des sphères *nationalisées* de production de connaissances d'État, qui renforcent et reproduisent les indices nationaux, les hiérarchies et les stratifications traditionnelles du pouvoir social.

Ces observations ouvrent la voie à une description beaucoup plus large et plus systématique de ce que j'appellerais les principes fondamentaux de la démographie politique, qui sous-tendent l'économie politique et sous lesquels se trouvent les principes de l'écologie politique.

Références bibliographiques

- Aksoy, Asu et Kevin Robins. 2008. Banal Transnationalism: The Difference Television Makes. *Transnational Communities Working Paper. WPTC-02-08*. Oxford.
- Alba, Richard et Nancy Foner. 2015. *Strangers No More: Immigration and the Challenges of Integration in North America and Western Europe*. Princeton : Princeton University Press.
- Alba, Richard et Nancy Foner. 2016. Strangers No More : A Rejoinder. *Ethnic and Racial Studies* 39(13) : 2361–2369.
- Alba, Richard et Victor Nee. 2003. *Remaking the American Mainstream: Assimilation and Contemporary Immigration*. Cambridge, MA : Harvard University Press.
- Anderson, Bridget. 2013. *Us and Them: The Dangerous Politics of Immigration Control*. Oxford : Oxford University Press.
- Anderson, Bridget. 2019. New Directions in Migration Studies : Towards Methodological De-nationalism. *Comparative Migration Studies* 7(36) : 1–13.
- Bauböck, Rainer. 1994a. *The Integration of Immigrants*. CMDG-Report. Strasbourg : Conseil de l'Europe.
- Bauböck, Rainer. 1994b. *Transnational Citizenship: Membership and Rights in International Migration*. Aldershot : Edward Elgar.

- Bommes, Michael. 1998. Migration, Nation State and Welfare State: A Theoretical Challenge for Sociological Migration Research. Contribution présentée au *Forum européen sur la migration, IUE*, 16 février 1998.
- Bommes, Michael. 2012. *Immigration and Social Systems: Collected Essays of Michael Bommes*. Christina Boswell et Gianni D'Amato (éds.). Amsterdam : University of Amsterdam Press.
- Bonnett, Alastair. 1998. How the British Working Class Became White: The Symbolic (Re)Formation of Racialized Capitalism. *Journal of Historical Sociology* 11(3) : 316–340.
- Brubaker, Rogers. 2001. The Return of Assimilation? Changing Perspectives on Immigration and Its Sequels in France, Germany and the United States. *Ethnic and Racial Studies* 24(4) : 531–548.
- Casey, Dame Louise. 2016. *The Casey Review: A Review into Opportunity and Integration*. HMSO: Department for Communities and Local Government.
- Castles, Stephen. 2011. Migration, Crisis, and the Global Labour Market. *Globalizations* 8(3) : 311–324.
- Collier, Paul. 2013. *Exodus: Immigration and Multiculturalism in the 21st Century*. London : Penguin.
- Crul, Maurice. 2015. Super-Diversity Vs. Assimilation: How Complex Diversity in Majority-Minority Cities Challenges the Assumptions of Assimilation. *Journal of Ethnic and Migration Studies* 42(1) : 54–68.
- Crul, Maurice et Jens Schneider. 2010. Comparative Integration Context Theory: Participation and Belonging in New Diverse European Cities. *Ethnic and Racial Studies* 33(7) : 1249–1268.
- Dahinden, Janine. 2016. A Plea for the “De-Migranticization” of Research on Migration and Integration. *Ethnic and Racial Studies* 39(13) : 2207–2225.
- de Genova, Nicholas. 2010. The Deportation Regime : Sovereignty, Space and the Freedom of Movement. Pp. 33–65 in *The Deportation Regime*, édité par Nicholas de Genova et Nathalie Peutz, Durham, NC: Duke University Press.
- de Haas, Hein. 2012. The Migration and Development Pendulum: A Critical View on Research and Policy. *International Migration* 50(3) : 8–25.
- Demireva, Neli et Anthony Heath. 2017. Minority Embeddedness and Economic Integration : Is Diversity or Homogeneity Associated With Better Employment Outcomes? *Social Inclusion* 5(1) : 20–31.
- Erdal, Marta et Ceri Oeppen. 2013. Migrant Balancing Acts : Understanding the Interactions Between Integration and Transnationalism. *Journal of Ethnic and Migration Studies* 39(6) : 867–884.
- Favell, Adrian. 1998. *Philosophies of Integration: Immigration and the Idea of Citizenship in France and Britain*. London : Palgrave.
- Favell, Adrian. 1999/2001. Integration Policy and Integration Research in Western Europe: A Review and Critique. Pp. 349–399 in *Citizenship Today: Global Perspectives and Practices*, édité par T. Alexander Aleinikoff et Doug Klusmeyer. Washington DC: Brookings Institute/Carnegie Endowment for International Peace.
- Favell, Adrian. 2003. Integration Nations: The Nation-State and Research on Immigrants in Western Europe. *Comparative Social Research* 22 : 13–42.
- Favell, Adrian. 2015 (révisé, augmenté et mis à jour). Integration Policy and Integration Research in Western Europe: A Review and Critique. Pp. 69–122 in *Immigration, Integration and Mobility: New Agendas in Migration Studies 1998–2014*, édité par Adrian Favell. Colchester: ECPR Press.
- Favell, Adrian. 2016a. Liberalism not Neo-Liberalism. Comment on Will Kymlicka's article “Solidarity in Diverse Societies”. *Comparative Migration Studies* 4(5) : 1–5.
- Favell, Adrian. 2016b. Just Like the USA? Critical Notes on Richard Alba and Nancy Foner's Cross-Atlantic Research Agenda. Recension de livre de Alba et Foner. 2015. *Strangers No More : Immigration and the Challenges of Integration in North America and Western Europe*. *Ethnic and Racial Studies* 39(6) : 2352–2360.

- Favell, Adrian. 2017. The Limits of Liberalism and the Limits of Critique. Recension du livre de Bridget Anderson. 2013. *Them and Us: The Dangerous Politics of Immigration Control*, symposium, édité par Manali Desai. *British Journal of Sociology* 68(2): 372–378.
- Favell, Adrian et Roxana Barbulescu. 2018. Brexit, “Immigration” and Anti-Discrimination. Pp. 118–133 in *The Routledge Handbook of the Politics of Brexit*, édité par Patrick Diamond, Peter Nedergaard et Ben Rosamond. London: Routledge.
- Fox, Jon et Magda Mogilnicka. 2017. Pathological Integration, or, How East Europeans Use Racism to Become British. *British Journal of Sociology* 70(1): 5–23.
- Goodhart, David. 2013. *The British Dream: Successes and Failures of Post-War Immigration*. London: Atlantic.
- Gryzmala-Kaslovska, Aleksandra et Jenny Phillimore. 2017. Introduction: Rethinking Integration. New Perspectives on Adaptation and Settlement in the Era of Super-Diversity. *Journal of Ethnic and Migration Studies* 44(2): 179–196.
- Heath, Anthony et Sin Yi Cheung (éds.). 2007. *Unequal Chances: Ethnic Minorities in Western Labour Markets*. Oxford: Oxford University Press.
- Kesler, Chrisel et Mirna Safi. 2011. Immigrant / Native Labor Market Inequalities: A Portrait of Patterns and Trends in France and the United Kingdom, 1990–2007. *Working Paper. Notes & Documents de l’OSC*. Paris: Observatoire sociologique du changement.
- Khan, Omar, Nissa Finney et Kitty Lymperopolou. 2014. Drifting Upwards or Sliding Back? Ethnic Inequalities in Local Authorities in England and Wales 2001–2011. Runnymede Briefing, décembre 2014.
- Kochenov, Dimitry. 2019. *Citizenship*. Cambridge, MA: MIT Press.
- Korteweg, Anna. 2017. The Failures of “Immigrant Integration”: The Gendered Racialized Production of Non-Belonging. *Migration Studies* 5(3): 428–444.
- Jacobson, David. 1996. *Rights Across Borders: Immigration and the Decline of Citizenship*. Baltimore, MD: Johns Hopkins University Press.
- Latour, Bruno. 2006. *Nous n’avons jamais été modernes*. Paris: La Découverte.
- Levitt, Peggy et Nina Glick Schiller. 2004. Conceptualizing Simultaneity: A Transnational Social Field Perspective on Society. *International Migration Review* 38(3): 1002–1039.
- Mann, Michael. 1986 / 1993. *The Sources of Social Power Vol 1/2*. Cambridge: Cambridge University Press.
- McNevin, Anne. 2011. *Contesting Citizenship: Irregular Migrants and the New Frontiers of the Political*. New York: Columbia University Press.
- McNevin, Anne. 2019. Mobility and its Discontents: Seeing Beyond International Space and Progressive Time. *Environment and Planning C*. DOI: 10.1177/2399654419871966.
- Meyer, John W. 2010. World Society, Institutional Theories and the Actor. *Annual Review of Sociology* 36: 1–20.
- Mezzadra, Sandro et Brett Neilson. 2013. *Border as Method; or, The Multiplication of Labor*. Durham, NC: Duke University Press.
- Milanovic, Branko. 2010. *The Haves and the Have Nots: A Brief and Idiosyncratic History of Global Inequality*. New York: Basic Books.
- Modood, Tariq, Richard Berthoud, Jane Lakey, James Nazroo, Patten Smith, Satnam Virdee et Sharon Beishon. 1997. *Ethnic Minorities in Britain: Diversity and Disadvantage*. London: Policy Studies Institute.
- Portes, Alejandro et Min Zhou. 1993. The New Second Generation: Segmented Assimilation and Its Variants. *Annals of the American Academy of Political and Social Sciences* 530: 74–96.
- Portes, Alejandro et Ruben Rumbaut. 2001. *Legacies: The Story of the Immigrant Second Generation*. Berkeley, CA: University of California Press.

- Rex, John. 1961. *Key Problems in Sociological Theory*. London : Routledge.
- Safi, Mirna et Patrick Simon. 2013. Les discriminations ethniques et raciales dans l'enquête Trajectoires et Origines : représentations, expériences subjectives et situations vécues, *Economie et Statistique* 464-466 : 245-275.
- Sayad, Abdelmalek. 1996 (2004). Immigration and "State Thought". Pp. 278-293 in *The Suffering of the Immigrant*. Cambridge : Polity Press.
- Schinkel, Willem. 2013. The Imagination of "Society" in Measurements of Immigrant Integration. *Ethnic and Racial Studies* 36(7) : 1142-1161.
- Schinkel, Willem. 2017. *Imagined Societies : A Critique of Immigrant Integration in Western Societies*. Cambridge : Cambridge University Press.
- Schinkel, Willem. 2019. Against "Immigrant Integration": For an End to Neocolonial Knowledge Production. *Comparative Migration Studies* 6(1) : 1-17.
- Scholten, Peter, Han Entzinger, Rinus Penninx et Stijn Verbeek (éds.). 2015. *Integrating Immigrants in Europe: Research Policy Dialogues*. Amsterdam : IMISCOE-Springer.
- Scott, James C. 1998. *Seeing Like A State : How Certain Schemes to Improve the Human Condition Have Failed*. New Haven, CT : Yale University Press.
- Shachar, Ayelet. 2009. *The Birthright Lottery: Citizenship and Global Inequality*. Cambridge, MA : Harvard University Press.
- Schissler, Hanna et Yasemin Nuhoglu Soysal. 2005. *The Nation, Europe, and the World: Textbooks and Curricula in Transition*. New York : Berghahn.
- Simon, Patrick. 2005. The Measurement of Racial Discrimination : The Policy Use of Statistics. *International Journal of Social Science* 183 : 9-25.
- Simon, Patrick, Victor Piché et Amélie A. Gagnon (éds.). 2015. *Social Statistics and Ethnic Diversity: Cross-National Perspectives in Classification and Identity Politics*. Amsterdam : IMISCOE-Springer.
- Snel, Erik, Godfried Engbersen et Arjen Leerkes. 2006. Transnational Involvement and Social Integration. *Global Networks* 6 : 285-308.
- Soysal, Yasemin Nuhoglu. 1994. *Limits of Citizenship: Migrants and Post-National Membership in Europe*. Chicago : Chicago University Press.
- Soysal, Yasemin Nuhoglu. 2012. Citizenship, Immigration and the European Social Project: Rights and Obligations of Individuality. *British Journal of Sociology* 63(1) : 1-21.
- Trenz, Hans-Jörg. 2011. Social Theory and European Integration. Pp. 193-213. *Sociology of the European Union*, édité par Adrian Favell et Virginie Guiraudon. London : Palgrave.
- Trenz, Hans-Jörg et Anna Triandafyllidou. 2017. Complex and Dynamic Integration Processes in Europe : Intra EU Mobility and International Migration in Times of Recession. *Journal of Ethnic and Migration Studies* 43 : 546-559.
- Tyler, Imogen. 2010. Designed to Fail: A Biopolitics of British Citizenship. *Citizenship Studies* 14(1) : 61-74.
- Valluvan, Sivamohan. 2017. Racial Entanglements and Sociological Confusions: Repudiating the Rehabilitation of Integration. *British Journal of Sociology* 69(2) : 436-458.
- Waldinger, Roger. 2015. *The Cross-Border Connection: Immigrants, Emigrants and their Homelands*. Cambridge, MA : Harvard University Press.
- Wimmer, Andreas and Nina Glick Schiller. 2002. Methodological Nationalism and Beyond : Nation-State Building, Migration and the Social Sciences. *Global Networks* 2(4) : 301-334.



Jean-Michel Bonvin,
Valérie Hugentobler,
Carlo Knöpfel, Pascal
Maeder, Ueli Tecklenburg
(Hrsg./dir.)

Wörterbuch der Schweizer Sozialpolitik

ISBN 978-3-03777-177-8
620 Seiten, 17.0 × 24.0 cm

Dictionnaire de politique sociale suisse

ISBN 978-2-88351-088-3
620 pages, 17.0 × 24.0 cm

La politique sociale est d'une importance capitale pour la prospérité de la Suisse. Elle façonne les parcours de vie et influence significativement la qualité de vie de la population. La nouvelle édition du Dictionnaire de politique sociale suisse, entièrement revue, apporte un éclairage sur la mise en œuvre, les objectifs et les effets de la politique sociale en Suisse, ainsi que sur son contexte historique, socioéconomique et juridique. Réunissant plus de 250 articles, le dictionnaire porte un regard analytique et critique sur les diverses composantes de la politique sociale, mettant en lumière les spécificités de la politique sociale suisse, ainsi que les besoins d'action et les défis actuels et futurs. Cette vue d'ensemble inédite des politiques sociales suisses fortement marquées par le fédéralisme est dressée par des expert·e·s provenant de trois des quatre régions linguistiques du pays, actifs dans la recherche, l'administration publique et la société civile. Rédigé dans une langue accessible et basé sur des constats étayés par la recherche et la pratique, le dictionnaire fournit tant aux spécialistes qu'au grand public des connaissances de base en matière de politique sociale.

Die Sozialpolitik trägt massgeblich zur Wohlfahrt der Schweiz bei. Sie prägt den gesamten Lebenslauf und beeinflusst wesentlich die Lebensqualität der Bevölkerung. Ihre Ausgestaltung, Ziele und Auswirkungen hält das neuaufgelegte und völlig überarbeitete Wörterbuch der Schweizer Sozialpolitik ebenso fest wie historische, wirtschaftliche, soziale und rechtliche Bezüge. Weit über 250 ausgewählte Beiträge nehmen verschiedenste, sozialpolitische Massnahmen und Zusammenhänge kritisch in den Blick und weisen auf Schweizer Besonderheiten, Handlungsbedürfnisse sowie aktuelle und zukünftige Herausforderungen für Politik und Gesellschaft hin. Auch liegt erstmals eine Gesamtschau der föderal geprägten Schweizer Sozialpolitik vor, die von Experten und Expertinnen aus Wissenschaft, Verwaltung und Zivilgesellschaft von drei der vier Sprachregionen der Schweiz verfasst wurden. In einer allgemein gehaltenen Sprache macht das neue Wörterbuch damit grundlegendes, forschungs- und praxisbasiertes Wissen zur Sozialpolitik über Sprachgrenzen hinweg für Laien und Fachpersonen zugänglich.

Fr. 48.– / Euro 43.–

Immigration Policy in the Crossfire of Neoliberalism and Neonationalism

Christian Joppke*

Abstract: Previous scholarship has looked at Western states' immigration policies from the vantage point of advancing liberalism. This perspective needs to be updated by including two additional factors: neoliberalism and a new nationalism that arises in its context, typically in the form of populist right parties. I argue that contemporary immigration policy is bifurcated into two policies with opposite logics: one of proactively courting the top, and another of reactively fending off the bottom. This dual structure is best explained in neoliberal terms, with neonationalism merely reinforcing but not generating it.

Keywords: Immigration policy, high-skilled migration, low-skilled migration, neoliberalism, nationalism.

Einwanderungspolitik in Kreuzfeuer von Neoliberalismus und Neonationalismus

Zusammenfassung: Bislang wurden die Einwanderungspolitiken westlicher Staaten vor allem unter dem Gesichtspunkt eines fortschreitenden Liberalismus untersucht. Es gibt aber zwei weitere Faktoren, die auf diese Politiken zunehmend Einfluss nehmen: Neoliberalismus und ein neuer Nationalismus, der im Kontext der neoliberalen Globalisierung entsteht. In diesem Kräftefeld nimmt die Einwanderungspolitik eine duale Struktur an, einerseits eine hochqualifizierte Elite zu umwerben, und andererseits die weniger qualifizierte Masse zurückzuweisen. Diese duale Struktur ist hauptsächlich neoliberal bedingt und motiviert, und der Neonationalismus verstärkt aber generiert sie nicht.

Schlüsselwörter: Einwanderungspolitik, hochqualifizierte Migration, niedrig-qualifizierte Migration, Neoliberalismus, Nationalismus

La politique d'immigration dans le feu croisé du néolibéralisme et du néonationalisme

Résumé: Jusqu'à présent, les politiques d'immigration des États occidentaux ont été examinées principalement sous l'angle du libéralisme progressif. Toutefois, deux autres facteurs influencent de plus en plus ces politiques: le néolibéralisme et un nouveau nationalisme qui émerge dans le contexte de la mondialisation néolibérale. Dans ce champ de force, la politique d'immigration revêt une double structure, d'une part en courtisant une élite hautement qualifiée, et d'autre part en rejetant les masses moins qualifiées. Cette double structure est principalement de nature néolibérale, et le néo-nationalisme la renforce mais ne la génère pas.

Mots-clés: Politique migratoire, migration hautement qualifiée, migration peu qualifiée, néolibéralisme, nationalisme

* Institute of Sociology, University of Bern, CH-3012 Bern, joppke@soz.unibe.ch

1 Introduction

Western states' immigration policies have previously been looked at from the vantage point of advancing liberalism, according to which these policies have become less racist and more universalistic, selecting migrants on the basis of individual rather than group-level attributes (e.g. Freeman 1995; Joppke 2005). This perspective needs to be updated by factoring-in two new forces that impinge on a liberal immigration policy: neoliberalism and a new nationalism that is generated in a neoliberal context, typically in the form of right-wing populism. Over the past few decades, a neoliberal order, in sync with globalization, has come into its own, which economizes social relations and minimizes the role of social justice (see Hayek 1982). As I shall argue, it has left its mark on immigration policy, which has become bifurcated into two separate, rather opposite-minded types of policy: on the one hand, a policy of courting the top, that is, the competitive recruitment of high-skilled migrants; on the other hand, a policy of fending off the bottom, that is, a restrictive posture toward the rest, which is processed in a variety of legal ways, as low-skilled, family, asylum, or irregular migration. Into this new constellation enters the force of neonationalism, which is a reactive movement to neoliberalism and the globalization that the latter has ideologically undergirded. Gaining strength in Europe over the last few decades in the form of radical right parties and populism, neonationalism had its dramatic breakthrough in the double shock of 2016, delivered by the successful Brexit referendum in the UK and the rise of Trump in the US. Both of these events thrived on hostility to (certain kinds of) immigration. So the question is: What happened to liberal immigration policy in the crossfire of neoliberalism and neonationalism?

In a first step, I argue that any reflection on immigration policy must start from the restrictive imperative that underlies this policy, which makes it difficult to establish what a "liberal" immigration policy is. In a second step, I review several recent global surveys of changing immigration policies, which converge in stressing the neoliberalism factor. Indeed, as I argue in the third (and main) step, the dual structure of contemporary immigration policy, which is to court the top and fend off the bottom, is fully accountable in neoliberal terms, including its restrictive elements. Neonationalism, as I claim in the fourth (and final) step, while often believed to have profound impact on contemporary immigration policy, has remained peripheral to it.

2 The Restrictive Imperative

Any reflection on immigration policy must start with acknowledging the restrictive imperative that is built into it, up to a point that the notion of a liberal immigration policy appears to be a contradiction in terms. *Always* many more have to be rejected

than could ever be admitted. There are no clean hands in immigration policy. Aristide Zolberg (2006, 13) noted that on a “hypothetical continuum ranging from ‘open’ to ‘closed’”, the immigration policies across capitalist democracies are “clustered very narrowly around the ‘closed’ pole”, even in a classic immigrant country like the United States: “(T)he contemporary regime retains a ‘near-zero baseline’ with regard to the supply of entries in relation to the demand for them” (ibid., 13 f.). According to Zolberg, the restrictive immigration regime is due to two factors: the “Westphalian” state system that is premised on strictly guarded borders, movement across which is always the exception; and global inequality, which leads rich countries to use borders to shore-up their “privileged position”, protecting not least those who are less privileged internally, such as workers (ibid., 14). With globalization marching on in the new millennium, Zolberg might have added that the wealth-preserving function of borders has come under attack less by immigrants than by capital moving on to places where labor is cheap and pliable. In one account, capital mobility even explains why low-skilled migration is “more restricted” in today’s second globalization than it was during the late 19th-century’s first globalization: “(T)he easier it is for a firm to move its factory to another country, the less likely it is to support open immigration at home” (Peters 2017, 3).

Henry Sidgwick, a prominent 19th century liberal, deemed the “cosmopolitan ideal” as “perhaps the ideal of the future”, but he found that at present the “national ideal [] of political organization prevailed” (1891, 295). And it is good this way because only on the “national” basis it is possible to achieve “internal cohesion” and to “raise the standard of living among the poorer classes” (ibid., 296). Accordingly, the nature of immigration policy, which in Sidgwick’s classic textbook, *The Elements of Politics*, interestingly is treated in a chapter on the “principles of international duty”, is “the right to admit aliens on its own terms, imposing any conditions on entrance or any tolls on transit, and subjecting them to any legal restrictions or disabilities that it (the state, CJ) may deem expedient” (ibid., 235). For Sidgwick this followed from the international law principle of “mutual non-interference”, the only restriction to which is to give foreigners “due warning ... and due time ... for withdrawal” (ibid.). This brutish-sounding statement by a 19th century liberal shows how much the meaning of liberal has in the meantime evolved toward the “cosmopolitan ideal”.

But what Sidgwick dubbed the “national ideal” is still the dominant principle of political organization today, and it shapes the parameters of immigration policy. This becomes clear when perusing putatively “liberal” solutions to contemporary migration dilemmas. In one plausible account, provided by one of the liberal world’s leading pro-migration voices, *The Economist*, the current situation looks like this:

(S)ince rich countries admit virtually no economic migrants from poor countries unless they have exceptional skills or family ties, many of them try their luck by posing as refugees.¹

Moreover, this occurs in a context where, as Harvard economist Richard Freeman confirms, “most of the gains from immigration accrue to the immigrants rather than to the residents of destination countries” (2006, 165). This situation leaves only two logical responses for receiving states: Admit more low- or unskilled migrants for whom there is only limited need and who are resented by virtually all Western mass publics, especially their lower-class portions who feel threatened by neoliberal globalization; or enforce existing asylum rules against migrants who “try their luck by posing as refugees”.² This “liberal” way of describing the situation may differ in degree, but not in kind from the “fake” or “bogus” refugees conjured up by the radical right. But it rings true. Consider that almost half of new asylum-seekers in Germany in 2018 were under 18 years of age (SVR 2019, 32–33), and the large majority of them are male. It is unlikely that the “well-founded fear of persecution”, which is the official refugee definition, should be concentrated in a group that by age and physical constitution deems itself strong enough to brave the perilous waters that need to be crossed first.

What is the “liberal” way of dealing with this situation? Certainly, *The Economist’s* (neo)liberal bottom line is that “migration can make the world richer”³, and in one optimistic scenario unhindered international mobility would double the global GDP.⁴ But the concrete proposals to get from here to there do not look so liberal at all, as they need to pass the threshold of democratic approval: strict law enforcement, first; and lesser rights for migrants, second. With respect to the first, “regaining control” means “to secure borders and enforce laws”, for instance, by clamping down on “illegal immigrants” and “deporting those denied asylum”.⁵ Again, no populist or nationalist would disagree. Of course, opinions divide on the demand for “open routes for well-regulated economic migration”, the promoting of which to skeptical mass publics, in the realist liberal’s reckoning, requires “toughness” at the border.⁶ With respect to high-skilled immigration, which today is favored by the majority of OECD states, Donald Trump and Europe’s radical right are in agreement:

I want to go to a merit-based system. Actually two countries that have very strong systems are Australia and Canada. And I like those systems very much, they’re very strong, they’re very good, I like them very much.⁷

1 “A Way Forward on Immigration”, *The Economist*, 25 August 2018, p. 10.

2 Ibid.

3 “Crossing Continents”, *The Economist*, 25 August 2018, p. 14.

4 “A World of Walls”, *The Economist*, 16 November 2019, p. 3.

5 “A Way Forward on Immigration”, op. cit.

6 Ibid.

7 “Transcript: Interview with Donald Trump”, *The Economist*, 11 May 2017.

Similarly, to admit “qualified migration according to need” has been a surprisingly non-demagogic entry in an otherwise rabidly anti-immigrant and anti-Muslim 2017 election program of the populist right Alternative for Germany (AfD 2017, 29).

The crux is obviously low-skilled immigration. Unwanted by most states, except in tightly controlled doses, the overwhelming supply of this migration is either irregular or redirected to the asylum and family-unification channels, which has made the latter the targets of increasing restrictiveness for some decades now, in Europe and in the classic immigration countries alike. Considering that the world’s supply of low-skilled migrants vastly exceeds the demand for them, and further considering that the sociology of migration has solidly corroborated the fact that migration begets more migration (via “cumulative causation”, Massey et al. 1993, 451), it is not surprising that no Western state has as yet pulled off the feat of a sustainable low-skilled immigration policy that would remove pressure from the overcharged asylum- and family migration channels and thus allow states to become more generous and “liberal” in managing the latter.

For low-skilled migrants in “high-income states”, as Martin Ruhs (2013) has argued provocatively, a “numbers v. rights” logic applies. It means that accepting more requires granting them lesser rights, including enforcing their return. States without a human rights tradition, like the Gulf States, South Korea, or Singapore, do so without much ado, systematically preventing low-skilled migrants from being joined by even close family (like spouses or dependent children) and barring them from permanent residence, not to mention citizenship. Western states, which are internally beholden to human rights and equality norms, have many more scruples in this respect. It is revealing that Ruhs’ notionally hard-nosed “rejection of rights fetishism” (ibid., 165) quickly collapses, and that he advocates the right for low-skilled temporary labor migrants to accede to permanent residence and citizenship after only four years (ibid., 172–178) – this is even more generous than current liberal state practice, which in the European Union is after 5 years.

Next to stricter law enforcement, *The Economist’s* second not-so-liberal proposal for “a way forward on immigration” embraces the controversial numbers v. rights argument. The recommendation is that “migrants” have only limited access to welfare benefits, also to make sure that they get into work quickly – a notorious problem in Europe, but not in the classic immigrant countries with their flexible labor markets and slimmer welfare schemes. Furthermore, on the assumption that it is mainly migrants who profit from migration, why not make them pay higher income taxes or charge them an entrance fee, as neoliberal economists like Gary Becker have long suggested?⁸ However, the indiscriminate talk of “migrants” in this context glosses over the fact that such grading of rights works only for their lower-skilled part. For high-skilled migrants, an opposite logic of “competitive immigration regimes” (Shachar 2006) applies, which has even moved some states to

8 “A Way Forward on Immigration”, op. cit.; “Crossing Continents”, op. cit., p. 16.

offer tax privileges to high-skilled immigrants that citizens and other residents do not enjoy. In Denmark, for instance, where under the thrall of the populist right Danish People's Party the family rights of low-skilled (and low-earning) immigrants have been heavily restricted, high-earning immigrants pay lower taxes than citizens, at least in their first three years of residence – which does not seem to bother the populists (Kleven et al. 2014, 333–339). The important matter is that the “liberal” proposal of lesser rights for low-skilled migrants to make them socially acceptable is not so different from the “welfare chauvinism” that radical right parties have come to subscribe to in recent years (see Careja et al. 2016, 436).

This is not to deny that nuance and degree matter. There *are* important differences between radical right and realist-liberal ways of dealing with immigration. Just consult the average radical right party manifesto. The Alternative for Germany, for instance, advocates an “immediate closing of the borders” to stop “unregulated mass immigration into our country and into its welfare system by predominantly unskilled asylum-seekers” (AfD 2017, 29). Furthermore, their alarmist demand for the “self-preservation” (*Selbsterhaltung*) of the German “people” (*Volk*) in light of a looming “mass exodus” (*Völkerwanderung*) from Africa has a not-so-subtle racial inflection (ibid., 28), as has its demonic picture of Islam as “a big threat”, as “not belonging to Germany”, and as in irreconcilable “conflict with the liberal-democratic order” (ibid., 33–35). In the same genre, the Austrian populist right FPÖ opposes “any kind of *Zuwanderung* (in-migration)” (conceding, however, to “grant asylum”); it considers Islam “not a part of Austria”; and it favors the “sectoral closure of the Austrian labor market for EU-foreigners and third state nationals to protect domestic employees”, which is in flat contradiction with EU law (FPÖ 2017). So is the French Front National's (since 2018 Rassemblement National) call for inscribing the “national priority” into the French constitution (FN 2017). The list of radical right demands that conflict with constitutional and statutory realities could be easily prolonged – including “welfare chauvinism” proper, which draws a sharp line between (putatively co-ethnic) citizens and permanent residents that none of the mentioned “numbers v. rights” proposals would condone (whose main dividing line is between temporary migrants and all others, the latter comprising citizens *and* permanent residents).

3 Theorizing Immigration Policy: From Liberal to Neoliberal

In light of the restrictive imperative, which even liberals must embrace (unless they advocate cosmopolitanism), one realizes the immense provocation inherent in the single most influential political science statement on immigration policy in liberal democracies, which is by Gary Freeman (1995). Freeman argued that, due to a liberal interest-group dynamic and a liberal non-discrimination norm, immigration

policy is in reality “broadly expansionist and inclusive”, so that restrictiveness is little more than political elite rhetoric. Conceiving his argument in the first half of the 1990s, Freeman does not mention at all the low- v. high-skilled migrant distinction, which – I shall argue – in the meantime has become the central axis of immigration policy, in effect fragmenting the latter into (a minimum of) two policies, each taking a rather different direction.

A recent comparison of broadly conceived “migration policies” in 45 (mostly OECD) countries since 1945 still confirms Freeman’s diagnosis of general policy “liberalization”, which merely “decelerated” but was not reversed in the post-1990s period of increased politicization and neonationalist mobilization (De Haas et al. 2016, 334).⁹ Yet the real message of Hein de Haas et al. (2016, 353) is that immigration policies are becoming ever more complex and selective:

(M)igration regimes have not become more restrictive, but rather increasingly complex through a differentiation of policy instruments and a growing emphasis on criteria such as skills as a tool for migrant selection.

A further stated decline of ethnic and nationality-based selection criteria is particularly noteworthy, unless the discriminatory direction is positive (as in the EU or Mercosur free movement regimes); and, parallel to this, there has been a rise of class-based selection criteria, such as skills, education, and wealth, which bears the imprint of neoliberalism. The result is a world of “stratified” and “selective” mobility, marked by a “tension between restrictive closure (for the many) and selective opening (for the few)” (ibid., 179). Pioneered by the Canadian points system, the spirit of merit-based migration regimes is “technocratic, econometric, and managerial”, while “explicit discrimination on ... grounds (of)... race, ethnicity, and national origin is strictly prohibited” (ibid., 183, 188). Skill-selective migration policy obviously combines a neoliberal utility with a liberal rights logic; there is no mentioning by De Haas et al. of a nationalist exclusion logic working against or impinging on it.

Similarly, a rather dark diagnosis of “global convergence” toward a “new mean-spirited politics of immigration”, by Catherine Dauvergne (2016, 2), does entirely without factoring in resurgent nationalism. This is all the more astonishing as the three factors identified by her as bringing about this global convergence: the asylum crisis, the fear of Islamic fundamentalism, and the end of multiculturalism, have all been central to neonationalist mobilization. In her narrative, neoliberalism does all the dirty work. According to it, there is a “competitive migration convergence” from North America to Europe, centering around the dualism of attracting high-skilled immigrants and keeping out (low-skilled) asylum seekers and family migrants. Much like Ayelet Shachar, for whom a liberal-cum-neoliberal “selecting by merit” has replaced “selecting by origin” (2016), Dauvergne observes that

9 For De Haas et al. (2016), “migration policies” comprise (entry and exit) control, selection, and integration policies.

neoliberal immigration policy is still in a liberal “non-discriminating” attitude, ignoring “cultural, ethnic, and even racial values” in favor of a “neutral selection” on the basis of merit-rewarding schemes (2016, 174). Still, the perplexing result of merit-based migration is that “people cannot migrate in search of a better life; they migrate because they *have* a better life” (ibid., 175). This inverts the “traditional logic of immigration”, not only in the North American settler regimes, according to which people move to improve their lives.

The center of Dauvergne’s gloomy picture is what she calls the “loss of settlement”. Even a classic “settler society” like Canada has moved away from a preference for permanent to one for temporary migrants, whereby it appropriates the European practice. In 2006, Canada for the first time admitted more temporary migrants than permanent immigrants, increasingly asking its newcomers – now preferentially acquired through the student route – to gradually “earn” their right to permanent residence, while this status may be lost at any time through “bad” behavior on their part (Dauvergne 2016, 127). Dauvergne calls the new phenomenon “trial migration”, which is driven by an economic logic that “states no longer need people but rather ‘widgets’” (ibid.). Dauvergne’s “new politics of immigration” bears the undeniable mark of neoliberalism, a shrunken form of liberalism that abhors discrimination yet reduces the individual to her economic uses and that is austere and disciplining rather than justice-oriented (see the compelling critique of neoliberalism by Brown 2015). While perhaps no novelty in Europe, with its “guest-worker” legacy, this does seem to be new in a “normative immigration country” that had previously looked at immigration policy more holistically as “selecting parents of future citizens” (Macklin 2017, 286).

Confirming the neoliberal trend in immigration policy, a global comparison of “migration regimes”¹⁰ in 30 major immigrant-receiving countries, by Anna Boucher and Justin Gest (2018, ch.1), found them evolving from a “liberal model” toward a “market model”. In the “liberal model”, the expectation was that immigrants would settle for good and routinely acquire citizenship, much as in the classic nations of immigrants that had long been the idealized model for Europe’s fledgling immigration policies. In the meantime, the Gulf states’ *kafala* system has shown an entirely different way for rich states to deal with labor migration, keeping it strictly temporary with a minimum of rights. This trend has acquired momentum even outside the Gulf region. By 2008, there were already 50 percent more temporary than permanent migrant workers entering a OECD country (ibid., 9). While this isn’t that new for Europe with its “guest worker” legacy, it *is* new for Canada or Australia, which have fully embraced the general trend toward temporary migration. Hence

10 Boucher and Gest’s notion of “migration regime” combines the immigrant selection and integration functions, and it is measured by the type of “visa mix” (work v. family v. humanitarian), the ration of temporary entries, and naturalization rates.

Dauvergne's grim notion of the "end of settler societies", which have turned from a holistic "nation-building" to a narrowly "economic" view of migration (2016, 141).

In the new "market model" (Boucher and Guest 2018, ch.1), the New and the Old Worlds converge under a neoliberal arc. This model is labor-focused and restrictive on family migration; it favors temporary over permanent migration; it exhibits low naturalization rates and has a more narrow focus on rights; and it combines maximum flexibility for governments with deliberate instability for migrants. While the neoliberal pedigree of this model is obvious, Boucher and Guest also locate a nationalist element in it. This is because migrants who don't stay may assuage the mass public's "nativist and xenophobic" leanings (ibid., 6). As David Cook-Martin (2019, 1390) spelled out the logic, "nationalists" are fond of temporary migration, because it "will not affect the composition of the people"; at the same time, the fact that migrants are "affirmatively selected" under this model allows hiding its categorical exclusions. The market model thus "permits governments to have it both ways – effectively sanitizing globalization from its purported ills while enjoying the economic benefits that it brings" (Boucher and Gest 2018, 6).

4 Courting the Top, Fending Off the Bottom: The Dual Structure of Neoliberal Immigration Policy

Postwar migration regimes in Western states were typically distinguished as following either a guest-worker, a postcolonial, or a settler society logic (see Joppke 1999). Common to the guest-worker and postcolonial regimes, which were dominant in Europe, was the notion that the migrations processed by them were historically finite, and eventually to be reduced to zero. Germany, which had recruited "guest workers" from the late 1950s to the early 1970s, was the self-declared *«kein Einwanderungsland»* (no immigration country). But also Britain and France, more beholden to a postcolonial logic, pursued zero-immigration policies well into the 1990s. The global "race for talent" (Shachar 2006), starting with the onset of neoliberal globalization in the mid- to late-1990s, has rendered this anachronistic. Political elites throughout rich societies, including Singapore or South Korea, now agree that immigration is not a one-shot event but a recurrent process, required for economic or even demographic reasons. And its political processing, inclusive of the high-skilled top and restrictive of the low-skilled bottom, looks similar everywhere.

Indeed, immigration policy in a neoliberal context becomes bifurcated into a dual structure, even two separate policies, one of courting the top, in terms of soliciting high-skilled immigration, and another of fending off the bottom, which is to restrict low-skilled migration (whereby the latter closely overlaps with the restriction of asylum and family migration). This dual structure is affected by new nationalism only at the surface, not in essence. In fact, even the restrictiveness toward low-skilled

migration, which one might suspect to be at least indirectly driven by nationalist concerns, is fully accountable within a neoliberal framework. This is because particularly family and asylum migration can be rejected for not “contributing”, for being a welfare burden and cost factor to society. As Ruth Wodak (2015, 31) pointed out correctly, neoliberalism induces an “economization” of migration, in which the latter is reduced to a single cost-benefit consideration:

The discourse about migrants has been economized and is uncritically accepted by many: human beings don't matter in it but financial advantages or disadvantages in “our society” (do).

Crucially, as she observed, it is a short step from a neoliberal to an “inhuman” and xenophobic discourse that finds fertile ground in the radical right.

The logics of high- and low-skilled immigration policies are fundamentally different, so that it no longer makes sense, if it ever did, to conceive of immigration policy in the singular. The logic of high-skilled immigration policy is to proactively “solicit” flows where previously no flow existed, and which can never be large enough, also because of competition with other states. Accordingly, high-skilled immigration is almost never politicized, not even in countries with strong radical right parties and nationalist mobilization. By contrast, the logic of low-skilled migration policy is one of reactively “stemming” flows that precede the policy and notoriously exceed the demand for this type of migration, rendering it susceptible to chronic politicization by radical rightists.¹¹ Another way of putting the matter is that “in regard to the unskilled, supply of immigrants exceeds demand in rich countries, and this fuels illegal immigration and flooding of false asylum entries into them”, as political economist Jagdish Bhagwati formulates it (2004, 213). By contrast, “in regard to the skilled, demand exceeds supply in the rich countries”, creating grievance mainly in the “poor countries (that) generally worry about having too many leave” (ibid.).

In a nutshell, low-skilled migration policy is by nature restrictive, even without any radical right input. At the same time, because in this case the flow precedes the policy, the latter is notoriously suspected of being not restrictive enough, which fuels the wheels of nationalist mobilization. By contrast, high-skilled immigration policy is the opposite of restrictive, because the policy precedes the flow and the numbers notoriously remain below expectation. Accordingly, high-skilled policy tends to be off the radar of politicization.

4.1 Courting the Top: High-Skilled Immigration

Selecting by merit and skill originated in the Canadian points system of 1967, followed by Australia twelve years later. In both cases, this replaced racially selective

11 For the “stemming” v. “soliciting” distinction and its implications for immigration policy, see Joppke (2002; 2011).

immigration policies.¹² Interestingly, the original version of both points systems included subjective and personality-related features, dubbed “personal suitability” in Canada, which initially rewarded family ties with citizens for increasing immigrants’ “adaptability”.¹³ Non-economic criteria were subsequently removed or subordinated to “core employability factors” – the word in Australia for skill, age, and linguistic ability (Walsh 2011, 865). With their increasing emphasis on quantifiable human capital indicators, the points systems were “elevated as tools of neoliberal government” (ibid.).

In Europe, the turn to high-skilled immigration took off three decades later, coinciding with the rise of globalization, and in most cases it responded to acute labor shortages in the IT sector. The two pioneers are Germany and Britain, two previous champions of zero-immigration, and in both the turn occurred under “Third Way” left governments embracing a neoliberal agenda. In Britain, under Tony Blair, the buzzword was “managed migration”. Never before had migration in Britain been framed as a tool of economic development. In a programmatic speech in September 2000, Home Office Minister Barbara Roche euphorically depicted the UK as “in competition for the brightest and best talents – the entrepreneurs, the scientists, the high technology specialists who make the global economy tick” (Cerna 2016, 159). By 2002, Britain had its Highly Skilled Migrants Program, Europe’s first points system, which followed the Canadian model in its human capital orientation (i.e., not requiring a work contract), and it provided permanent residence after four (later five) years. While this system came to a factual (not legal) halt with Tory Prime Minister David Cameron’s famous pledge to reduce immigration to the “tens of thousands”, the Brexit-implementing government under Boris Johnson has renewed the commitment to a, now “Australian-style”, points-based immigration system.¹⁴

A particularly interesting case is Germany. Responding to persistent industry complaints over *Fachkräftemangel* (shortage of skilled labor), the once “no immigration country” has established one of the most open high-skilled immigration policies of all OECD countries (see Kolb 2014, 68f). In a rather revolutionary move, a new migration law in 2005 (*Zuwanderungsgesetz*) introduced an immediate permanent residence permit for high-skilled immigrants. This broke with the European logic of *Aufenthaltsverfestigung* (residence consolidation), according to which permanent residence status was never immediate but had to be “earned” over time. But the real break-through came in 2012, in a law that implemented the EU Blue Card Directive for high-skilled immigrants in a most generous way. It waived the traditional labor market test, which had prioritized domestic workers, though it still demanded

12 This does not mean that racial or ethnic considerations would not continue to impinge on these policies, if only by subterfuge (see Ellermann and Goenaga 2019).

13 See “Canada’s Immigration Policy: No Country for Old Men”, *The Economist*, 10 January 2015, p. 42–43.

14 See “Conservative Party Manifesto”, *The Guardian*, 25 November 2019.

a work contract that distinguishes European high-skilled policies from the more human-capital focused policies in Canada or Australia. However, entirely unrelated to the Blue Card implementation, the 2012 law also included the famous Article 18c. It allows any foreigner with a university degree to enter Germany to look for a job for the period of six months, albeit at his or her own cost and without the right to work in this period. This breached the otherwise strictly maintained work-contract requirement in the evolving German (and European) regime for high-skilled immigration, while adopting a Canadian-style human capital logic, as under the classic points system no work contract was required. With this bold move, the university-educated part of humankind is entitled to put up tent in Germany. However, the fact that few have so far taken advantage of this, suggests that the word has not yet passed (see Finotelli and Kolb 2015, 6). The 2019 *Fachkräfteeinwanderungsgesetz* (Skilled Workers Immigration Law), the paradigm-changing first explicit “immigration law” in the history of the Federal Republic, has even extended the Article 18c logic further down the skill ladder, to qualified workers *without* a university degree. The legal-regulatory opening for skilled and high-skilled immigration has been so complete in Germany that only its “adequate marketing” is by now found wanting (SVR 2015, 17 f.).

At the same time, Canada has moved in the opposite direction, prioritizing temporary migration over permanent immigration, and adding employment criteria to its human-capital focused points system. A comparison of Canada and Germany’s high-skilled migration policies thus found “more similarities than differences” between the two, registering in both countries the emergence of “hybrid systems” that mix human capital with employment- and occupation-based criteria (Kolb 2014, 57).¹⁵ Temporary migration and the requirement to hold a work contract, which tend to coincide, greatly increase the role of employers in the selection of migrants, while reducing the role of the state. This “advance(s) the neoliberal agenda” (Walsh 2014). As the Canadian Immigration Minister, Jason Kenney, expressed this shift colloquially, “employers are going to do a much better job at selection than a passive bureaucracy” (quoted by Lenard 2018, 226).

With the creation of a new Canadian Experience Class visa in 2007, a European-style “two-step” migration was introduced that emulates the principle of *Aufenthaltsverfestigung*, according to which permanent residence is acquired not from the start but only over time. This European principle is now standard in the classic immigration countries. The equivalent in the US is the H1-B visa for temporary high-skilled workers, introduced in 1990; the Australian equivalent is the 457 (Business) Visa introduced in 1996 (and replaced by a more demanding scheme in 2018) (see Birrell 2017). The point of two-step migration is to shift the burden and

15 Occupation-based selection prioritizes “shortage” professions, while employment-based selection requires a work contract. Both are to be distinguished from human-capital based selection, which prioritizes skills, language capacity, and age.

the cost of integration entirely on migrants, because temporary migrants are not eligible for settlement services. And it allows a maximum of flexibility and a close linkage of labor migration with economic and labor market needs, which had not existed under a pure human-capital rewarding system. The trend toward a bigger role for employers in the selection process was completed with the Express Entry system, which Canada introduced in 2015, following New Zealand and Australia. The system makes a job offer the condition for being picked out of a pool of eligible high-skilled applicants. Never short of a catchy metaphor, Canadian immigration minister, Jason Kenney, likened it to a “dating service to connect employers with prospective immigrants”. If previously the “talent for citizenship” was decisive, now a purely “commercial logic” rules over immigrant selection in Canada and other New World countries. Hence the “end of settlement”, as diagnosed by Dauvergne (2016), which is also the end of the “Canadian Model” of a liberal-progressive immigration policy to be emulated by European states.

4.2 Fending-Off the Bottom: The Many Faces of Low-Skilled Migration

Low-skilled migration consists of two streams that need to be strictly separated: a small part that is legally processed as labor migration, and for which there are official programs in most rich countries, mostly under the umbrella of temporary or seasonal migration; and a major part where migrants are “low-skilled” not in a legal but factual (or presumed factual) sense, as in the case of (much of) family and asylum migration, but also of irregular migration. Accordingly, low-skilled migration has many faces and legal avenues of processing it. With respect to its majority non-labor part, it is at best a reasonable *assumption* that the migration processed through the family or asylum channels (or not processed at all, as in the irregular variant) is predominantly low-skilled. Furthermore, the legally non-labor portion of low-skilled migration is distinct as being “unwanted” in an analytical sense. It occurs not because of an interest on part of the state, as it is the case in labor migration, but because of recognition of a right on part of the migrant or of a resident or citizen, as in asylum and family migration, respectively; or it simply comes about due to a control failure of the state, as in irregular migration.

With respect to labor migration, Martin Ruhs (2013) argued conclusively that “high-income countries” are more open to high-skilled immigrants, if only because they pay more taxes and are not likely to use social services. Conversely, “(m)ajor migrant-receiving states have no overwhelming interests in more low-skilled labor migration” (Kuptsch and Martin 2011, 52). If the latter is accepted in larger numbers, it is at the price of lesser rights. Philip Martin (2006) has described the opposing treatment of high- v. low-skilled labor migrants as “red carpet” v. “red card”, or “Welcome the Skilled, Rotate the Unskilled”. The catchy formula suggests that temporariness (“rotate”), while increasingly a feature of high-skilled migration as well, is *structurally* woven into the processing of low-skilled migration. The latter

is almost by definition “temporary and seasonal” (Hampshire 2013, 61), as already the classic notion of “guest worker” had implied. If the temporariness of “guest worker” schemes tends to be more strictly observed today than in the past, at least at the level of policy *intention*, this reflects the factoring in of political opposition to migration, which has become epidemic in times of populism. In James Hampshire’s formulation (ibid., 62), temporariness helps “avoiding both the political risks of permanent immigration and the social costs of integrating long-term immigrants.”

Second-class or “red card” treatment of low-skilled migrants is possible without much ado in countries without a human rights tradition and without strong domestic equality norms, such as the Gulf States or Singapore. These countries admit low-skilled migrants in huge numbers but systematically prevent them from settling down and even keep them apart as a lower caste that must not mingle or bond with natives. Such a stance is more difficult, if not impossible, in Western states beholden to human rights and equality norms. Philip Martin (2006) has formulated the dilemma well:

The fundamental issue is that migration is motivated by differences, but migrant conventions call for equality. If migrants were truly “equal” in receiving countries, fewer would be demanded, as exemplified by mechanization in agriculture when wages rise.

If “equal participation” (*gleiche Teilhabe*) (SVR 2018, 70) is the liberal-progressive lodestar of immigrant integration in Western states, it is organized hypocrisy. Because without inequality there wouldn’t be migration at all – at least to the degree that the latter is low-skilled labor migration. The fact of lesser rights is circularly involved as cause and regulatory frame of this migration.

The likelihood of being low-skilled or even unproductive and social-benefit claiming, is one of the reasons why family migration, in particular, has been on the restrictive radar of Western governments. In Europe, this has been the case since the closing-down of guest worker migration in the early 1970s. The linkage between “family” and “low-skilled” is a simple network effect, “reflect(ing) past large-scale recruitment of low-skilled migrants” (Bonjour and Kraler 2015, 1416), who later ask to be joined by a spouse or children. At the same time, it goes without saying that recruiting high-skilled immigrants requires granting them family rights that are not affected by these restrictive moves.

But even in Canada, as it turned toward a neoliberal immigration policy, favoring temporary migration over permanent immigration, a “systematic discounting of family-based migration” (Root et al. 2014, 68) can be registered, despite the fact that in this case the network effect *had* to be positive (because, apart from refugees, only high-skilled migrants have a chance to be selected in the first). Under the conservative Harper government (2006–2015), the age limit for “dependent children” was lowered from “under 22” to “under 19”, and exceptions for “over 18s” who

are full-time students were removed. During their first two years, the permanent residency for sponsored spouses was made conditional. In addition, new applications by parents and grandparents within the family reunification program were first suspended for two years, what increased waiting times to eight years; thereafter they were capped at the very small number of 5000 per year, which further increased the backlog. Moreover, the sponsors' required income level was raised by 30 percent, and they had to cover income support costs for the first 20 (instead of 10) years of residency. At the same time, a multiple-entry "Super Visa" over a maximum period of 10 years was introduced for parents and grandparents, which required the purchase of a one-year health insurance even for much shorter visits (see Chen and Thorpe 2015). These restrictive family migration measures were to forfeit an "abuse of Canada's generosity", as Immigration Minister Jason Kenney explains (Forcier and Dufour 2016, 5). He did not hide the neoliberal underpinnings of his attack on extended family migration:

There have to be practical limits to our generosity. We have to calibrate ... limits based on our country's economic needs, our fiscal capacity. There is no doubt that people who are coming who are senior citizens, they have much, much lower labour-market participation and much higher levels of utilization of the public health system. (Root et al. 2014, 67)

In Europe, a new chapter and rationale of reducing family migration started under French Interior Minister Nicolas Sarkozy in 2005, who launched a programmatic move from "suffered" to "chosen" immigration. Importantly, this meant abandoning the zero immigration objective that had undergirded French (and other European states') policy (or policies) up to this point. According to Sarkozy, zero-immigration had become anachronistic in light of "new economic and demographic needs".¹⁶ Yet this opening was to occur within a zero-sum frame of replacing unwanted family immigration with wanted high-skilled immigration. In Sarkozy's terms, a "better equilibrium" between "work" and "as of right" immigration had to be achieved.¹⁷ This was a euphemism, because his instruction, after gaining the Presidency in 2007, to move the labor-to-family migration ratio from the present 10:90 to 50:50, was Mission Impossible, not least due to legal-constitutional constraints (see Fassin 2009). Sarkozy had a point, however. France had (and still has) one of the lowest levels of labor migration in Europe, with just 5.8 percent of all legal intakes in 2006 (Kofman et al. 2010, 17). At the same time, the French rate of family migration is one of the highest in Europe, with almost 60 percent of legal inflows in 2006 (Joppke 2011, 236). Most of this intake hails from North Africa and Turkey, in numbers

16 « Déclaration de M. Nicolas Sarkozy », French National Assembly, 9 June 2005 (<http://discours.vie-publique.fr/notices/053001871.html>).

17 Ibid.

that even exceed intra-EU flows, and the bulk of it is low-skilled, entailing a high level of unemployment and welfare dependency.

Incidentally, Sarkozy announced his new immigration policy shortly after French voters had rejected the EU constitution draft in late May 2005. He took this vote as rejection of the “globalization” that, he believed, was associated with “Europe”:

*This vote is the expression of a deep crisis of mistrust: mistrust of the capacity of Europe to get the best out of globalization, while assuring protection against unemployment, dislocation, suffered immigration, terrorism; mistrust of France’s capacity to maintain its place in the European competition.*¹⁸

Obviously, popular fears of neoliberalism had to be reconciled with a neoliberal immigration policy that envisaged the “circulation of brains, in a win-win situation for receiving and sending countries”.¹⁹ Therefore it was important, and not a small rhetorical feat on the part of Sarkozy, to present a neoliberal immigration policy as an “expression of France’s sovereignty”, a “choice” – implying an exact reversal of the usual framing of neoliberalism, which is that “there is no alternative”, in the famous words of Margaret Thatcher. And it was important to back up this “choice” with firm action against a family reunification that, while corresponding to “our values” and a “right” protected by the constitution, was still deemed “out of balance” and marred by “numerous frauds”, in particular “marriages of convenience” and “forced marriages”.²⁰

However, the move toward restricting family migration should *not* be seen as attempt to preempt the radical right that has been traditionally strong in France. Sarkozy would do that only later in his Presidency, and then with gusto. Instead, this restriction occurred in a rather progressive context of optimizing “Republican integration” through bringing about “equality of chances” for immigrant minorities, which included ambitious plans for “positive discrimination” (which never saw the light of day).²¹

Eventually, in laws passed in 2006 and 2007, the French government adopted the typical array of restrictive measures against family immigration which other Western European countries would (or already had) adopt(ed) at that time, including raising the minimum legal residence period of sponsors and requiring financial independence and sufficient housing on their part, while introducing an “integration from abroad” test for the migrant spouse. From 2006 to 2007, with some of these measures in place, the number of French residence permits for family reunion indeed decreased by almost 11 percent (Fassin 2009). However, the intended 50:50 work-to-family ratio could not even remotely be achieved. In 2010, 86 000 new family

18 Ibid.

19 Ibid.

20 Ibid.

21 Ibid.

migrants stood against only 24 000 labor migrants (Cerna 2016, 216); in 2015, the number of new family migrants was even up to 104 000 (SOPEMI 2017, 113).

In the end, the move from suffered to chosen immigration never materialized, neither in France nor elsewhere in Europe. Family reunification, in combination with asylum seeking, have remained the “major avenues of immigration in Europe” (Hollifield et al. 2019, 13). Constitutional obstacles to restrict as-of-right migration, as well as the inertia of established migration systems, proved too strong. However, the persistent impulse to restrict the many faces of low-skilled migration, which predates the rise of the radical right, is decisive.

5 Marginal Neonationalism

Neonationalism, carried by a new brand of populist radical right parties and movements, may be seen as the main opposition force to neoliberal globalization, advocating “closure” against the most drastic “opening” that human societies have possibly ever experienced, and thus signaling a new cleavage in political life. In particular, immigration and the cultural changes brought by it preoccupy these parties (see Goodhart 2017). Hence the question: What impact have they had on immigration policy?

The first thing we notice is that in Western Europe radical right parties are always minority parties, with an average share of under 18 percent of the vote in 2017 (Eiermann et al. 2018, 13). This naturally limits their impact. One review found them “dogs that bark loud, but hardly ever bite” (Mudde 2013, 14), particularly as they mainly address “sociocultural” issues that remain peripheral to mainstream parties’ continued preoccupation with socioeconomics. Writing earlier in the millennium, Tim Bale (2008) pointed out that mainstream center-right parties had taken restrictive positions on immigration *long before* radical right parties were put on the map. In his view, there had never been a “conspiracy of silence” between center-right and center-left parties on immigration, as claimed by some (e.g. Freeman 1995). Just consider Britain’s panicky closing of New Commonwealth immigration in the 1960s, Thatcher’s fear of being “swamped” in the late 1970s, and a “firm” British immigration and asylum-policy geared toward zero-immigration well into the late 1990s; or consider the 1980s’ hard-lining against family migration by German Interior Minister Friedrich Zimmermann (of the Bavarian CSU); and, not to forget, the 1990s’ explicit “zero-immigration” policy of French Interior Minister Charles Pasqua (UMP). These are merely examples from Europe’s Big Three. When radical right mobilizing was not remotely as strong as it is today, Rogers Brubaker (1995:908) already depicted European immigration policy as “chronically populist” – notably in a rebuttal of Gary Freeman’s by now classic liberal thesis (1995).

However, it is difficult to deny “contagion by the right” (Norris 2005), as the cordon sanitaire that once separated radical right parties from center-right parties is lifted in more and more countries. This is most notably the case in the Netherlands and Denmark, whose immigration policies have been in the thrall of the radical right for much of the new millennium. A Europe-wide review in 2018 found that “populists are no longer shunned by the democratic mainstream as a matter of course; they are increasingly called into coalitions, co-opted and copied”.²² The number of European governments with populist participation has increased from 7 in 2000 to 14 by February 2018.²³ In principle, it is possible for radical right parties to be “moderated” as they move closer to power. In practice, however, as a study of party manifestos of 68 parties in 17 European countries between 1980 and 2014 found, mainstream parties, notably of the right and left alike, have increasingly “accommodated” radical right demands, particularly on their signature docket of “liberal-authoritarian” issues (which includes immigration, minorities, and law and order) (Wagner and Meyer 2018). This accommodation has been in terms of mainstream parties’ “positions taken” and the “saliency” given to them. Astoundingly, “the mean position of the mainstream left today is about as authoritarian as the mean radical right position in the 1980s” (ibid., 92). The study concludes that “the old radical right programmatic orientations have become the ‘new normal’” (ibid., 99), while radical right parties have moved even further to the right. At the same time, however, a recent analysis of mainstream party manifestos in 12 Western European countries, between the early 1960s and 2013, found “little evidence that (anti-immigrant parties) dictate or even influence how centrist parties address the topic (of immigration)” (Dancygier and Margalit 2019:33). The jury over the degree of radical right influence seems to be out. But the fact that family reunification and asylum policy were on a restrictive path as early as the 1980s, preceding the rise of the radical right and of populism, still stands.

But what about the two neonationalist breakthrough events in the West, Brexit and Trump, in both of which opposition to immigration was key? Are they changing the structure of immigration policy as depicted above? The answer is no.

The successful Brexit referendum of June 2016 was fundamentally a populist-nationalist reaction to a (neo)liberal immigration policy gone astray, in terms of accepting high numbers of migrants, predominantly from the new eastern member states of the EU, that were far above the limit of what was commonly held acceptable. But it does not change the quality or structure of immigration policy. Post-Brexit, the UK will embrace the typical combination of soliciting high-skilled while restricting low-skilled migration, under the umbrella of an Australia-modelled “points-based system” (see MAC 2020). As there is no longer favoritism for other Europeans, Brit-

22 “A Dangerous Waltz”, *The Economist*, 3 February 2018, p. 17.

23 Ibid., p. 18. Shortly thereafter the number increased to 15, with Italy’s all-populist coalition government which was formed in spring 2018 (but collapsed in the summer of the following year).

ish immigration policy will even become less “racist” and more liberal-universalistic. As Brexit advocate Michael Gove put it slyly, “outside the EU we can have a truly colour-blind migration policy that ... treats people from the Bahamas in the same way as we treat people from Bulgaria”.²⁴

By contrast, the rise of Trump *does* imply a threat to the liberal basis of immigration policy, which has otherwise remained intact in a neoliberal context: It breaches the “anti-populist norm” (Freeman 1995), which is the elite taboo to address the ethno-racial composition of migrant intakes with negatively discriminatory intent. However, Trump’s immigration policy, particularly its animus against illegal immigrants, only radicalized the enforcement turn that US immigration policy has taken since the days of Democratic President Clinton (see Wong 2017). No legislative changes were necessary for even the most drastic of Trump’s measures, such as separating families at the Mexican border. And the “Muslim Ban”, which is the most radical of all neonationalist interventions in a Western state’s immigration policy to date, passed constitutional muster only once it was transformed into a religiously and ethno-racially anonymous “Travel Ban” (see Spiro 2019), however hollow and hypocritical this transformation may have been. While immigration policy was the only domain where a plutocratic president lived up to his populist promises, pluralist American institutions, above all independent courts, have overall held the line against a populist-nationalist *Durchmarsch*.

6 Conclusion

Any reflection on immigration policy, past and present, must start with the restrictive imperative that is constitutive of it. Catherine Dauvergne (2016, 72) captured it succinctly: “It is impossible for immigration law to fully embrace a liberal paradigm because of its role in constituting the border”. In this spirit, this paper laid out the dual structure of immigration policy (or rather policies) in the neoliberal era, and tried to assess the difference that neonationalism makes. There are two main messages. First, neonationalism has only tangentially touched on the bifurcated structure of neoliberal immigration policy. It largely ignored the latter’s “courting the top” prong, sometimes even supporting it, while seeking to lend more severity to the “fending off the bottom” exercise. The crucial matter is that neonationalism has not initiated the restrictiveness against low-skilled migration, which can be accounted for in neoliberal terms. Secondly, there is little transatlantic variation to neoliberal immigration policy. The days of the “American” or “Canadian model” of a liberal and inclusive, settlement-oriented immigration policy are over. This transatlantic convergence is demonstrated by a new proclivity for temporary migration, pertaining

24 <https://www.bbc.com/news/uk-politics-43821484>.

even to the high-skilled, in the classic nations of immigrants, as well as by similarly restrictive approaches to family migration.

Liberalism, neoliberalism, and nationalism are the three central ideological forces that shape Western states' immigration policies of our time, and the challenge is to calibrate the three, without forgetting that their constellation is not the same in any two places or times. While I characterized the dualism of courting the top and fending-off the bottom as "neoliberal", this does not mean that the other two elements are absent. A restrictive imperative, articulating a kind of structural nationalism to keep states as bounded entities, undergirds *all* immigration policy. This is perhaps why the *neonationalism* factor, which some critical analysts have also looked up under closely related flags like "racialization" or "securitization", is so tangential: It tries to further shut a door that is already (relatively) shut. Neonationalists would really cut ice if there was a return from individual- to group-level, from merit-based to origin-based immigration policies, as they had been in the first half of the 20th century. While there was a glimmer of this in Trump's Muslim Ban, a basic non-discrimination norm continued to be observed, and in this basic sense immigration policy continued to be liberal, even in Trump's America. Accordingly, the liberalism factor is never to forget. The neoliberalism factor was simply highlighted here because it best accounts for the ambivalent (or dual) nature of contemporary immigration policies that are selectively open for the high-skilled but (relatively) closed for all others, the common denominator of both policy prongs being economic utility and a cost rationale. A task of future research would be a fuller account of the often paradoxical relationships between (neo)liberalism and neonationalism, which range from oppositional to complementary. Note that neonationalists are at the most effective when eschewing ethnicity or racial in favor of (neo)liberal rhetoric, attacking certain immigrants for their presumed incompatibility with liberal values or for not "contributing" (see Halikiopoulou and Vlandas 2019).

7 References

- AfD. 2017. *Programm für Deutschland*. Cologne.
- Bale, Tim. 2008. Turning Round the Telescope. *Journal of European Public Policy* 15(3): 315–330.
- Bhagwati, Jagdish. 2004. *In Defense of Globalization*. New York: Oxford University Press.
- Birrell, Bob. 2017. *The Coalition's 457 Visa Reset*. Victoria: Australian Population Research Institute, Monash University.
- Bonjour, Saskia and Albert Kraler. 2015. Family Migration as an Integration Issue? *Journal of Family Issues* 36(11): 1407–1432.
- Boucher, Anna, and Justin Gest. 2018. *Crossroads: Comparative Immigration Regimes in a World of Demographic Change*. New York: Cambridge University Press.
- Brown, Wendy. 2015. *Undoing the Demos: Neoliberalism's Stealth Revolution*. New York: Zone Books.
- Brubaker, Rogers. 1995. Comments on Freeman. *International Migration Review* 29(4): 903–908.

- Careja, Roman et al. 2016. Direct and Indirect Welfare Chauvinism as Party Strategies. *Scandinavian Political Studies* 39(4): 435–457.
- Cerna, Lucie. 2016. *Immigration Policies and the Global Competition for Talent*. London: Palgrave.
- Chen, Xiaobei, and Sherry Thorpe. 2015. Temporary Families? *Migration, Mobility, and Displacement* 1(1): 81–98.
- Cook-Martin, David. 2019. Temp Nations. *American Behavioral Scientist* 63(9): 1389–1403.
- Dancygier, Rafaela, and Yotam Margalit. 2019. The Evolution of the Immigration Debate. *Comparative Political Studies* (advanced electronic publication): 1–41.
- Dauvergne, Catherine. 2016. *The New Politics of Immigration and the End of Settler Societies*. New York: Cambridge University Press.
- De Haas, Hein, Natter, Katharina, and Simona Vezzoli. 2016. Growing Restrictiveness or Changing Selection? *International Migration Review* 52(2): 324–367.
- Eiermann, Martin, Mounk, Yascha, and Limor Gultchin. 2017. *European Populism*. Tony Blair Institute for Global Change.
- Ellermann, Antje and Agustín Goenaga. 2019. Discrimination and Policies of Immigrant Selection in Liberal States. *Politics and Society* 47(1): 87–116.
- Fassin, Eric. 2009. Immigration subie. P. 22 in *Le Monde Diplomatique*, November.
- Finotelli, Claudia, and Holger Kolb. 2015. “The Good, the Bad and the Ugly” Reconsidered. *Journal of Comparative Policy Analysis* (advanced electronic publication): 1–15.
- FN (Front National). 2017. *Marine 2017: 144 engagements présidentiels*. (<https://rassemblementnational.fr/pdf/144-engagements.pdf>).
- Forcier, Mathieu, and Frédéric G. Dufour. 2016. Immigration, Neoconservatism and Neoliberalism. *Cogent Social Sciences* 2(1): 1–18.
- FPÖ. 2017. *Österreicher verdienen Fairness*. Vienna.
- Freeman, Gary P. 1995. Modes of Immigration Politics in Liberal Democratic States. *International Migration Review* 29(4): 881–902.
- Freeman, Richard B. 2006. People Flows in Globalization. *Journal of Economic Perspectives* 20(2): 145–170.
- Goodhart, David. 2017. *The Road to Somewhere*. London: Hurst.
- Halikiopoulou, Daphne, and Tim Vlandas. 2019. What is New and What is Nationalist About Europe’s New Nationalism? *Nations and Nationalism* 25(2): 409–434.
- Hampshire, James. 2013. *The Politics of Immigration*. Cambridge: Polity.
- Hayek, Friedrich. 1982. *The Mirage of Social Justice*. London: Routledge.
- Hollifield, James F., Philip L. Martin, and Pia M. Orrenius. 2019. *Introduction: The Dilemmas of Immigration Control* (typescript, in author’s possession). For a new edition of *Controlling Immigration* (Stanford, Calif.: Stanford University Press, forthcoming).
- Joppke, Christian. 1999. *Immigration and the Nation-State*. Oxford: Oxford University Press.
- Joppke, Christian. 2002. European Immigration Policies at the Crossroads. Pp. 259–276 in *Developments in West European Politics 2*, edited by Paul Heywood et al. London: Palgrave.
- Joppke, Christian. 2005. *Selecting by Origin*. Cambridge, Mass.: Harvard University Press.
- Joppke, Christian. 2011. European Immigration Policies. Pp. 220–240 in *Developments in European Politics 2*, edited by Paul Heywood et al. London: Palgrave.
- Kleven, Henrik Jacobsen, Landais, Camille, Saez, Emmanuel, and Esben Anton Schultz. 2014. Migration and Wage Effects of Taxing Top Earners. *Quarterly Journal for Economics* 129(1): 333–378.
- Kofman, Eleonore, Madalina Rogoz, and Florence Lévey. 2010. *Family Migration Policies in Europe*. Unpublished manuscript (in author’s possession).

- Kolb, Holger. 2014. When Extremes Converge. *Comparative Migration Studies* 2(1): 57–75.
- Kuptsch, Christiane and Philip Martin. 2011. Low-Skilled Labour Migration. Pp. 34–59 in *Global Migration Governance*, edited by Alexander Betts. Oxford: Oxford University Press.
- Lenard, Patti Tamara. 2018. Wither the Canadian Model? Pp. 211–236 in *Diversity and Contestations Over Nationalism in Europe and Canada*, edited by John Erik Fossum et al. London: Palgrave.
- MAC. 2020. *A Points-Based System and Salary Thresholds for Immigration*. London, January.
- Macklin, Audrey. 2017. From Settler Society to Warrior Nation and Back Again. Pp. 258–313 in *Citizenship in Transnational Perspective*, edited by Jatinder Mann. London: Palgrave.
- Martin, Philip. 2006. The Economics of Migration. *Harvard International Review*, 17 July.
- Massey, Douglas, Arango, Joaquin, Hugo, Graeme, Kouaouci, Ali, Pellegrino, Adela, and J. Edward Taylor. 1993. Theories of International Migration. *Population and Development Review* 19(3): 431–466.
- Mudde, Cas. 2013. Three Decades of Populist Radical Right Parties in Western Europe. *European Journal of Political Research* 52: 1–19.
- Norris, Pippa. 2005. *Radical Right*. New York: Cambridge University Press.
- Peters, Margaret. 2017. *Trading Barriers*. Princeton, N.J.: Princeton University Press.
- Root, Jesse, Gates-Gasse, Erika, Shields, John, and Harald Bauder. 2014. *Discounting Immigrant Families: Neoliberalism and the Framing of Canadian Immigration Policy Change*. Toronto: Ryerson University, RCIS Working Paper 2014/7.
- Ruhs, Martin. 2013. *The Price of Rights*. Princeton, N.J.: Princeton University Press.
- Shachar, Ayelet. 2006. The Race for Talent. *NYU Law Review* 81: 148–206.
- Shachar, Ayelet. 2016. Selecting by Merit. Pp. 175–204 in *Migration in Political Theory*, edited by Sarah Fine and Lea Ypi. Oxford: Oxford University Press.
- Sidgwick, Henry. 1891. *The Elements of Politics*. London: Macmillan.
- SOPEMI. 2017. *International Migration Outlook*. Paris: OECD.
- Spiro, Peter. 2019. Trump v. Hawaii, 138 S. Ct. 2302. *American Journal of International Law* 113(1): 109–116.
- SVR (Sachverständigenrat deutscher Stiftungen für Integration und Migration). 2015. *Unter Einwanderungsländern: Jahresgutachten 2015*. Berlin.
- SVR. 2018. *Steuern, was zu steuern ist: Jahresgutachten 2018*. Berlin.
- SVR. 2019. *Bewegte Zeiten: Jahresgutachten 2019*. Berlin.
- Wagner, Markus, and Thomas Meyer. 2017. The Radical Right as Niche Parties? *Political Studies* 65(15): 84–107.
- Walsh, James. 2011. Quantifying Citizens. *Citizenship Studies* 15(6–7): 861–879.
- Walsh, James. 2014. From Nations of Immigrants to States of Transience. *International Sociology* 20(6): 584–606.
- Wodak, Ruth. 2015. Normalisierung nach rechts. *Linguistik Online* 73(4-5): 27–44.
- Wong, Tom K. 2017. *The Politics of Immigration: Partisanship, Demographic Change, and American National Identity*. New York: Oxford University Press.
- Zolberg, Aristide. 2006. *A Nation by Design*. Cambridge, Mass.: Russell Sage Foundation and Harvard University Press.

(Un)Conditional Welfare? Tensions Between Welfare Rights and Migration Control in Swiss Case Law

Lisa Marie Borrelli*, Stefanie Kurt*, Christin Achermann**, and Luca Pflirter**

Abstract: This analysis of Swiss Federal Supreme Court judgements shows the coupling of welfare and migration control. Foreign nationals depending on social assistance might face the withdrawal of their residence permits. We show how the conveyed legal logics create conditionality of rights and a differentiation of (non-)citizens. The judgements individualise social assistance dependence and follow a neoliberal logic of economic participation. They establish rationalities which reinforce politics of belonging and welfare chauvinism.

Keywords: Social assistance, migration control, welfare chauvinism, exclusion, case law

(Un)bedingte Wohlfahrt? Spannungen zwischen Wohlfahrtsrechten und Migrationskontrolle in der Schweizer Rechtsprechung

Zusammenfassung: Eine Analyse der Rechtsprechung des Schweizer Bundesgerichts zeigt die Kopplung von Sozialleistungsbezug und Migrationskontrolle. Ausländer*innen, die von Sozialhilfe abhängig sind, können ihren Aufenthaltsstatus verlieren. Die Urteile zeigen rechtliche Logiken, welche Rechte an Bedingungen knüpfen und zwischen (Nicht-)Bürger*innen differenzieren. Sie basieren auf der Individualisierung von Sozialhilfeabhängigkeit und einer neoliberalen Logik der wirtschaftlichen Teilhabe. Dies verstärkt eine Politik der Zugehörigkeit und Wohlfahrtschauvinismus.

Schlüsselwörter: Sozialhilfe, Migrationskontrolle, welfare chauvinism, Exklusion, Rechtsprechung

Une aide sociale (non) conditionnelle ? Tensions entre droits sociaux et contrôle des migrations dans la jurisprudence suisse

Résumé : L'analyse des arrêts du Tribunal fédéral suisse montre le lien entre les prestations sociales et le contrôle des migrations. Les étrangers qui dépendent de l'aide sociale peuvent perdre leur permis de séjour. La logique juridique véhiculée crée la conditionnalité des droits et la différenciation des (non)citoyens. Les jugements individualisent la dépendance à l'aide sociale et suivent une logique néolibérale de participation économique. Ils établissent des rationalités qui renforcent la politique d'appartenance et soutiennent le chauvinisme social.

Mots-clés : Aide sociale, contrôle des migrations, welfare chauvinism, exclusion, jurisprudence

* HES-SO Valais-Wallis, CH-3960 Sierre, lisa.borrelli@hevs.ch, stefanie.kurt@hevs.ch

** University of Neuchâtel, CH-2000 Neuchâtel, christin.achermann@unine.ch, luca.pflirter@unine.ch

1 Introduction¹

The dependency is – as the previous instance has rightly determined – to a broad extent self-inflicted. The claimant was warned [by the migration office] on June 4th, 2013, to free herself from social assistance; after this did not happen, she was warned by the migration office on November 18th, 2014, again, without success. [...] it cannot be assumed that a detachment from social assistance will happen within reasonable time, because the claimant did not participate in any work in the primary labour market since 2011. (2C_870/2018, own translation)

The role of law, and in the above case the role of legal judgments (see also Johanneson 2012; 2018), has been thoroughly studied through multiple lenses within socio-legal studies (Bourdieu 1987; Collier and Starr 1989; Eckert et al. 2012; Calavita 2016). This literature highlights the relevance of everyday negotiations, but also to what extent legal regulations and law itself contribute to social control, enabling and constraining power (Cotterrell 1992). Consequently, court judgements, such as the extract above, allow for a careful study of how these rulings contribute to the embedding of legal logics and interpretations in society and how they convey and create normative ideas. The presented extract is one example of how foreign nationals' right to stay is perceived and questioned by public authorities, leading to a withdrawal or a non-prolongation of (permanent) residence permits in Switzerland. A long and significant dependence on social welfare, here deemed self-inflicted, goes against the public interest and is often interpreted as a sign of lacking integration, leading to the loss of residence permit and therefore eventually to deportation (cf. Bolzman et al. 2002). Such cases reveal how welfare and migration control are heavily intertwined and how tensions between both play out in bureaucratic and legal decision-making. Although one set of policies might grant support (social assistance), the reception can at the same time be circumscribed by others (restrictive migration policies) and follow an enforcement logic (Bourdieu 2012; Spencer 2016).

Our interest lies in tracing this tension between welfare rights and migration control, for which we propose a case study of Swiss case law (see Pellander 2021). We ask the following question: What does case law of the Swiss Federal Supreme Court (FSC) tell us about the relationship between the reception of social assistance and non-citizens' legitimacy/right to stay in Switzerland? The focus on case law exceeds previous research, which preferred to study policies (Ataç 2019) and neglected the relevance of legal decision-making within state institutions, in particular courts. Yet, prior socio-legal work brought forward how courts are constructed as bounded space[s] of specialist dialogues which create an "ordered progression toward the

1 Acknowledgements: The article was supported by the National Centre of Competence in Research nccr – on the move, which is funded by the Swiss National Science Foundation (51NF40-182897).

truth” (Bourdieu 1987, 830). Our interest lies in what judgments by the hierarchically highest court can teach us about the establishment of truths, rationalities, symbolic effects and the coupling of welfare benefits and migration control. Such an analysis presents an original way to reveal how states mobilise motivations and arguments in terms of (non-)access to social assistance and how they legitimise their exclusionary practices.

Under certain circumstances (see Art. 83 of the Federal Law on the FSC), individuals whose permits are revoked or not prolonged can appeal the decision as far up as the FSC in order to secure their stay in Switzerland (Spescha et al. 2019). Hence, the FSC represents the last instance of a chain of legitimisation by controlling decisions of lower instances in their exercise of discretion and enforcement of law (Art. 96 FNIA). As such, judgments by the FSC legitimise enforcements and decisions by other actors within the chain of legitimisation, down to the street-level bureaucrat. By removing prior logics of enforcement from the “category of arbitrary violence” (Bourdieu 1987, 824), these judgments legitimately (re)produce power structures within society, manifesting perceptions of normalcy and deviancy (Bourdieu 1987, 847).

The argumentation within the introductory judgement reflects the conditionality of rights and as such the differentiation between deserving citizens and non-citizens, who are seen as an illegitimate burden to the public hand of the Swiss state. Additionally, we claim that the presented court judgements individualise social assistance dependency (see also Procacci 2001) and follow a strong neoliberal logic of economic participation. We support this with concepts of “welfare chauvinism” (see Andersen and Bjørklund 1990; Huysmans 2006), “domopolitics” (Walters 2004) and “politics of belonging” (Yuval-Davis 2011) or rather “non-belonging”.

After a brief description of the Swiss legal system and the case selection, we will first elaborate these theoretical concepts and then apply them to our data. The analytical section presents how (past) individual behaviour is contrasted against the public interest, but also how the future is constructed to the disadvantage of claimants. Further, court rulings ascribe significant responsibility to those receiving benefits, not only through constructing social assistance dependency as being self-inflicted, but also through an assumed “unteachability” (Pfirter 2019) of foreign nationals, which is considered to show their “lack of integration”.

2 The Revocation or Non-Prolongation of a (Permanent) Residence Permit in the Case of Social Assistance Dependency – The Legal Perspective

The issuance of residence permits (B permits) and permanent residence permits (C permits)² is regulated by the FNIA (Federal Act on Foreign Nationals and Integration, formerly Foreign Nationals Act, FNA). A permanent residence permit can be issued after a minimum rightful stay of five or ten years and is based on meeting further (integration) criteria in Switzerland (see also Kurt 2017 on settlement treaties).³ Additionally, there is a legal difference between so-called “third-country nationals” and “citizens of the European Union/EFTA” (Spescha 2011). Although integration criteria as well as the nationality of the foreign national might hinder access to more “stable” permits, those factors also influence the revocation, and respectively the non-prolongation, of permits (for further information, see Spescha 2011).⁴

Besides convictions for criminal sentences, or violations towards public security, to name just a few reasons, withdrawal of a residence permit is possible if a person or someone s/he takes care of (e. g. spouse) depends on social assistance (Art. 62 FNIA). For the withdrawal of a *permanent* residence permit, these reasons need to be fulfilled on a more extensive level, including a permanent dependence on social assistance to a substantial extent (Art. 63 FNIA). Further, whereas permanent residency holders were protected by their length of stay (if residing for more than 15 years) when depending on social assistance under the FNA (change of Art. 63. Para. 2 FNA; Kurt 2017), the change to the FNIA nullified this safety.

The withdrawal, decided by cantonal and municipal migration offices, revokes the person’s legal status and allows for his or her removal (Spescha 2011; Spescha et al. 2019). Based on the jurisprudence of the FSC, the withdrawal of a permit due to social assistance dependency is practised in the case of a concrete danger of (long-term) social dependency (e. g. high financial contributions and no or little indication that the concerned person will become financially independent). Additionally, the withdrawal of a permanent residence permit is possible after receiving around 80,000 Swiss francs of social assistance within two to three years. Financial contributions of labour market integration programmes by the state are also interpreted as social assistance (Bundesrat 2019, 18). Yet, specific circumstances, such as

2 Due to the focus of this research, issued residence permits based on the Asylum Act will not be discussed, because the permits of recognised refugees and temporarily admitted foreign nationals cannot be revoked for social assistance dependency. Yet, dependency affects those groups in other ways (Amarelle and Nguyen 2014; Caroni et al. 2018; Spescha et al. 2015; 2019).

3 An exception are foreign professors nominated at one of the universities or higher education institutes and their family members, who receive a permanent residence permit immediately upon their first entry and stay in Switzerland.

4 To simplify the legal complexity, we will only use the term “withdrawal of (permanent) residence permit” in the following part, despite various legal differentiations between expiry, withdrawal and non-prolongation.

the family situation or childcare duties, need to be considered. Probst et al. (2019) further underline that despite the possibility to withdraw purely due to dependence on social assistance, many cantons highlight the need to consider the overall case and its individuality to avoid an “automatisation” of the withdrawal procedure.

Whereas decisions by cantonal migration offices can be appealed within the internal cantonal instances (depending on the structure of each canton) and lastly to the cantonal courts, only some cases are taken up by the FSC (depending on the claimant’s entitlement regulated by law; see Spescha et al. 2019). This also explains the rather small number of cases dealing with this issue. If the FSC rejects the appeal, the concerned person may appeal before the European Court of Human Rights (ECHR).

3 Methodological Case Law Selection and Analysis

Our inquiry of the FSC’s case law resulted in 18 cases,⁵ of which 17 were rejected and received a non-admission decision and one was admitted by the FSC. One case treats the withdrawal of a permanent residence permit, whereas the other 17 cases discuss the withdrawal of a residence permit. All cases deal with foreign nationals from third countries. The 18 cases were thematically coded according to their reasons for withdrawal and aspects of the specific case (e. g. legal background, children, social assistance, integration, private interest of stay), which are analysed and described below. During the coding process four supplementary cases (all rejected) were added to our database, which did not come up in our previous search, but were referenced in the other FSC judgements. Three cases are particularly interesting as they deal with long term residing foreign nationals (since 1985, 1990 and 1998) and one case with an amount of social assistance over 600 000 Swiss Francs. Thus, we had a total of 22 cases (18 from the search, and 4 from references cited in jurisprudence).

Hence, the seemingly small number of cases appears in a different light, if we consider that they represent the overall standing of legal understandings regarding welfare and immigration control in Switzerland. They contribute to the creation of normalcy and deviancy (see also Soysüren 2018), universalising specific modes of living, and set how lower legal and administrative actors will handle future cases (Bourdieu 1987). Within the history of welfare law, Bourdieu (1987) argues that

5 In a first step, we identified case law of the Swiss Federal Supreme Court focusing on Art. 62 para. 1 lit. e FNA (today FNIA) and Art. 63 para. 1 lit. c FNA (today FNIA), respectively, thus two different retrievals. We used the FSC’s website and searched for cases between the period of 1st January 2008, when the FNA entered into force, and the end of September 2019. This led us to 1124 hits in the case of Art. 62 para. 1 lit. e FNA and 703 hits in the case of Art. 63 para. 1 lit. c FNA. Subsequently, we added the words “revocation” or “non-prolongation” coupled with “public welfare” in both cases. It resulted in 17/15 exact cases, which fully met the research criteria for Art. 62 para. 1 lit. e FNA and in 10/7 exact cases for Art. 63 para. 1 lit. c FNA. Subsequently, we took out duplicate cases, leaving us with 18 cases in total. All of them were analysed in depth.

“the body of law constantly registers a state of power relations. It thus legitimises victories over the dominated, which are thereby converted into accepted facts” (Bourdieu 1987, 817).

Importantly, law neither simply obeys external social forces that ask for mere implementation (of, e. g., restrictive migration policies), nor is law detached from society and its power relations. Instead, law and its related institutions are a specific field with its own logics and power struggles, while in constant interaction with society at large (Bourdieu 1987). The analysed judgements are part of this juridical field and include sections where new interpretations manifest, as well as sections that are constructed of standardised text modules, which “offer a ‘yardstick’ for how to argue regarding certain assertions” (Poertner 2021, 77). The standardisation shows how certain aspects of law and legal interpretation have gained stability and where a common understanding (of case aspects) is carved out and confirms the established order (Bourdieu 1987, 839).

4 Theoretical Background

Switzerland, as much as other countries, distinguishes between various migrant categories by regulating a differentiated access to rights, not only connected to their entry, but also regarding their stay and based on an assumed “degree of integration” (Morris 2002; Pascouau and Strik 2012; Goodman 2019). Similarly, states classify their poor population into subcategories to establish who deserves financial support from the state (Maeder and Nadai 2004; Tabin et al. 2008; Wacquant 2009; Leerkes 2016). We thus argue that “poor” foreign nationals are a specific state category, especially affected not only by the recent slimming down of welfare state expenditures, but also by tightening migration control practices (Bolzman et al. 2002; Walters 2004; Leerkes 2016; Ataç and Rosenberger 2019). The right to have (social) rights (Arendt 1949) thus becomes a “civic privilege” (Bolzman et al. 2002; Tafelmacher 2010; Chauvin and Garcés-Masareñas 2014; Suvarierol and Kirk 2015), linked to ideas of deservingness and conditionality (van Oorschot 2006). Consequentially, individuals face differentiated allocation of welfare rights based on “civic stratification”, a system of inequality (Morris 2002) that (legally) in- or excludes (Achermann 2013), grants or denies rights established by eligibility criteria. The stratification also allows for the “elaboration of rights for categories of noncitizens” (Morris 2002, 79) that is coupled with the exercise of control and surveillance (Piñeiro 2015). Here, only citizens are fully recognised as legitimate members of the national solidary group that is entitled to welfare (Bolzman et al. 2002; Maeder and Nadai 2004; Mäder 2009). This stratification is not new, because access to welfare has evolved – being expanded and restricted – regarding various groups over time (Maeder and Nadai 2004; Tabin 2002; Tabin et al. 2008).

Historical analysis highlighted how poverty was seen as evidence of idleness (Procacci 2007; Wacquant 2009), making “the poor” a “political and not a charity problem” (Procacci 2007, 27) and linking (active) citizenship to the notion of “useful” and hard work (Marshall 1950; Procacci 2001). Over the past decades, scholars have been increasingly interested in the question of how non-citizens became another target group who face “welfare state chauvinism” (Andersen and Bjørklund 1990; later “welfare chauvinism”, see Huysmans 2006), which conceptualises the differentiation between citizens and non-citizens regarding welfare policies. This work argues for the emerging notion of a “welfare state [that] should [...] be protected against abuse by people who don’t want to work, or against the burden imposed by immigrants, refugees, and similar outgroups” (Andersen and Bjørklund 1990, 204). Similarly, Huysmans argues that states purposefully and explicitly privilege nationals “in contrast to third-country nationals” (2006, 64), with the effect of creating a widespread suspicion towards asylum seekers and migrants in general. Additionally, Ataç and Rosenberger (2019) argue that there is a convergence of social policies and migration policy, in particular affecting irregular migrants (see also Leerkes 2016).

We broaden this discussion by showing that besides social policies differentiating access to welfare, migration policy also restricts the right to access welfare services, not only for irregularised individuals, but also for “legally residing” foreign nationals in Switzerland (cf. Bolzman et al. 2002; Pflirter 2019). The Swiss state increasingly links welfare benefits with migration control, partly due to the fear of alleged “foreign welfare abusers” (Tabin 2002). Thereby, welfare benefits and post-entry migration control become increasingly intertwined (Ataç and Rosenberger 2019). This is in line with Walters’ argument (2004) that feelings of insecurity revolving around the geographical and territorial borders have shifted towards a social insecurity, due to which states try to increase trust of their citizens through tougher policies against those deemed not belonging and/or undeserving. Foreign nationals become mere “guests” in a “home” which is not theirs, tolerated as long as they have no criminal record (Achermann 2008; 2013), participate (economically and socially) and do not make any claims towards the “host society”, such as asking for financial support in times of need (Walters 2004).

States thus establish “domopolitics” (Walters 2004), referring to the government of the state and further political spaces as a home and of belonging, which needs to be protected. As observed already nearly 20 years ago in the Swiss case, the reception of social assistance jeopardises the right to stay and to family reunification (Bolzman et al. 2002). Historically, also Swiss belonging as such was contested and highly connected to the “hometown” (inherited by one’s father). It determined, for example, which community was responsible for “the poor” individual and which community needed to pay (back) social assistance expenditures (received by an individual) to another community (the hometown or the place of residence; Tabin et al. 2008).

This article shifts the focus from policy analysis towards case law and decision-making by bureaucratic administration which is endorsed, as we show, by the FSC. These “judgment[s] represent[...] the quintessential form of authorized, public and official speech which is spoken in the name of and to everyone” (Bourdieu 1987, 838) by simultaneously refusing and delegitimising other points of view. Through the hierarchical organisation of the juridical field, these judgments are translated back into bureaucratic decision-making (Bourdieu 1987). The article thus contributes to studies of publicly available rulings/judgements and verdicts on the national level (Pellander 2021), which are yet often neglected. Much like the work of Pellander, who studied Finnish state “control mechanisms over cross-border marriages” (Pellander 2021, 475), our findings bring forward how money – and in our context the dependence on financial assistance – plays a crucial role in the general discourse on migrants’ deservingness and the legitimacy of their stay on the national territory. Studying the argumentation of court rulings informs us on how the Swiss welfare state is thought of: namely as a privilege mainly for citizens of the nationally bound community of solidarity. (Economic) integration is a necessary requirement to belong and functions as a means to sort the “wanted” from the “unwanted” (Walters 2004; Fassin 2011; Achermann 2013). These court cases are then not only influenced by recent policy developments, such as the discussion on abuse of social welfare (Tafelmacher 2010), but also (re)direct control practices and everyday implementation in bureaucratic offices.

5 (Un)conditional Welfare in Switzerland

The presented, systematic review of FSC judgments elaborates themes which emerged during the analysis. Much like Sales (2002), we argue that welfare rights become increasingly linked to duties one has to fulfil. A lack of “integration” is mobilised to discredit individual efforts and clearly places a focus on “public interest, order and security” (see Art. 121 and 121a Swiss Constitution) against which the personal interest of the accused is weighed. All cases, except one, show how the FSC argues in favour of terminating the stay of non-citizens due to the reception of social assistance. The court justifies such a decision against the arguments of the concerned individuals and families. It considers the claimants’ previous behaviour, their future prospects (here, state institutions are expected to foresee the potential development of not only the person in question, but the financial situation of the entire family), the amount of financial assistance and the personal “integration” (e.g. length of stay or whether they fulfil the legal integration requirements). Reasons for dependency and thus blame (or responsibility) become relevant matters regarding the risk to lose a permit (Pfirter 2019), as does the question of proportionality. Regarding the latter, the public interest is weighed against the private interest of the individual,

including how the person is “integrated” into Swiss society (see Achermann 2013 for the handling of criminal offenders).

5.1 Cost Avoidance, Temporal Prospects and Suspicion

The cases show quite clearly that the FSC considers non-citizens who receive social assistance as not legitimate and thus undeserving to continue their stay in Switzerland. They are a burden to the nation-state’s financial situation:

[It is] out of question, that the claimant has received 173403.55 CHF between January 1st, 2007, and July 31st, 2015, in social assistance. At the moment one cannot expect that he will be able to take care of his subsistence on his own in the near future, especially since his neediness has endured over the past 10 years and he believes himself to be 100 % incapacitated.
(2C_1048/2017, own translation)

Unlike deservingness frameworks in which neediness could become an advantage for asylum seekers (van Oorschot 2000; 2006; Ataç 2019), placing a (future) economic burden on the welfare state and eventually remaining needy have serious consequences for individuals whose stay is judged under the former FNA. Previous developments of each case have to be weighed and considered in the context of the claimant’s current living situation, as well as with a forecast of the foreseeable development of his or her financial and personal situation. Here, time plays a crucial role to establish claimants as unable to contribute economically, to live independently and to integrate, which justifies withdrawal of their stay permits. The number of years of “neediness” is also used to establish the “unwillingness” of the client, underlining the individualisation of the reasons for receiving social assistance (cf. Pfirter 2019). Here, responsibility is transferred entirely onto the claimants, who could easily change their situation if they only wanted to do so. The FSC further questions the claimant’s perceived inability to work due to health reasons (2C_98/2018), underlining how the “neediness” is self-constructed, not accepted by the administration and thus illegitimate. His or her poor prospects are perceived as a sign of idleness and an attempt to circumvent “hard work” (Procacci 2001; 2007).

Within the cases, the necessity of bringing forward evidence of financial independence as well as justifications of the current financial situation and developments weighs heavily on the claimants. This supports an inherent suspicion and the questioning of their deservingness to receive social assistance, a recurrent theme throughout all judgements. Indeed, credibility is primarily given to the arguments of administrative actors who prove their standpoints through paperwork (Borrelli and Andretta 2019; Borrelli and Lindberg 2019) rather than to the claimant’s own perception of the situation (2C_1048/2017). This need for evidence is further connected to an assessment of future (or rather temporal) prospects, which become crucial indicators and a valid measure to decide on the termination of someone’s

permit “in order to relieve public welfare” (2C_1040/2017, own translation; see also reference to 2C_1064/2017). The focus to relieve the public hand creates the image of undeserved support that legitimises the termination of stay of a foreign national. It underlines the differentiation of rights (see Morris 2002; Andersen and Bjørklund 1990), based on migration policies interfering with or rather trumping social policies.

In one judgement, the lack to “integrate into the primary labour market in a foreseeable timeframe” (2C_1040/2017, own translation) is brought up. Yet, if individuals found a job during the revocation process, the court interprets it as an endeavour, which came “too late” and only after migration offices pressured the individual (2C_98/2018). We also find a mobilisation of other welfare benefits in order to prove the likely future burden for the Swiss state, specifically used against persons who are eligible for supplementary benefits.⁶ Although these supplementary benefits are in themselves not a legal reason to withdraw a residence permit, they “may be taken into consideration, when assessing the proportionality of measures regarding the termination of stay” (2C_98/2018, own translation):

In case the claimant would receive her AHV [Old-Age Survivors Insurance] pension at an earlier stage, this would cause a life-long shortage of her pension; her future subsistence would need to be covered substantially by supplementary benefits. This would in practice mean a seamless continuation of her existing dependence on social assistance. Through this anticipated life-long dependence on needs-based minimum benefits in form of special services, which are independent of prior contributions, the public hand would continue to be considerably burdened. (2C_98/2018, own translation; see also 2C_83/2018)

The weight placed on the “public hand” is underlined several more times in the same judgement and overshadows the rights of the claimant, who is deemed unable to “take care of herself by her own efforts”, because she will soon be retired and receiving an AHV pension. Again, although each retired person is entitled to receive AHV, it is interpreted as a burden in the context of migration law, which causes a conflation of differing welfare state instruments. A husband “at the end of professional life” and his wife, who were denied invalidity benefits, received 440 000 CHF in social assistance. Both lost their permits, despite the husband’s part-time employment of 50 % right after the migration office’s decision was taken, which made the couple immediately independent of social assistance (2C_83/2018). However, the court argued that the wife had not worked since a prior accident and that neither spouse participated in secondary labour market programmes, so they were responsible for their prior dependency. The court argued that neither would receive an existence-

6 According to the Federal Act on Supplementary Benefits to Old Age, Survivors’ and Disability Insurance (own translation, ELG, 6. October 2006, 01.01.2019)

securing pension. It further speculated (“in all likelihood”) that they would require supplementary benefits in the future. Hence, the verdict was based on a prognosis that “neither would be able to detach themselves durably from social assistance and the general support of the public hand” (2C_83/2018, own translation). In addition to the potential disadvantage of old age, young claimants also face temporal hurdles. The FSC explained that “today one cannot assume that [a younger claimant’s] ability to take care of his livelihood will change in the future” (2C_877/2013, own translation).

With the mobilisation of an image of foreign nationals burdening the state in the long run, these rulings place claimants in direct competition with citizens for public money. Even if children support their parents and alleviate their financial dependence temporarily, the court places importance on future developments and their individual efforts and “capacities” for independence from public funds. In the case of an older couple, the FSC not only expected them to have some evidence of the children’s financial situation, but also stated that although they received support from their children, this would not change their individual “incapacities” for independence from welfare benefits. Hence, to provide a positive future prognosis, they had to prove their employability, respectively, and prove that they would earn a generally livelihood-securing wage in the future (2C_949/2017). Although the claimants argued that they would eventually receive invalidity pensions (IV) despite previous rejections in 2009/2010 and 2015, the FSC assessed that this reasoning remained “purely speculative regarding the general entitlement to such a pension, as well as its amount” (2C_949/2017, own translation).

Ironically, the element of speculation is also highly embedded in future predictions conducted by state agencies. Yet, these are treated as far more valid and reliable. One explanation lies in the migration offices’ belonging to the juridical field, as these offices implement laws partially shaped by the FSC. Their enforcement authority derives from the legitimacy of the law itself and juridical arguments (re)produced and justified in FSC judgements. These judgements become a form of public truth proclamation representing the state’s general position and thus claiming to speak “in the name of and to everyone” (Bourdieu 1987, 838). The FSC chooses which interpretations are deemed valid and thus produces normalcy in terms of which predictions (or speculations) are legitimate. This reproduces established societal hierarchies and differentiations, specifically through the individualisation of social assistance dependency.

5.2 The Individualisation of Economic and Social Integration

The wife’s insufficient interest in learning German is related to her inability to “integrate” into the primary labour market. The husband is further judged according to his “massive unreliability, repeated refusal to work” and scant

employment, which only took place in the context of integration programs and only up to 80 % “because the claimant denied the possibility of working full-time to keep Friday free for prayers”. (2C_1064/2017, own summary)

As much as the temporal aspects “prove” claimants’ unwillingness, their behaviour and alleged lack of integration also contribute to evidence of the claimants’ undeserving nature. Within the analysed court rulings, images of individual failures to comply with expected levels of integration emerge. These failures might be indirectly attributed to religious differences (e.g. praying on Fridays) or a general disobedience to public control. Our analysis also emphasises images of (un)deservingness in which the assessment of the person’s interest in staying is strongly based on ideas of economic deservingness (Ticktin 2006; Chauvin and Garcés-Masareñas 2014).

The claimant may now have lived in Switzerland for more than 25 years, but regarding his specific circumstances, it must be concluded that the length of his residence does not correlate with his economic and social integration. [...] Despite his health problems, it would have been reasonable for him to put effort into finding adequate employment, especially since his ability to work was legally determined to be 70 %, and 80 % by the IV. Therefore, he is – contrary to his argument – at fault regarding his social assistance dependency. Furthermore, the claimant has accumulated debts that amount to 75 000 CHF, the latest ones from 2015, and he is further reproached for “not having specifically tight social relations in Switzerland, despite his lengthy stay”. (2C_1048/2017, own translation)

The presented case contrasts the claimant with the FSC’s “ideal image,” against which foreign nationals’ lives are assessed and judged, and consequently establishes that he does not deserve the right to stay. Migrant individuals are held responsible and culpable for their dependence on social assistance, making them scapegoats which, due to the financial burden they represent, threaten the stability of the Swiss welfare system.

Most cases emphasise economic independence (no debts, no social assistance and working in the primary labour market) when assessing a person’s integration and right to stay. Integration is reduced to a one-sided performance, measurable in terms of monetary possession rather than other factors. Although language skills (see cases 2C_419/2018 and 2C_870/2018) and relationships may be considered factors related to integration, financial independence is the most significant factor on which integration seems to be based:

The claimant has lived in Switzerland for nearly 29 years. Regarding her specific circumstances, particularly her continuous dependence on social assistance and its amount, it must be concluded that her length of stay does

not correlate with her economic and social integration. (2C_953/2018, own translation)

As this example demonstrates, rulings utilise standardised templates, which come up repeatedly. The repetitive nature of some sections reinforces the power of certain arguments. At the same time, the rulings include a certain storyline which lists progressively severe negative developments. In one case, the FSC mentioned, how despite “massive social assistance”, the claimant was given “a last chance” with the previous extension of his residence permit (2C_1109/2014, own translation). However, he did not act upon this “chance”, and thus the public had a “significant” interest in his leaving, especially because he was relatively young, and the FSC assumed that he would remain dependent “for a long time”.

Social assistance dependency is indirectly described as self-induced in the case reports (see 2C_1109/2014 or 2C_1040/2017), which allows the FSC to restrict “the right to have rights” (Arendt 1949) and legitimise their withdrawal. Individuals who justify their dependence on social assistance with their state of health are depicted as not sick enough, malingering patients who pretend to be unable to work (2C_1048/2017 2018), or idle (2C_870/2018). The statements of these non-citizens are constantly contested, and the judgements legitimise this contestation by referring to the court’s role of reducing the public burden. They “position themselves as a force for good, acting in many cases to protect [...] their citizens” (Walters 2004, 248) against those who misuse the welfare system. This can be explained in terms of welfare chauvinism: The courts oppose the financial burden caused by foreign nationals and thus reproduce a picture of the illegitimate nature of receiving such benefits, which is supported by the general political discourse directed against foreign nationals and translated into respective legal changes (Spescha et al. 2019).

Family life and childrearing are not relevant to decisions regarding the termination of the stay in cases of lengthy social assistance dependency, which outweighs the stay itself: “17 years of idleness, in which [the claimant] did not contribute to the financial support of the family, despite being warned twice and being offered several integration courses by the social services” (2C_395/2017, own translation). While the court considers children’s needs and their eventual issues, these are only marginally valid for the final decision. Interestingly, even previous employment may be used as an argument of the FSC to disadvantage the claimants’ position. Because one claimant (2C_870/2018) was employed part-time until 2011, it was said that her dependence on social assistance resulted from her “lacking motivation in the following years to seriously seek an existence-securing employment, especially since her son was already in kindergarten/school” (2C_870/2018, own translation). Here, a lack of motivation is connected to the assumption that one has ‘the time’ to work since children are taken care of. In addition, even if one looks for work, lacking knowledge of the local language becomes a reason for terminating the stay because a lack of serious will to integrate is presumed (2C_870/2018).

These judgements illustrate how administrations create expectations and norms that are subsequently confirmed and supported in the court's verdicts. Once a person is deemed undeserving based on previous behaviour, present efforts are not easily recognised. In Bourdieu's (1987, 847) conceptualisation of the juridical field, court decisions set representations of normalcy and deviation from the norm. This normalising effect of court judgements confirms social assistance as a privilege "reserved" for citizens, which additionally enjoy an inalienable right to stay (Marshall 1950). Foreign nationals are, in turn, required to fulfil increasingly complex integration requirements (Pascouau and Strik 2012; Ataç 2014; Goodman 2019). These are often linked to an individualised and neoliberal logic of economic contribution, responsibility and performance (Yuval-Davis et al. 2005). Court cases thus become tools for social ordering, through which borders (of belonging) become manifest in the everyday lives of foreign nationals who have often resided (and worked) in Switzerland for many years. The judgements reproduce the non-belonging of non-citizens, who were never recognised as fully part of society to begin with (Yuval-Davis et al. 2018). Instead, their already differentiated status is further questioned when they claim that they are unable to work.

As such, not only policies, but also court cases and judgements create hierarchies of deservingness against which claimants are judged and based on which their behaviour is discouraged and categorised as disruptive (Ataç 2019). By arguing against the claimants and describing their reasons for the dependence on social assistance based on individualised (moral) defects, including idleness or want (Beveridge 1942; Walters 2004), states can position themselves as being responsible, protecting their citizens from persons allegedly misusing the system (Walters 2004, 248).

5.3 Individual Rights versus "Public" Interest

Although there is no entitlement for third-country nationals to enter or stay in a foreign state's territory (contrary to the human right to exit), the FSC must consider claimants' private interests to assess the proportionality of state decisions. The termination of their stay may jeopardise Art. 8 of the ECHR (the right to respect for private and family life), which might be considered by the court.⁷ The FSC argues that, in the case of a residence of 10 years, exceptional reasons are needed to terminate one's stay "because after this timespan a good integration regularly exists" (2C_291/2019, own translation). Neither the "feasibility of return as reason per se" nor the "public interest to manage immigration" is sufficient for a termination. However, if there are reasons such as a perceived prolonged and self-inflicted dependence on social assistance, intrusion into private life becomes admissible and is practised. In one example case, the FSC deemed that the person had "absolutely no

7 In the case of the termination of stay of criminal offenders, reasons related to Art. 8 ECHR are the only ones which might lead authorities or courts to consider a revocation or non-prolongation of a permit as being disproportional (Achermann 2013).

valid” claim to private life (2C_291/2019, own translation). Such withdrawals are based on Art. 8, para. 2 of the ECHR if deemed necessary and are “in the interest of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others” (ECHR, Art. 8 para. 2). The termination of the stay can only be prevented, according to the FSC, if the claimant has an “outstanding social need”, but neither what this entails nor what is considered unacceptable is mentioned explicitly (2C_291/2019; 2C_98/2018; 2C_395/2017 2018). Instead all the presented needs within the cases do not seem to be sufficient.

In these judgements, we find an overall logic of domopolitics (Walters 2004), which is aimed at governing political spaces in a manner similar to domestic spaces. When weighing private lives and the public interest, the FSC deems, for example, the separation of families to be justified and proportional (2C_395/2017). Although the FSC places the responsibility of deciding whether children (and eventually the spouse) must follow on the claimant whose residence permit is withdrawn (2C_395/2017), it also discloses an exclusionary logic. If one spouse leaves, eventually the rest of the family might follow, further reducing potential future costs to the Swiss state. This demonstrates that the respective individuals’ stay has always been conditional. Similarly, if the court recognises an enduring need of the state’s supporting a foreign national, it tends to attribute responsibility for this support to the state of which the person is a citizen. This applies even if the court acknowledges unfavourable conditions in the country of origin (2C_1109/2014). In this reasoning, we find a parallel between the treatment of migrants today as well as how, in the past, “the poor” were sent back to their respective “home communities”, which were considered responsible for their members (Tabin 2002). Today’s laws serve the purpose of sending those considered to be a burden “back home”, leading to their deportation back to their “hometowns” or, in today’s context, their «“home countries””. The meaning of “hometown” as such has not lost its meaning, but has been transferred to the national level, and the law no longer differentiates between local community memberships, but between national memberships.

5.4 Unteachability, Duties and Responsibility

In its judgements, the FSC insists on non-citizens’ duty to actually find work and does not acknowledge their efforts to do so. Thereby, the court not only qualifies people’s attempts to re-integrate economically, but also closes off avenues for claimants to advocate for their rights to stay and receive benefits. In one case mentioned above, “the lengthy dependence on social assistance indicates a lack of flawless behaviour” (2C_870/2018, own translation). It is further argued that “a single mother can be expected to seek employment after the youngest child turns three and that she does not rely on social assistance to finance her life” (2C_730/2018, own translation; see also 2C_633/2018; 2C_395/2017). However, despite participation in work

integration programs through which the claimant acquired a partial income, the amount was considered insufficient (2C_730/2018). Further, we again find that the courts attempt to discipline behaviour. Even the act of fulfilling a duty as a social assistance recipient to participate in integration programs (2C_395/2017; 2C_83/2018) can be turned against the claimant. This occurs when participation in these programs is on the one hand presented as a sign of continued dependence on social assistance rather than a sign of detaching from state support. On the other hand, participation in these programs is interpreted not as a demonstration of a personal effort to change one's situation, but merely as the consequence of following rules whose disrespect would involve the reduction of social assistance. The court reduces the person's effort and the positive connotations of participation to the fulfilment of a "duty" stemming from social law (2C_870/2018), which obliges them to partake in these programs and which, if ignored, can lead to a reduction in financial assistance as part of the sanctioning system within social policies. Furthermore, it openly admits that this duty "qualifies the relevance of her [...] effort" (2C_870/2018 2019, own translation). With this judgment, the FSC supports the tightening of migration control practices through social policies (Huysmans 2006; Leerkes 2016). The qualification of individual efforts increases the requirements for migrant individuals to remain in the country.

Moreover, even difficult family circumstances do not spare claimants from being accused of idleness. A woman who came to Switzerland when she was 19 years old and whose husband lost his employment four years later (one year after the birth of their child) lost her permit (2C_395/2017). This happened despite her husband "losing hold, consuming drugs and suffering from alcohol abuse" (own translation). According to the court, the woman should have sought employment instead of remaining dependent on her husband and hoping he would regain the ability to work.

The focus on duty remains closely connected to the idea that individuals must contribute and make an effort. Indeed, the collected judgements hint at the assumption that some people are "unteachable" and thus undeserving of support (Pfirter 2019). In the case of a Bosnian woman, her "unteachability" became the key argument for terminating her stay. Despite the fact that her morbid (health-impaired) husband and 12-year-old son (who was in school) both possessed permanent residence permits, the court ruled that "despite warnings, she did not make any effort to reduce her social assistance dependency and integrate economically or linguistically" (2C_419/2018, own translation). Although the court discussed the potential problems related to re-integrating into her home country, as well as the son's inability to visit his mother over long periods if he and his father stayed in Switzerland, the claimant's "minimal effort to integrate" and her "massive, self-inflicted social assistance dependency" ranked higher than her right to live with her family in Switzerland (2C_419/2018, own translation).

Arguing with unteachability allows the court to place full responsibility on the claimant, who has been warned and informed but has “wilfully decided” not to act (Pfirter 2019; 2C_83/2018). Here, the temporal aspects used to envision idleness (e. g. the length of welfare dependency) work well together with a presumed lack of motivation to create the ‘faulty and non-deserving other’. One claimant’s employability was rated at 50 % a few months after an accident, and it was determined that “he did not try hard enough” (2C_83/2018 2019). “He ought to have taken up a job”, the court claimed. Even though local social services attested that the claimant tried and “met his obligations and basic duty to minimise damages”, the court ruled that the permit withdrawal was proportional, even if the claimant fulfilled his obligation, because “foreigner-related procedures follow a sterner benchmark” (2C_395/2018, own translation). Here, the court openly acknowledged a hierarchy of policies (i. e. migration policy trumps social policy). In addition, it confirmed that foreign nationals’ claims to social rights are conditional. In this sense, their claim to social assistance comes at a high price that leads to suspicion, monitoring, sanctioning and eventually deportation.

6 Conclusion

Within this work, we elaborate on the question of what FSC case law reveals about the relationship between the receipt of social assistance and non-citizens’ legitimacy and right to remain in Switzerland. We have argued that the Swiss state mobilises the receipt of social welfare as a means to establish conceptions of normalcy and deviancy and to question belonging (Walters 2004) through administrative and legal decision-making. This argument was supported by an analysis of FSC case law concerning judgements on foreign nationals and their legal right to remain in the country when depending on social assistance. Throughout the four analytical sections, we demonstrated how welfare rights function as tools of civic stratification, and we showed how citizens are differentiated from non-citizens. While non-citizens can nowadays access the universal social rights that used to be a privilege of the national solidary group (Marshall 1950), they experience significantly higher conditions than citizens and risk deportation.

First, we showed how aspects of temporality established the failure to become independent of social assistance and how “late reactions” might have increased suspicion on the FSC’s part towards the claimant’s willingness to integrate. Second, we found an individualisation of dependency. In addition to the exclusion of “the poor”, we also tackled “migrants with poor prospects” (Bonjour and Duyvendak 2018). Although there was a change in the 20th century regarding which social and economic processes were seen as the underlying causes of poverty (Walters 2004) we have today circled back to an image of individuals, especially migrants, as responsible

for their dependency. Third, we showed that the presented court decisions, particularly previous decisions by migration offices, cantonal courts and legal representatives, reflect a general binary of “protectionism” towards the welfare state and the citizens who “belong” to it, as contrasted with those groups perceived as non-integrated, undeserving and therefore facing deportation. Fourth, we showed how terms such as “integration”, “self-infliction” and “unteachability” became crucial indicators for assuming the failure of foreign nationals to live up to their duties. This supports Huysmans’ (2006) argument that the policing of borders and access to social and economic rights are embedded in polarised debates on belonging.

Welfare and immigration policies are strongly intertwined; thus, migrants become the rivals of citizens, with whom they compete for social benefits. As such, welfare chauvinism becomes “a strategy of introducing cultural identity criteria in an area in which belonging is determined on the basis of social policy criteria, such as health, age, disability and employment” (Huysmans 2006, 78). The court’s wording reflects the expectation of an idealised behaviour of migrant individuals, by which each claimant is judged. The foremost markers of belonging include labour market participation and economic independence, as well as “flawless” behaviour and not showing idleness or insufficient motivation. Doubt surrounding “being integrated” and remaining or becoming independent of social assistance is enshrined in law “as a quintessential instrument of normalisation” (Bourdieu 1987, 848), which curtails the rights of immigrants and causes serious repercussions, such as deportation from Switzerland.

By relating the receipt of social assistance to a potential loss of residence status, current migration control practices call into question the existence of social assistance that is available to everyone regardless of status and origin (Tabin 2002). Furthermore, these practices redefine and demonstrate who belongs and whose presence becomes politicised (Houtum and Naerssen 2002; Brubaker 2010; Cassidy et al. 2017), establishing a “politics of belonging that is not generated by migration, at least not in any proximate sense, but by various forms of social closure, discrimination, or marginalization” (Brubaker 2010, 65). The sense of belonging is deeply embedded, as presented here, in the stratification of social rights, and more specifically in the conditions related to the receipt of social assistance.

Interesting for future comparison and analysis is the convergence we identified between how foreign national offenders are treated vis-à-vis foreign nationals who rely on social assistance. Achermann (2013) highlighted the spatial and social exclusion of foreign national offenders and the permanently insecure status, which also affects other migrant groups and disciplines their behaviour. Similar to those sentenced to prison and therefore marked as general security threats to public order and the nation, those relying on social assistance must demonstrate their worthiness to stay, which is assessed based on their performance and their valid and strong rela-

tion to (and thus integration into) Swiss society, all of which affect the judgement regarding their future right to stay.

7 References

- Achermann, Christin. 2008. *Straffällig, Unerwünscht, Ausgeschlossen: Ausländische Strafgefangene in der Schweiz*. Doctoral dissertation, Social Anthropology, University of Bern.
- Achermann, Christin. 2013. Excluding the Unwanted: Dealing with Foreign-National Offenders in Switzerland. Pp. 91–109 in *Politik der Inklusion und Exklusion*, edited by Ilker Ataç and Sieglinde Rosenberger. Göttingen: V&R unipress.
- Amarelle, Cesla, and Minh Son Nguyen (eds). 2014. *Code annoté de droit des migrations*. Vol. I–V. Berne: Stämpfli Verlag AG.
- Andersen, Jørgen Goul, and Tor Bjørklund. 1990. Structural Change and New Cleavages: The Progress Parties in Denmark and Norway. *Acta Sociologica* 33(3): 195–217.
- Arendt, Hannah. 1949. The Rights of Man: What Are They? *Modern Review* 3: 4–37.
- Ataç, Ilker. 2014. Conditions as Internal Borders: The Case of ‘Security of Residence’ for Third-Country Nationals in Austria. Pp. 123–136 in *New Border and Citizenship Politics*, edited by Helen Schwenken and Sabine Ruß-Sattar. Migration, Diasporas and Citizenship Series. London: Palgrave Macmillan UK.
- Ataç, Ilker. 2019. Deserving Shelter: Conditional Access to Accommodation for Rejected Asylum Seekers in Austria, the Netherlands, and Sweden. *Journal of Immigrant & Refugee Studies* 17(1): 44–60.
- Ataç, Ilker, and Sieglinde Rosenberger. 2019. Social Policies as a Tool of Migration Control. *Journal of Immigrant & Refugee Studies* 17(1): 1–10.
- Beveridge, William. 1942. *Social Insurance and Allied Services*. London: Inter-Departmental Committee on Social Insurance and Allied Services, HMSO.
- Bolzmann, Claudio, Raffaella Poncioni-Derigo, Sophie Rodari, and Jean-Pierre Tabin. 2002. *La précarité contagieuse: les conséquences de l’aide sociale sur le statut de séjour des personnes de nationalité étrangère. L’exemple des cantons de Genève et Vaud*. Lausanne; Genève: Ed. EESP; Ed. IES.
- Bonjour, Saskia, and Jan Willem Duyvendak. 2018. The “Migrant with Poor Prospects”: Racialized Intersections of Class and Culture in Dutch Civic Integration Debates. *Ethnic and Racial Studies* 41(5): 882–900.
- Borrelli, Lisa Marie, and Sophie Andreetta. 2019. Introduction. *Journal of Legal Anthropology* 3(2): 1–9.
- Borrelli, Lisa Marie, and Annika Lindberg. 2019. Paperwork Performances. *Journal of Legal Anthropology* 3(2): 50–69.
- Bourdieu, Pierre. 1987. The Force of Law: Toward a Sociology of the Juridical Field. *The Hastings Law Journal* 38(5): 814–853.
- Bourdieu, Pierre. 2012. *Sur l’État: cours au Collège de France, 1989–1992*. Cours et Travaux. Paris: Seuil.
- Brubaker, Rogers. 2010. Migration, Membership, and the Modern Nation-State: Internal and External Dimensions of the Politics of Belonging. *The Journal of Interdisciplinary History* 41(1): 61–78.
- Bundesrat. 2019. *Kompetenzen des Bundes im Bereich der Sozialhilfe für Ausländerinnen und Ausländer aus Drittstaaten. Bericht des Bundesrates in Erfüllung des Postulates der Staatspolitischen Kommission des Ständerates 17.3260 vom 30. März 2017*. Bern. <https://www.sem.admin.ch/dam/data/sem/aktuell/news/2019/2019-06-07/ber-br-d.pdf>. (18.06.2020).
- Calavita, Kitty. 2016. *Invitation to Law & Society: An Introduction to the Study of Real Law*. 2nd ed. The Chicago Series in Law and Society. Chicago; London: The University of Chicago Press.

- Caroni, Martina, Nicole Scheiber, Christa Preisig, and Margarite Zoetewij (eds.). 2018. *Migrationsrecht*. 4. Auflage. Bern: Stämpfli Verlag.
- Cassidy, Kathryn, Nira Yuval-Davis, and Georgie Wemyss. 2017. Debordering and Everyday (Re)Bordering in and of Dover: Post-Borderland Borderscapes. *Political Geography* 66: 171–179.
- Chauvin, Sébastien, and Blanca Garcés-Mascareñas. 2014. Becoming Less Illegal: Deservingness Frames and Undocumented Migrant Incorporation. *Sociology Compass* 8(4): 422–432.
- Collier, Jane F., and June Starr (eds.). 1989. *History and Power in the Study of Law: New Directions in Legal Anthropology*. Ithaca and London: Cornell University Press.
- Cotterrell, Roger. 1992. *The Sociology of Law: An Introduction*. 2nd ed. London: Butterworths.
- Eckert, Julia, Brian Donahoe, Christian Strümpell, and Zerrin Özlem Biner (eds.). 2012. *Law Against the State: Ethnographic Forays into Law's Transformations*. Cambridge: Cambridge University Press.
- Fassin, Didier. 2011. Policing Borders, Producing Boundaries: The Governmentality of Immigration in Dark Times. *Annual Review of Anthropology* 40(1): 213–226.
- Federal Act on Foreign Nationals and Integration. 2019. <https://www.admin.ch/opc/en/classified-compilation/20020232/index.html>. (18.06.2020).
- Goodman, Sara Wallace. 2019. The Civic Integration Turn. Pp. 167–179 in *The Routledge Handbook of the Politics of Migration in Europe*, edited by Agnieszka Weinár, Saskia Bonjour, and Lyubov Zhyznomirska. London; New York: Routledge.
- Houtum, Henk van, and Ton van Naerssen. 2002. Bordering, Ordering, and Othering. *Tijdschrift voor Economische en Sociale Geografie*, 93(2): 125–136.
- Huysmans, Jef. 2006. *The Politics of Insecurity: Fear, Migration and Asylum in the EU*. London: Routledge.
- Johannesson, Livia. 2012. Performing Credibility: Assessments of Asylum Claims in Swedish Migration Courts. *Retferd Årgang* 35 3(138): 69–84.
- Johannesson, Livia. 2018. Exploring the “Liberal Paradox” from the Inside: Evidence from the Swedish Migration Courts. *International Migration Review* 52(4): 1162–1185.
- Kurt, Stefanie. 2017. Fast-Tracking Full Citizenship in the Context of the Swiss Integration Stage Model. Working Paper nccr on the move. https://nccr-onthemove.ch/wp_live14/wp-content/uploads/2017/11/nccrotm-WP15-Kurt.pdf. (18.06.2020).
- Leerkes, Arjen. 2016. Back to the Poorhouse? Social Protection and Social Control of Unauthorised Immigrants in the Shadow of the Welfare State. *Journal of European Social Policy* 26(2): 140–154.
- Mäder, Ueli. 2009. Integration oder Ausschluss- die neue soziale Frage? Implikationen für die soziale Sicherung. Pp 143–162 in *Sozialhilfe in der Schweiz: Klassifikation, Integration und Ausschluss von Klienten*, edited by Stefan Kutzner, Ueli Mäder, Carlo Knöpfel, Claudia Heinzmann, and Daniel Pakoci. Nationales Forschungsprogramm NFP 51, Integration und Ausschluss. Zürich: Rüegger.
- Maeder, Christoph, and Eva Nadai. 2004. *Organisierte Armut: Sozialhilfe aus wissenssoziologischer Sicht*. Konstanz: UVK-Verl.-Ges.
- Marshall, Thomas H. 1950. *Citizenship and Social Class*. Cambridge: Cambridge University Press.
- Morris, Lydia. 2002. *Managing Migration: Civic Stratification and Migrants' Rights*. London; New York: Routledge.
- Oorschot, Wim van. 2000. Who Should Get What, and Why? On Deservingness Criteria and the Conditionality of Solidarity among the Public. *Policy and Politics: Studies of Local Government and Its Services* 28(1): 33–48.
- Oorschot, Wim van. 2006. Making the Difference in Social Europe: Deservingness Perceptions among Citizens of European Welfare States. *Journal of European Social Policy* 16(1): 23–42.
- Pascouau, Yves, and Tineke Strik. 2012. *Which Integration Policies for Migrants? Interaction between the EU and Its Member States*. Nijmegen: Wolf.

- Pellander, Saara. 2021. Buy Me Love: Entanglements of Citizenship, Income and Emotions in Regulating Marriage Migration. *Journal of Ethnic and Migration Studies* 47(2): 464–479.
- Pfirter, Luca. 2019. Constructing “Un-teachability” Through Menacing Warnings. *Journal of Legal Anthropology* 3(2): 29–49.
- Piñeiro, Esteban. 2015. *Integration und Abwehr: Genealogie der schweizerischen Ausländerintegration*. Zürich: Seismo.
- Poertner, Ephraim. 2021. *Re-Cording Lives: Governing Asylum in Switzerland and the Need to Resolve*. Bielefeld: transcript.
- Probst, Johanna, Gianni D’Amato, Samantha Dunning, Denise Efonyi-Mäder, Joëlle Fehlmann, Andreas Perret, Didier Ruedin, and Irina Sille. 2019. *Kantonale Spielräume im Wandel: Migrationspolitik in der Schweiz*. Neuchâtel: SFM/nccr – on the move.
- Procacci, Giovanna. 2001. Poor Citizens. Social Citizenship versus Individualization of Welfare. Pp. 49–68 in *Citizenship, Markets, and the State*, edited by Colin Crouch, Klau Eder, and Damian Tambini. Oxford: Oxford University Press.
- Procacci, Giovanna. 2007. Genealogies of Poverty: From Inclusion Towards Exclusion. *Development* 50(2): 26–30.
- Sales, Rosemary. 2002. The Deserving and the Undeserving? Refugees, Asylum Seekers and Welfare in Britain. *Critical Social Policy* 22(3): 456–478.
- Soysüren, Ibrahim. 2018. *L’expulsion des étrangers en France, en Suisse et en Turquie: pour une sociologie comparative de l’expulsion des étrangers*. Neuchâtel: Alphil éditions.
- Spencer, Sarah. 2016. Postcode Lottery for Europe’s Undocumented Children: Unravelling an Uneven Geography of Entitlements in the European Union. *American Behavioral Scientist* 60(13): 1613–1628.
- Spescha, Marc. 2011. Bewilligungen können erlöschen, widerrufen oder nicht verlängert werden. *Terra Cognita* 18: 70–74.
- Spescha, Marc, Hanspeter Thür, Andreas Zünd, Peter Bolzli, and Constantin Hruschka (eds.). 2015. *Migrationsrecht: Kommentar: Schweizerisches Ausländergesetz (AuG), Asylgesetz (AsylG) und Freizügigkeitsabkommen (FZA) mit weiteren Erlassen*. 4., aktualisierte und erweiterte Auflage. Zürich: Orell Füssli Verlag.
- Spescha, Marc, Andreas Zünd, Peter Bolzli, Constantin Hruschka, Fanny de Weck, and Valerio Priuli. 2019. *Migrationsrecht: Kommentar: Schweizerisches Ausländer- und Integrationsgesetz (AIG), Asylgesetz (AsylG) und Freizügigkeitsabkommen (FZA) sowie Bürgerrechtsgesetz (BüG) mit weiteren Erlassen*. Zürich: Orell Füssli Verlag.
- Suvarierol, Semin, and Katherine Kirk. 2015. Dutch Civic Integration Courses as Neoliberal Citizenship Rituals. *Citizenship Studies* 19(3–4): 248–266.
- Tabin, Jean-Pierre. 2002. L’importance de la question des destinataires de l’assistance publique pour la construction de l’identité nationale: l’exemple de la Suisse. *Chronos* 3(64): 88–109.
- Tabin, Jean-Pierre, Arnaud Frauenfelder, Carola Togni, and Véréna Keller. 2008. *Temps d’assistance: le gouvernement des pauvres en Suisse romande depuis la fin du XIX^e siècle*. Lausanne: Ed. Antipodes.
- Tafelmacher, Christophe. 2010. Polémique sur l’expulsion des «criminels étrangers» et projet de transformation radicale de l’État. *Chimères* 74(3): 77–84.
- Ticktin, Miriam. 2006. Where Ethics and Politics Meet. *American Ethnologist* 33(1): 33–49.
- Wacquant, Loïc J. D. 2009. *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham [NC]: Duke University Press.
- Walters, William. 2004. Secure Borders, Safe Haven, Domopolitics. *Citizenship Studies* 8(3): 237–260.
- Yuval-Davis, Nira. 2011. Belonging and the Politics of Belonging. Pp. 20–35 in *Contesting Recognition*, edited by Janice McLaughlin, Peter Phillimore, and Diane Richardson. London: Palgrave Macmillan UK.

- Yuval-Davis, Nira, Floya Anthias, and Eleonore Kofman. 2005. Secure Borders and Safe Haven and the Gendered Politics of Belonging: Beyond Social Cohesion. *Ethnic and Racial Studies* 28(3): 513–535.
- Yuval-Davis, Nira, Georgie Wemyss, and Kathryn Cassidy. 2018. Everyday Bordering, Belonging and the Reorientation of British Immigration Legislation. *Sociology* 52(2): 228–244.

8 Decisions by the Swiss Federal Court FSC

2C_877/2013, 03.07.2014
2C_1109/2014, 20.07.2015
2C_395/2017, 07.06.2018
2C_949/2017, 23.03.2018
2C_1040/2017, 21.12.2018
2C_1048/2017, 13.08.2018
2C_1064/2017, 15.06.2018
2C_83/2018, 01.02.2019
2C_98/2018, 07.11.2018
2C_419/2018, 29.10.2018
2C_633/2018, 13.02.2019
2C_730/2018, 20.03.2019
2C_870/2018, 13.05.2019
2C_953/2018, 23.01.2019
2C_291/2019, 09.08.2019

Migration and Recruitment of African Nurses in the UK: Between the Primacy of National Imperatives and Global Openness

Angèle Flora Mendy*

Abstract: In a globalized health market, what are the public policies that allow the United Kingdom (UK) to employ African migrant nurses to meet the health needs and to satisfy national and international public opinion? This is the question the article below asks. It is based on an analysis of the UK migration regulation policies and interviews with African migrant nurses in the UK. It uses a neo-institutionalist approach to explain the capacity of public policies to adapt and change in response to imperatives by the use of “room for manoeuvre”.

Keywords: African Nurses, migration, public policy, United Kingdom, globalization

Migration et recrutement d’infirmiers/ières africains au Royaume-Uni : entre la primauté des impératifs nationaux et l’ouverture au marché international

Résumé : Quelles sont les politiques publiques qui permettent au Royaume-Uni d’employer des infirmiers/ères africains pour répondre aux besoins de santé et satisfaire l’opinion publique nationale et internationale? C’est la question que pose cet article. Il se base sur une analyse des politiques de régulation des migrations et sur des entretiens avec des infirmiers/ières africains. Il utilise une approche néo-institutionnaliste pour expliquer comment les marges de manœuvre des politiques publiques sont utilisées pour privilégier les impératifs nationaux.

Mots-clés : Infirmiers/ières africains, migration, politiques publiques, Royaume-Uni, globalisation

Migration und Rekrutierung afrikanischer Krankenschwestern nach Grossbritannien: zwischen dem Vorrang nationaler Imperative und der Offenheit für den internationalen Markt

Zusammenfassung: Welche öffentliche Politik ermöglicht es dem Vereinigten Königreich, afrikanische Krankenschwestern und -pfleger zu beschäftigen, um die Gesundheitsbedürfnisse zu befriedigen und die nationale und internationale öffentliche Meinung zu befriedigen? Das ist die Frage, die dieser Artikel stellt. Er basiert auf einer Analyse der Politik zur Regulierung der Migration und auf Interviews mit afrikanischen Krankenschwestern. Er verwendet einen neo-institutionalistischen Ansatz, um zu erklären, wie der Handlungsspielraum der öffentlichen Politik genutzt wird, um nationalen Imperativen Vorrang einzuräumen.

Schlüsselwörter: Afrikanische Krankenschwestern, Migration, Öffentliche Ordnung, Vereinigtes Königreich, Globalisierung

* Faculty of Social and Political Sciences, University of Lausanne, CH-1015 Lausanne, angele.mendy@unil.ch

1 Introduction

For nearly four decades, the migration of health professionals, specifically from the South to the North, has continued to make international headlines. The global shortage of health workers and its consequences on health systems are among the reasons. This phenomenon is not new, but the advent of globalization and the General Agreement on Trade in Services (GATS)¹ gave it special significance. Issues regarding the international recruitment of health workers was added to the international agenda in 2004 by the World Health Organization (WHO), due to concerns regarding the unfavorable impacts on countries of origin (WHO 2004). Their negative effects were highly publicized in the United Kingdom (UK) and led to the introduction and adoption of the restrictive recruitment measures known as The UK Code of Practice for the international recruitment of healthcare professionals (DH 2004). The UK Code of Practice is a 19-page text that responds to international concerns about the active recruitment of healthcare professionals from developing countries. According to its preamble, the UK Government “recognizes the historical importance of international recruitment of health care professionals to the effective functioning of the NHS” DH 2004, 3. However, concerns related to the impact recruitment may have upon the healthcare systems of developing countries also needed to be addressed. In recognition of this the World Health Assembly called for countries to mitigate against the adverse effects of migration of health personnel. The UK Code of Practice is the key element of the approach undertaken by the UK to address this issue (DH 2004, 3).

Countries, “notably Cuba, China, India and the Philippines”, counted on the export of their health professionals as part of their in-country development policies (WTO/WHO 2002, 18) while others, which suffered from insufficient health professionals, denounced this practice. However, considering the combination of GATS requirements and the imperatives of countries’ domestic markets two realities were made clear. On the one hand, obtaining the positive effects of such trade required political and economic preconditions and conditions that were difficult to fulfil for most countries of origin (Woodward et al. 2002). In their four points of analysis, Woodward et al highlight the conditions and prerequisites for globalization needed to obtain a positive influence on the health of low-income populations. As an example, here is the first:

1 The health applications of GATS services involve four modes. Mode 1: Cross-border supply, e. g. provision of diagnosis or treatment planning services in country A by suppliers in country B, via telecommunications (‘telemedicine’). Mode 2: Consumption abroad, e. g. movement of patients from country A to country B for treatment. Mode 3: Commercial presence, e. g. establishment of or investment in hospitals in country A whose owners are from country B. Mode 4: Presence of natural persons, e. g. service provision in country A by health professionals who are nationals of country B (WTO/WHO 2002, 48). It is modality 4 that sets the legal frameworks for migration and international mobility.

... it is essential that the positive economic benefits of globalization benefit all countries, especially low-income countries. This means ensuring that changes in international rules and international institutional arrangements fully reflect the needs of developing countries. It also means removing major impediments to the development of the international economy, including the persistent debt problems of low-income countries, the chronic weakness and instability of commodity markets, restrictions on access to developed country markets and the volatility of international financial flows that generate financial crises. (Woodward et al. 2002, 38)

Despite this, national labor markets are actually rigorously protected by most of the destination countries, and therefore this simplifying discourse is out of step with the realities of a globalized market. According to neoliberal logic, the globalized market is theoretically borderless and open to all health workers (Dollar 2001). This is beneficial to both countries of origin and countries of destination, as well as to the migrant health workers themselves – a “win-win” situation for all.

Migrant health professionals, especially from non-European Union (EU)/European Economic Areas (EEA), are restricted with respect to where they can migrate to (Mendy 2016), as countries have carefully created barriers to entry and segmented their labor markets. Non-EU/EEA migrant health professionals, mainly from the South, also face uncertainty regarding their working conditions, which oscillate between salaries and conditions comparable to their Western counterparts or sub-legal conditions, low pay and recognition for performing at the same skill level (Mendy 2019). The health labor markets of receiving countries are fundamentally linked to health systems which have specific recruitment logics, for example acceptance/integration or rejection/marginalization. Official and unofficial strategies are developed in the form of public policies which subtly enable countries to deal with shortages of health professionals and are responsive to pressures of health needs, but also satisfy international commitments related to migration and mobility.

However, little is known about the functioning of these national public policies and how, over time, they have been deployed as mechanisms of migration control. Therefore, this paper will use the case of the UK and African migrant nurses to explore the question in greater depth. In terms of international recruitment of non-EU/EEA health professionals, the UK is an example of a country which broke with the liberal tradition of opening its health labor market by gradually introducing restrictive policies towards overseas health professionals at the end of the 1990s (Mendy 2018). However, whatever their restrictive character, the UK's public policies did not entirely close the internal market to non-EU/EEA international recruitment but gave the UK enough room for manoeuvre to manage and control its own labor market, therefore ensuring the UK could give priority to its own domestic objectives and agendas.

The aim of this paper is to question the fundamental nature of these migration regulation policies by applying the *room for manoeuvre* analysis. It will first explore how the policies work to regulate the entry of non-EU/EEA migrant health workers and, secondly how these policies give priority to national imperatives. The paper will first detail the theoretical and methodological framework deployed before moving onto an analysis of how public policies have allowed British authorities to retain control over their domestic market in the globalized health context. This paper will then move to analyze the new institutional context and the implementation of migration regulation policies with specific focus on those relating to non-EU/EEA health migrant workers. Finally, it gives voice to African migrant nurses and their perspective with regards to these policy changes.

2 Institutions, Public Policies and Actors

Domestic work migration policies, and more specifically health migrant workers policies, have received little academic attention despite their impact and use as a mechanism for domestic migration and market control. The study of international migration of non-EU/EEA health professionals, as well as their recruitment in destination countries, tends to show how mechanisms of domestic migration and market control play a key role in regulating the internal labor market. The UK is a perfect illustration of a market model that is open to international recruitment but has become progressively protective in terms of regulating the internal health market. The UK logic of political adaptation when national interests are at stake does not only concern the recruitment of foreign health professionals but, in fact, is the basis of British immigration policy (Coleman 1995). Theoretically, two perspectives, the Historical Neo-institutionalism (cf. North 1990; Merrien 1993; Pierson 1996) and the Public Policy Analysis (cf. Cairney 2012) can be used to explain the fundamental logics of public policies that act as control mechanisms. First, they enable relevant interpretations of the rules of institutions (or governments, or States) that implement public policies and second, they explain the fundamental characteristics of such public policies and their capabilities to give room for manoeuvre to government or state actors who manage the migration of health workers. They also stress “the importance of actors”, in this case health authorities, as well as “the rules of the game” (cf. Howlett et al. 2009, 139–142), which give priority to national imperatives that come into play within the regulation process.

2.1 Meanings and Rules of Institutions and Public Policies

The neo-institutionalist perspective emphasizes the importance of institutions in defining public policies. Institutions are defined as the rules of the game, formal and informal, which structure actors’ activities through formal collective (legal system) or

informal (customary) constraints, norms, values and collective rules (North, 1990). Whereas public policies are the rules of the game which facilitate the transaction between actors (Fouilleux 2000, 277). Bauer et al. define public policies as

a course of action (or non-action) taken by government or legislature with regard to a particular issue (...). It emphasizes two constitutive elements. First, public policy refers to actions of public actors – typically governments – (...). Second, government actions are focused on a specific issue, implying that the scope of activities is restricted to addressing a certain aspect or problem ... (2012, 4)

However, public policies put in place by states to manage their labor markets are “country-specific” (Pierson 1996, 155). This specificity reflects “the nature of the welfare state system with which the state is identified, as well as the characteristics of its health system” (Merrien et al. 2005, 175–179). As a result, the issue of recruitment of foreign health professionals is posed in very different terms in different countries of destination (Mendy 2016). Some countries, such as the UK, operate a liberal model of recruitment, which is reflected in “its employment of large numbers of migrant health workers and active international recruitment policies”, which remained the case until the 2000s (Mendy 2018, 322). Countries, such as France operate a corporatist model, and hire few foreign health workers, whilst also placing a hold on their domestic recruitment (Mendy 2019). These specific control mechanisms are historically implemented by institutions to regulate and structure the interactions of actors, influence expectations, define what is legitimate and what is not within a country. If characterized by long-term arrangements, they can undergo changes under certain conditions without compromising their room for manoeuvre (Pierson 1996). But when does the policy change occur?

2.2 Change and Actors of Public Policy

To provide an explanation of the changes in British recruitment policies in the 1990s for non-EU/EEA health professionals which involved not only a move towards more restrictive policies but also to a change in the actors involved, the historical neo-institutionalism frame will be used. The historical neo-institutionalism theoretical frame prioritizes critical historical moments that create unexpected consequences in certain public policies. These unexpected effects have pushed officials to call into question the paradigm which has inspired current policies (Merrien 1990; Pierson 1996; Hall et al. 1997). Paradigm shifts occur at a moment of “crisis”, conceptualized by Kingdon and Stano (1984) as “windows of opportunity” that allow for the possibility of reinvented and inspirational policies. The moments of crisis – the period of international recruitment controversies –

denote periods of disorder in the seemingly normal development of human affairs, along with widespread questioning or discrediting of established policies, practices, and institutions. (Nohrstedt and Weible 2010, 3)

In these contexts of openness, new ideas (Jobert and Muller 1987) are developed by “advocacy coalitions” (Sabatier 1988, 139). For example, the British Medical Council, in publications in the *Lancet*, called for priority to be given to the establishment of ethical rules which would guide the management of national health human resources and international recruitment. On an international level, controversies were raised not only by advocates from the countries of the South, but also by certain governments, researchers and experts from the United Nations (UN) (Mendy 2016). By pronouncing the recruitment of health workers from low income countries as indecent and unethical², advocacy coalitions ignited debate on an international level. According to Roe (1994), the role of advocacy coalitions, supported by international public opinion, is fundamental to legitimizing new conceptions of social reality from which total, or partial, new policies can be introduced. The exercise of persuasion consists of sharing their political “framing” with an ever-wider group of actors. In this case, the argument was for the necessity of recruitment policies to consider the right of low-income countries to adequate health professionals and ensuring this was defended on an international level. By exposing a new way of constructing international recruitment, advocacy coalitions attempted to delegitimize old policies, in this case intensive recruitment policies, by proposing new procedures (Roe 1994). However, as Sabatier (1988) shows, pressure from advocacy coalitions is not enough to introduce reforms. To do this, the political context and the institutions must also allow for it. This was certainly the case in the UK in the late 1990s and early 2000s, when national public opinion, supported by a series of *Lancet* publications, strongly denounced the policy of intensive recruitment from low income countries. Reforms are easier when a crisis is dramatized, as it makes it possible to accept important challenges (Sabatier 1988) which, without dramatization, can be more difficult to implement, as institutionalized arrangements are likely to have produced lock-in effects (Pierson 1996). In the case of the UK, the reforms introduced were the adoption of a Code of Practice and migration regulation policy reform, but the logic of openness and closure that fundamentally underpins the UK internal market remained intact. This was due to the room for manoeuvre that was built into the regulation of migration policies, which will now be discussed.

2 Numerous articles published in the *Lancet* including “Medical migration: who are the real losers?” (Bundred and Levitt 2000) rigorously denounced British government policy. This policy favors international recruitment to the detriment of a national solution based on the training of a local health workforce. Its recruitment logic is considered unethical as it deprives the populations and health systems of low-income countries of their health workers.

2.3 Migration Regulation Policies and its Room for Manoeuvre

Theoretically, state authorities have an intrinsic capacity to formulate migration regulation policies that give priority to national imperatives over any other considerations. Migration regulation policies are internal market control mechanisms that provide leeway to prioritize national interests and are by definition flexible and not fixed (Mendy 2019). They are characterized by a more or less broad formulation, sometimes “deliberately ambiguous” (cf. Kübler et Maillard 2009, 64), which provides them with the capability to adapt quickly to new circumstances. Public policies can only be implemented with state authority, and consequently, the room for manoeuvre implemented and defined within the policy from the outset serves the interests of that state. These interests can be multiple; however, two categories are fundamental to the game of political balance: international commitment and national imperatives. In the case of non-EU/EEA health professionals on an international level, this translates to a “Code of Ethical Practice” and on the national level to a shortage of health professionals; this, as well as economic reasons, will, all other things being equal, be prioritized.

Beyond theoretical definitions, how can we reflect analytically on public policy change and the room for manoeuvre it allows? To answer this question, Sabatier (1988, 131), in a more heuristic approach, shows that the essential condition for an analysis of change in public policy is to consider a situation with a sufficiently long duration in order to validate the change. Therefore, this paper favors an historical approach by taking into account the evolution of the British public policies related to migration of non-EU/EEA nurses and the perceptions of African nurses who experience the policy changes. Before addressing how the UK migration regulation policies, through room for manoeuvre, meets its political commitments without compromising its national imperatives, the article first presents the methodological framework that underlies it.

3 Methodology

This article is based on the results of postdoctoral research conducted on the careers of African migrant nurses in the UK. It is based on an analysis of the UK migration regulation policies and interviews conducted between 2014 and 2019³ with African migrant nurses. This paper provides public policy analysis, and the 15 interviews selected for this paper complement the analysis of migration regulation policies. Only themes dealing with the impacts of public policies on nurses' careers will be explored in this article. The analytical process favors a historical approach by taking into account the evolution of the British public policies related to migration

3 All the interviews will be the subject of a separate publication on the trajectories of African migrant nurses in the UK.

of non-EU/EEA nurses and the perceptions of African nurses who experienced the changes. As suggested by the theoretical framework in terms of duration (Sabatier 1988, 131) the methodological frame considers three periods of recruitment. First, before the implementation of the Code of Practice (1990s), which was a period of intense recruitment of overseas nurses and saw the British health migrant workers recruitment policy criticized because of its “aggressive nature”. Second, during the shift of general migration policies and the formulation of the Code of Practice for the recruitment of health workers, termed the transition period (2000s). Third, the context of the implementation of the overseas nurse’s new recruitment policy and procedures (2000s and 2010s). Interviews were conducted with African migrant nurses from different nationalities working in the UK, mostly from Nigeria, Ghana, Uganda, Zimbabwe, Gambia, South Africa and Kenya. Interviewees were aged between 26 to 57 years old, and the majority of the nurses interviewed worked within the NHS structure. All interviewees are anonymous and have been given *pseudonyms*. Interviewees were contacted through the nurses’ professional networks and complemented by the use of the snowball sampling technique to recruit further interviewees. Interviews were conducted outside of their workplace and interviewees were given the opportunity to send in additional documentation or answer questions via email. The key criteria for nurses interviewed was that they had had a long-term presence in the UK. This was to ensure the sample included interviewees who were recruited within the controversial period of intensive overseas recruitment. 15 interviews – 13 women and two men – were selected for analysis, this analysis will be discussed in in section 5.3. The themes addressed in the interviews were the following: training and work experiences before, and after, arriving in the UK; the recruitment procedures; their current status; the migration policies related to health recruitment and the impacts of migration policies on their careers. The last theme is the one which has been explored in this paper. Ethical approval for this research was granted by Research Ethics Commission of the Faculty of Social and Political Sciences, University of Lausanne, Switzerland.

4 The Migration of Non-EU/EEA Nurses in the UK: Between Opened and Closed Labor Market Policies

For the past few decades the UK has faced a growing need for health personnel and has looked for strategies to attract health professionals, particularly nurses, from Commonwealth countries (Mackintosh et al. 2006). Beyond its postcolonial legacy, there are some specific factors which make the UK of interest to overseas health professionals (Buchan and Sochalski 2004). Due to the nationalization of the health system in 1947, the UK’s health system has been characterized as favorable to foreign health workers, which was reflected in UK migration policy (Immergut

1992; Boswell 2003). During the 1950s and 1960s, the NHS relied on overseas nurses coming from the Caribbean to meet its staffing requirements (Hardill and MacDonald 2000, 684). In the 1960s a severe shortage of nurses led the Health Ministry to approach the Government of Barbados to recruit nurses. After World War II, in addition to West Indian nurses, Irish women formed a second group who were encouraged to migrate, to train and/or work in the NHS (Mackintosh et al. 2006, 105).

In the 1990s, the globalization of health and the GATS gave particular impetus to the international recruitment of health professionals in the UK. International recruitment was officially chosen amongst national political measures to face the shortage in the health sector and to meet the expansion of the NHS (Connell et al. 2007). Nurses were actively solicited from Africa, India and the Philippines, and three main explanations were identified as to why nurses from developing countries would have migrated to the UK: “those coming for educational purposes, individual nurses taking the lead to apply for jobs in the UK, and those actively recruited by non-NHS employers” (Buchan and Seccombe 2004, 24). Objectively, this policy of extensive recruitment of overseas health professionals was justified under the market reference and the theory of comparative advantages (World Bank 1995). The creation of a global market for goods and services under the GATS in its modality 4 – international mobility of health workers – “legitimizes the employment of foreign labor” (Mendy 2010, 182). The British immigration policy is described as a policy of opening and closing of the valve. This translates to the UK actively recruiting internationals at a time of need and then halting recruitment when national objectives are met (Coleman 1995). The policy was justified, as it allowed for a recruitment process that reflected the change of political parties and the defense of national interests. As Buchan stressed,

with the coming into power of the Labour Party, the UK therefore stands out as a country where active international recruitment of nurses, and other health professionals, was an explicit national-level government policy response to the need to increase staffing levels in a public sector, government-funded health care system. (2007:1323)

However, in the late 1990s and early 2000s, the British government faced calls to revise its policy of active recruitment due to the negative consequences on developing countries (cf. Bundred and Levitt 2000). Nationally ethical questions were raised about this form of recruitment, which was led by the Lancet’s campaign that called for an end to the recruitment of health professionals from developing countries. The campaign, which took place both within the UK and Commonwealth member countries, emphasized the unethical character of recruiting health workers from low-income countries. Before long the campaign garnered international attention and was followed on both national and international levels (Mackintosh et al 2006).

The result of the campaign saw changes introduced into the UK's overseas recruitment policies of health professionals. The UK adopted a Code of Ethical Practice in 2001 (DH 2001), revised in 2004 (DH 2004), which introduced several restrictive policy measures. Examples included the removal of the health sector from the list of the priority sectors, the "Modernization of Medical Careers" in 2006 (Buchan and Aiken 2008, 27) and the implementation of new registration procedures for overseas nurses in 2014. These reforms marked an important turning point in the migration policy of the health workforce (Mendy 2010). Reforms aimed at minimizing arrivals in the UK of non-EU/EEA health professionals, despite the protests of their professional associations (RCN 2014). The historically liberal and open British model of international health professional recruitment had been supplanted by an increasingly restrictive one (Brau 2011). This shift in policy caused two long term and far reaching consequences. Firstly, it meant that the UK now focused on recruiting healthcare workers from within Europe (Buchan and Aiken 2008). Secondly, the implementation of the Code of Practice bans the UK from hiring health professionals from certain "blacklisted" countries. Most of the African countries among the UK source countries of recruitment are on this list (OCDE 2004, 159–160). As a consequence to these policy changes, the UK was left with the problem of how to address the nation's resistance to the recruitment of health professionals from low income countries, whilst also meeting the domestic need within the NHS for health professionals. However, by analyzing the health migration regulation it can be seen how the UK met this challenge, and the case of the UK perfectly illustrates the interplay of balances allowed through the use of room for manoeuvre.

5 The New Institutional Context and the Migration Regulation Policies

5.1 Shift toward Restrictive Policies and the Key Rules of Room of Manoeuvre

Recommendations from the Code of Practice (DH 2004) became the foundation of the new guidelines, which outlined the current direction of British policy orientations relating to the migration of health professionals from countries on the "banned" list. In summary, the objective of the Code of Practice was to promote high standards of practice in the recruitment and employment of health professionals at an international level. It was based on the principles that international recruitment of health professionals had to consider the health needs of the countries from which the health professionals originated from and, in addition, recruitment had to be based on a government-to-government agreement.

Furthermore, the Code of Practice recognized international health worker mobility as a long-established practice that should continue and viewed this mobility as a legitimate activity if conducted in an ethical and managed manner. Finally, it recognized that health professionals have the right to move and establish and

develop their career paths independent of state objectives. In this regard, the Code of Practice reassured health professionals that their employment with the NHS and other health organizations, which comply with the Code of Practice, would provide them with high standards of training and support in their new careers (DH 2004, 4). To promote self-sufficiency in the health workforce, the British government rapidly increased its capacity of medical and nursing education on a national level. It also implemented a wage policy to attract and retain British citizens, even if some scholars challenge the basic ideology of this policy. However, according to Mackintosh et al. (2006), the very idea of self-sufficiency at national and EU level is unachievable. One of the main strands of their arguments contends that British health professionals continue to move in a globalized international context. Meaning that while the UK exploited its market advantage in recruiting English-speaking nurses from Asia and Africa, it was also the target of OECD country's recruitment policies attempting to solve their own nursing shortages (Mackintosh et al. 2006, 26). As Buchan and Seccombe showed, "the UK is a major player in the international nursing labor market and has to compete with other developed countries" (2004, 20–21). The authors however stress two critical findings. Firstly, they show that an "increased activity by the USA and other recruiting countries into English-speaking international labour markets could make it more difficult for the UK to recruit". Secondly, the "strict compliance with Code of Practice will mean that some recent main source countries are no longer acceptable targets" (Buchan and Seccombe 2004, 20–21). Currently, 50 of 57 African countries are blacklisted, including South Africa (DH 2004) which was one of the four most important source countries – along with the Philippines, India and Australia – providing international nurses to the UK in 2003. In fact, international recruitment is recognized as having made a critical contribution to staffing growth, particularly in England (DH 2004; Home Office 2006), and it remains one of the four policies – improve retention, new intakes, returners, and international recruitment – implemented to achieve an increase in NHS nurse staffing.

Given the historical legacy of the UK's recruitment and employment policies of health professionals, the implementation of restrictive measures was called "radical" (cf. Brau 2011, 3). The policy measures were particularly prohibitive (Buchan and Aiken 2008) whereas, traditionally, for health professionals coming from the Commonwealth, occupational mobility was "an aspect commonly accepted, valued and desired" (Mackintosh et al. 2006, 5). The restrictive measures were also denounced as potentially discriminatory and ineffective. Instead of protecting migrant health professionals, they were seen as having the potential to increase the vulnerability of health care professionals as equal treatment was not guaranteed (Allan et al 2004; Alexis and Vydelingum 2007). Additionally, the measures had the potential to create a category of health professionals discriminated against because of the economic situation in their countries of origin. Therefore, measures that were intended to be

ethical instead appeared as discriminatory to non-EU/EEA migrant health professionals, despite the apparent guarantees from the authorities (NHS England 2013).

Meanwhile, the UK health care system faced a great dilemma between ethical recruitment and national imperatives, namely health personnel shortage. It is precisely on this point that the public policy decisions taken can be interpreted as a game of political equilibrium. This implies the use of the room for manoeuvre inherent in UK regulation migration policies.

5.2 Connections between Immigration and Health Workers Policies and Impacts on African Nurses

Taken together, the connections between immigration and non-EU/EEA health workers policies follow the same logic of change and closure. Policies that were once open were now restrictive, especially in relation to the domestic priorities of the economy and health sectors. African migrant nurses and by extension the African migrant health professionals are particularly affected and extremely concerned by the change in immigration policies (Brau 2011, 31–33).

The Points-Based System Policy and the Code of Practice

While discussions related to the international migration of overseas health personnel were taking place at national and international levels, the Labour Government that took office in 1997 launched a broader consultation on the reforms of immigration policies. Considered “the most significant change to managed migration in the last 40 years” (Home Office 2006, 5) the consultation over the Points-Based System (PBS) policies closed in November 2005 and led to several key reforms within the health sector. The reforms included the official publication of the UK Code of Practice (Code of Practice) for overseas health personnel in 2004, and the reform of medical studies that modernized medical careers and gave priority to national physicians in training as well as those from other EU countries. The PBS was the Government’s new approach “to managing the flow of migrants coming to the UK to work or study”. In the foreword of the PBS it stated:

The UK needs a world class migration system to attract the brightest and the best from across the world, while at the same time being more robust against abuse. We welcome people who come to this country to work and to study, but we need to ensure that they come here legitimately (...). New points-based system will allow us both to manage migration and secure our borders against those who want to abuse them. (Foreword of Charles Clarke, Home Office, 2006)

As Brau underlined,

the introduction of the PBS is an attempt to assert control over and manage immigration as demanded by British public fears over the economic

and social effects of non-European immigration. Emphasis is placed on the economic benefits of migration, signaling a move away from previous policies that focused mainly on addressing public concerns over socio-cultural implications of migration. (2011, 2)

The concept of “managed migration” that was predominantly launched during this period meant, not only controlled migration, but also looked at selecting workers based on the interests of the UK economy (Murray 2011, 10).

As regulation policies, the PBS and the Code of Practice have several similarities. They are both explained “by general public concerns over economic and social consequences of migration” (Braun 2011, 4) and both have been characterized, to some extent, by their controversial aspects that were considered discriminatory. The PBS is perceived as

the latest development in the contested and polemical area of post-World War II British immigration policy, introduced in the context of problematic integration issues and the immigration policies. (Braun 2011, 3)

The Code of Practice appeared as the result of a controversial debate on ethical issues relating to international recruitment. Both the PBS and the Code of Practice were the responses of politicians and policymakers to public demands with regards to formulating immigration policy (Braun 2011, 5). The PBS policies exclusively concern non-EU/EEA migrants, and the original document states:

The Points-Based System will be designed to set the criteria under which nationals of Non EU/EEA countries will apply to come or to remain in the UK to work, train or study. (Home Office 2006, 1)

African nurses who basically come to the UK mainly for three purposes: “work, train or study” were extremely concerned about these policy developments. With the PBS, African nurses must first obtain a work permit to allow them to enter the UK in order to undertake the registration procedures while almost all African countries are on the banned list (cf. OCDE 2004, 159–160). According to the RNC the policy restrictions impact negatively on overseas nurses because, before the reforms, the Post Study Work (PSW) position allowed graduates to work in the UK for a two-year period following their study. This has now been abolished. In addition, the increase in fees relating to immigration and nationality applications discourages most of the overseas nurses from coming to the UK or staying (RCN 2014).

The New Registration Procedures for Non-EU/EEA Nurses

Beyond the immigration policy change, the registration procedures which give authorization to practice nursing in the UK also faced changes, which came into effect in October 2014 and were recommendations from the Code of Practice, as well. According to the Nursing and Midwifery Council (NMC), the aim was to simplify the procedures

in the interest of the overseas health professional (Nursing and Midwifery Council 2011). The following description of the new registration procedures provides a better understanding of how African migrant nurses perceive the policy changes. The practice of nursing in the UK requires several obligations that all nurses must comply with. Among these obligations the procedure of registration is the first step. Nurses who desire to practice in the UK must be officially registered with the NMC. Some points of the procedure are common to all nurses, regardless of the country of origin where they undertook their training. However, some are differentiated according to three categories: nurses trained in the UK, nurses trained in the EU and EEA countries, and non-EU/EEA nurses. All qualified nurses have the opportunity to register for one or more specialties after completion of the registration procedure (Nursing and Midwifery Council 2011). Consequently, they can work in the National Health Service (NHS) and the private health care sector, including private hospitals, nursing homes or in the community. Similarly, all nurses registered with the NMC are required to practice in accordance with the rules and standards set by the NMC (Royal College of Nursing 2013). Nurses are required to renew their registration periodically and the frequency of renewal depends on the country of origin where their training was completed: for instance, three years for those who have been trained in the UK and EU member states, and annually for non-EU nurses (Nursing and Midwifery Council 2011). During every renewal two standards set by the NMC must be met: (1) the continuing professional development (CDP) standard and (2) the practice standard. Meeting these standards mean that nurses can demonstrate that they have undertaken 35 hours of extra study relevant to their practice and completed 450 hours of practice during the first three years prior to the renewal of registration. Whatever the terms of employment are, every nurse must provide evidence of meeting these standards in order to maintain their registration as a nurse with the NMC.

Compared to the new registration procedure, the former application process for non-EU applicants was composed of two steps: the pre-registration stage and the registration procedures. The registration procedures have undergone changes, particularly with the introduction of the International English Language Testing System (IELTS) and the biggest change has been the introduction of the Overseas Nursing Programme (ONP). As mentioned in the NMC publication “the new process will replace the Overseas Nursing Programme (ONP) (...) with a more robust application process with a test of competence at its heart” (NMC 2014, 1). In fact, the test of competence and the practical exam (OSCE) are the two main reforms in the overseas application process. Like the ONP, the test of competence is based on UK education and competence standards for pre-registration. It consists of two parts: a computer multiple choice exam, which is accessible in many countries around the world as well as a test of competency and a practical exam (OSCE), held in the UK. According to the NMC, this allows candidates to plan their financial and

domestic arrangements for travelling to the UK. Applicants are not required to have a sponsor or employer to complete the process and so will be less at risk concerning the exploitation and poor recruitment practices that have been reported in the past (NMC 2014, 4). The new application process is now longer and more restricted and takes, on average, a year to complete (NMC 2011). However, when African migrant nurses are asked about their perception of new migration policies, the answers vary from person to person with important converging arguments. They may recognize the simplification of procedures as outlined in the NMC, but all agree that the new procedures are lengthy and have a high financial cost for those involved.

5.3 African Migrant Nurses Perceptions of Policy Change

The interviews reveal two main areas of concern that African migrant nurses have in relation to the migration policies and registration procedures. These will now be explored below.

First, the experiences with procedures. All the interviewees agreed that the migration policies were becoming increasingly restrictive and constraining. Those who had experienced the registration procedures and the visa application after the implementation of the PBS policy stressed the higher level of costs and longer length of procedures involved. Irrespective of which countries the non-EU/EEA nurses were from, they frequently referenced the “*need to call the NMC service to learn about their case*” which is expensive from abroad. The need to save money was also frequently referred to, as before committing to migrating, health professionals had to ensure a level of savings because during the period of attending the ONP – a period called adaptation – they are required to support themselves financially and assume the entire cost of registration. In this sense, they all mentioned that they felt a high level of indebtedness and financial vulnerability before they started employment.

At least you know you need to prepare financially before you come here. But your savings are running out pretty fast. But I spent a lot on phone calls with the NMC. Sometimes you still want to know if everything's okay with your case. You call and it costs you a lot from there (...). I can't speak for the others, but it was really difficult (...). It is still the local currency (his country's currency). (NUK3680817)

In addition, they said they needed to find themselves a place at a UK university to follow the adaptation program. Health care professionals all concluded that the process was “emotionally” and “financially” demanding:

(...) Overseas nurses really have to have a desire to come to the UK or have no choice but to accept all the difficulties related to the immigration and registrations procedures. (NUK3160414)

Furthermore, there is some misunderstanding about the IELTS for nurses from English-speaking countries who have completed all their schooling and training in English. According to one interviewee:

with the recent tightening of immigration criteria, the English examination takes much more time because of the small number of places where the English test can be taken in the sending country, and factoring in the attendant risks of delay (...). (NUK2690715)

and another stated,

we raise awareness about discrimination, but the legal discrimination we suffer and that is imposed on us by the policies, nobody talks about it and tries to find a solution for us. We are the ones who feel the brunt of the policy changes the most. (NUK4130514)

It seems, however, that migrant nurses from non-English-speaking countries must take this language test to facilitate communication:

I don't have any problem taking this test. I just think that people who really need to take it don't. I have nothing against those people, but they are the ones who need the test to make themselves understood by the patients. That's where things are done wrong honestly. (NUK55240918)

It is interesting to note that those who underwent the immigration and registration procedures in the late 1990s and early 2000s, which corresponded to the period of controversy surrounding the recruitment of professionals from low-income countries, said that they did not feel the restrictions of the policies. Consequently, most of them did not comment on the migration regulation policies, including the procedures. It can be concluded that this was due to the fact that the restrictive measure were yet to be implemented during the discussion period and therefore, African migrant nurses were yet to feel impacts. This shows how there is a time lag between policy formulation and actual implementation. However, another explanation could be, as shown in previous studies (Mendy 2018, 332), that employers tend to be less concerned with international debates than with the compliance of qualifications and skills within the standard of care. This was also been confirmed by some of the interviewees and according to some nurses discussions regarding international debates were not necessarily taking place in the hospital context. One interviewee stated:

Is it ethical or not to recruit health professionals from non-EU/EEA countries, these questions are not part of our daily life in hospitals. Patient care seems to be a priority. Now, this does not mean that it is not important to us. (NUK1160414)

Second, the way in which political decisions are viewed. They are considered to be discriminatory in their formulation even though, paradoxically, they say, the UK will not be able to move health workers from abroad:

What I can say is that we no longer know what to expect with that Brexit (...). It may affect us, but if we have a stable job, I don't think we have to worry because the NHS needs foreign labour. (NUK60120719)

For the nurses interviewed after 16 July 2016 (the vote went in favour of Brexit) their comments on the impact of the policies on their careers systematically mentioned the uncertainties surrounding the consequences of Brexit.

We were surprised by all this. I think those who have a choice like the EU/EEA nurses are going to leave. (...). They can find work elsewhere. (...). It's more complicated for non-EU/EEA people. But let me tell you that I'm focusing on my work because I have family obligations and irregular hours, I'm not going to add to my stress ... (NUK41180817)

Not all African nurses have strong opinions on policy and will focus more on the forms of discrimination sometimes felt in their workplace than what the migration policy might be. These discriminations are illustrated through accounts of their social interactions in the workplace and lived experiences.

I do not read immigration policies to find out whether they are always formulated against us. It's simple, you've done the procedures, you know the difficulties, the challenges, the length of procedures and so on, and then you move on, when you finally start working. But, do you know that there are other discriminations that we can experience that are not written down somewhere (...). You feel it (...), sometimes you defend yourself, sometimes you get over it, sometimes it becomes banal. The law can change, but some things are hard to change. (NUK17270215)

6 Conclusion

The analysis of policies regulating the migration of non-EU/EEA health professionals through the example of the recruitment of non-EU/EEA migrant nurses in the UK has shown that the globalization of the health labor market remains to be qualified when it comes to looking at the different logics of national health markets. The case of the UK, known in the 1990s to be the liberal model par excellence for the recruitment of non-EU/EEA health professionals, is a perfect illustration of this. Although the UK remains sensitive to the international community's invective on the consequences of over-recruitment, particularly from sub-Saharan Africa, the

reforms undertaken are sufficiently well formulated to leave the British health system players enough room for manoeuvre.

The Code of Practice for the international recruitment of healthcare professionals, the PBS and the non-EU/EEA nurses' new registration procedures are seen as migration regulation policies, which enable the UK to meet both its international commitments and its economic and health imperatives. Whilst not necessarily explicit about their objectives of control, selection and regulation of migration, they do give authorities in charge of implementing them a very wide room for interpretation. This room for manoeuvre, built within the policies, has also been found to be beneficial as it allows for policies to give primacy to national imperatives. Although the UK has enacted ethical rules of recruitment to satisfy national and international public opinion through its Code of Practice, the latter does not deprive the UK health system of international health professionals. Active recruitment from most developing countries is prohibited, yet health professionals from these countries who enter the UK independently are not banned from recruitment. Private recruitment agencies have not implemented the ethical recruitment principles and therefore, are not concerned with, or bound by, the list of banned countries for recruitment. Government-to-government agreements for the recruitment of health professionals are not covered by the prohibition. The NHS can also recruit non-EU/EEA nurses within the UK who may have previously entered the UK and who were recruited by private agencies, and who do not adhere to the Code of Practice as well.

Similarly, the PBS also allows for a very broad room of interpretation and therefore explicitly favors the economic interests of the UK. The PBS recognizes the vital role of migration to the UK's economy and aims to select migrants who are profitable to this end. This can be seen clearly in this statement from the Home Office: "Better identifying and attracting of migrants who have most to contribute to the UK" (2006, 1).

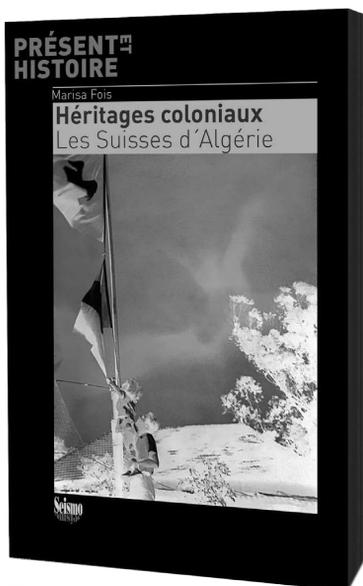
The PBS, as well as the new registration procedures for non-EU/EEA, are all very important migration mechanisms for the UK. On the one hand, the costs of the procedures are very high for prospective immigrants. On the other hand, they are ultimately an undeniable mechanism of regulating migration flows. The room for manoeuvre that allows the UK to regulate its internal market in favor of national interests is not specific to recruitment policies for migrant health professionals but is fundamentally linked to the logic of the UK internal market. Beyond this observation, putting the theoretical framework into perspective with the elements of the analysis shows that room for manoeuvre is an intrinsic part of public policy creation.

7 References

- Alexis, Obrey, and Vasso Vydelingum. 2007. Migrating Registered Nurses in the UK: Black and Minority Ethnic Overseas Nurses' Perspectives. *International Journal of Health Care Quality Assurance* 20(5): 441–452.
- Allan, Helen, John Larsen, Karen Bryan, and Pam Smith. 2004. The Social Reproduction of Institutional Racism: Internationally Recruited Nurses' Experiences of the British Health Services. *Diversity in Health & Social Care* 1(2): 117–125.
- Bauer, Michael, Jordan, Andrew, Green-Pedersen, Christoffer, and Adrienne Héritier. 2012. *Dismantling Public Policy. Preferences, Strategies, and Effects*. Oxford: University Press.
- Boswell, Christina. 2003. *European Migration Policies in Flux: Changing Patterns of Inclusion and Exclusion Chatham House Papers*. Oxford: Blackwell.
- Brau, Elise. 2011. UK Immigration: Motivations Behind the Introduction of the Points-Based System. *Migration Studies Unit Working Papers 1*. London: London School of Economics and Political Science.
- Buchan, James. 2007. International Recruitment of Nurses: Policy and Practice in the United Kingdom. *Health Research and Educational Trust* 42(3): 1321–1335.
- Buchan, James, and Ian Seccombe. 2004. *Fragile Future? A Review of the UK Nursing Labour Market in 2003*. London: Royal College of Nursing.
- Buchan, James, and Julie Sochalski. 2004. The Migration of Nurses: Trends and Policies. *Bulletin of the World Health Organization* 82: 587–594.
- Buchan, James, and Linda Aiken. 2008. Solving Nursing Shortages: A Common Priority. *Journal of clinical nursing* 17(24): 3262–3268.
- Bundred, Peter E., and Cheryl Levitt. 2000. Medical Migration: Who Are the Real Losers? *The Lancet* 356(9225): 245–246.
- Cairney, Paul. 2012. *Understanding Public Policy. Theories and Issues*. Palgrave Macmillan.
- Coleman, David. 1995. Immigration Policy in Great Britain. Pp. 113–136 in *Migration Policies: A Comparative Perspective*, edited by Friedrich Heckmann et Wolfgang Bosswick. Stuttgart: Editions Enke.
- Connell, John, Pascal Zurn, Barbara Stilwell, Magda Awases, and Jean Marc Braichet. 2007. Sub-Saharan Africa: Beyond the Health Worker Migration Crisis? *Social Science & Medicine* 64(9): 1876–1891.
- Department of Health UK (DH). 2001. Code of Practice for NHS employers involved in the international recruitment of healthcare professionals. London: Department of Health.
- Department of Health UK (DH). 2004. Code of Practice for the International Recruitment of Healthcare Professionals. London Department of Health.
- Dollar, David. 2001. Is Globalization Good for Your Health? *Bulletin of the World Health Organization* (79)9: 827–833.
- Fouilleux, Eve. 2000. Entre production et institutionnalisation des idées. La réforme de la politique agricole commune. *Revue française de science politique* 50(2): 277–306.
- Hall, Peter A., and Rosemary C.R. Taylor. 1997. La science politique et les trois néo-institutionnalismes. *Revue française de science politique*: 469–496.
- Hardill, Irene, and MacDonald, Sandra. 2000. Skilled International Migration: The Experience of Nurses in the UK. *Regional Studies* 34(7): 681–692.
- Home Office. 2006. *A Points-Based System: Making Migration Work for Britain*. Cm 6741, TSO, Norwich.
- Howlett, Michael, Michael Ramesh, and Anthony Perl. 2009. *Studying Public Policy. Policy Cycles & Policy Subsystems*. Third Edition. Oxford: Oxford University Press.
- Immergut, Ellen M. 1992. *Health Politics. Interests and Institutions in Western Europe*. New York: Cambridge University Press.

- Jobert, Bruno, and Pierre Muller. 1987. *L'Etat en action. Politiques publiques et corporatismes*. Paris: PUF. Kingdon.
- Kingdon John W., and Eric Stano 1984. *Agendas, Alternatives and Public Policies*. Boston: Little, Brown.
- Kübler, Daniel, and Jacques de Maillard. 2009. *Analyser les politiques publiques*. Grenoble: Presses universitaires de Grenoble.
- Mackintosh, Maureen, Parvati Raghuram, and Henry Leroi. 2006. A Perverse Subsidy: African Trained Nurses and Doctors in the NHS. *Soundings* 34(34): 103–113.
- Mendy, Angèle F. 2010. Les migrations internationales des médecins africains: entre stratégies des acteurs, politiques nationales et débats internationaux. Les cas du Royaume Uni, de la France et de la Suisse. Thèse de doctorat, sciences sociales et politiques, Université de Lausanne, Suisse.
- Mendy, Angèle F., 2016. *Être médecin africain en Europe*. Paris: Editions Karthala.
- Mendy, Angèle F., 2018. Recruitment Policies of Non-EU/EEA Nurses and Ethical Issues: Comparative Study of the British, Swiss and French Cases. Pp. 320–336 in *High-Skilled Migration: Drivers, Dynamics and Policies*. Oxford: Oxford University Press.
- Mendy Angèle F. 2019. Professional Integration of African Migrant Doctors in France. Pp. 223–225 in *Family Strategies, Diaspora and Investments*, edited by Eyebiyi, P. Elieth, and Angèle F. Mendy. Ottawa :Lasdel & Daraja Press.
- Merrien, Francois-Xavier. 1990. Etat et politiques sociales : contribution à une théorie « néoinstitutionnaliste ». *Sociologie du travail* 32(3): 67–294.
- Merrien, Francois-Xavier, Raphael Parchet, and Antoine Kernen. 2005. *L'Etat social. Une perspective internationale*. Paris : Armand Colin.
- Murray, Alasdair. 2011. *Britain's Points Based Migration System*. London: Centre Forum London.
- NHS England. 2013. *A refreshed Equality Delivery System for the NHS*. London: NHS England.
- Nohrstedt, Daniel, and Christopher M. Weible. 2010. The Logic of Policy Change After Crisis: Proximity and Subsystem Interaction. *Risk, Hazards & Crisis in Public Policy* 1(2): 1–32.
- North, Douglass C., 1990. A Transaction Cost Theory of Politics. *Journal of Theoretical Politics* 2(4): 355–367.
- Nursing and Midwifery Council (NMC). 2011. *Registering As a Nurse or Midwife in the United Kingdom. For Applicants Trained Within the EU or EEA*. Nursing and Midwifery Council.
- Nursing and Midwifery Council (NMC). 2014. *Changes to Overseas Registration. For Applicants Educated Outside the European Union and European Economic Area. Effective From Autumn 2014*. Nursing and Midwifery Council.
- OCDE. 2004. La migration des professionnels de santé : évaluation et enjeux à partir du cas sud-africain. Partie III. Pp. 121–160 in *Tendances des migrations internationales*. Paris: SOPEMI Edition 2003.
- Pierson, Paul. 1996. The Path to European Integration: A Historical Institutional Analysis. *Comparative Political Studies* 29(2):123–163.
- Pierson, Paul. 2000. Increasing Returns, Path Dependence, and the Study of Politics. *American Political Science Review* 94(2): 251–267.
- Roe, Emery. 1994. *Narrative Policy Analysis: Theory and Practice*. Durham and London: Duke University Press.
- Royal College of Nursing (RCN). 2013. *Social Care in England. A Guide for Nursing Staff*. London, RCN Policy and International Department.
- Royal College of Nursing (RCN). 2014. Registration of overseas trained nurses in the UK. International comparisons and key issues for incoming nurses to ensure safe and effective practice. London, RCN Policy and International Department Policy briefing 01/14.
- Sabatier, Paul. A., 1988. An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein. *Policy Sciences* 21(2-3):129–168.

- WHO. 2004. Fifty-Seventh World Health Assembly: Resolution WHA57.19. Geneva.
- Woodward David, Nick Drager, Robert Beaglehole, and Debra Lipson. 2002. Mondialisation et santé : un cadre pour l'analyse et l'action. *Bulletin de l'Organisation Mondiale de la Santé. Recueil d'articles* (6) : 36–42
- World Bank. 1995. *World Bank Report 1995. Workers in an Integrating World*. World Bank, New York: Oxford University Press.
- World Trade Organization/World Health Organization (WTO/WHO). 2002. WTO Agreements & Public Health. A Joint Study by the WTO and the WHO Secretariat. WTO/WHO.



Marisa Fois

Héritages Coloniaux

Les Suisses d'Algérie

ISBN 978-2-88351-099-9
184 pages, 15.5 x 22.5 cm
Fr. 34.– / Euro 29.–

Collection Présent et histoire

Quels rapports les pays européens entretiennent-ils avec leur passé colonial? La manière dont ils traitent, relisent, reconstruisent, oublient ou dissimulent ce volet de leur histoire est déterminante pour comprendre la géopolitique mondiale d'aujourd'hui, et questionner nos sociétés actuelles.

La Confédération, sous sa cape de neutralité, a longtemps nié son implication dans des processus coloniaux. Pourtant, des Suisses ont participé du peuplement de « l'Algérie française », où ils ont exercé des formes de domination, notamment via des investissements privés. À la proclamation de l'indépendance algérienne, la Confédération s'est trouvée face à la délicate organisation du « retour » des colons helvètes. Suite aux nationalisations et aux expropriations outre-mer, des biens ont dû être protégés, des pensions versées.

Ce livre offre de précieux outils pour appréhender l'histoire coloniale dans un monde décolonisé. Étayée par des sources d'archives suisses, françaises, italiennes et anglaises – pour la plupart inédites –, cette étude reconstitue les jeux d'échelles et met en évidence le rôle déterminant de l'Association des Suisses spoliés d'Algérie ou d'outre-mer.

**La Suisse face à son passé colonial en Algérie :
quand l'histoire éclaire le présent.**

Marisa Fois est historienne et maître-assistante à l'Université de Genève. Ses recherches portent sur les minorités en Afrique du Nord, le postcolonialisme et la décolonisation.

Researching the Dynamics of National Social Policy in a Globalized Society. A Proposal for a De-Nationalized Analytical Framework

Erica Righard*

Abstract: Epistemological hierarchies in the social sciences stipulate that sedentarism is naturalised as a normality, and that mobility is viewed as a deviation. This article sets out to propose an analytical framework that takes the analysis beyond this kind of nationalized knowledge production, and to empirically show the gains of de-nationalized frameworks for analysis of social protection and dynamics of in-/equality in the globalised society. I will do this relying on the empirical example of the public old-age pension scheme in Sweden.

Keywords: Sweden, old-age pension, social policy, migration, transnationalism

Erforschung der Dynamik der nationalen Sozialpolitik in einer globalisierten Gesellschaft. Ein Vorschlag für einen ent-nationalisierten analytischen Rahmen

Zusammenfassung: Epistemologische Hierarchien in den Sozialwissenschaften legen nahe, dass Sesshaftigkeit als Normalität und Mobilität als Abweichung betrachtet werden. Dieser Artikel will einen analytischen Rahmen vorschlagen, der über diese Art nationalisierter Wissensproduktionen hinausführt, und empirisch zeigen, welche Vorteile ent-nationalisierte Rahmen für die Analyse der sozialen Sicherung und der Dynamik von Un-/Gleichheit in der globalisierten Gesellschaft haben. Ich werde mich dabei auf das Beispiel des Rentensystems in Schweden stützen.

Schlüsselwörter: Schweden, Altersrente, Sozialpolitik, Migration, Transnationalismus

A la recherche d'une dynamique de la politique sociale nationale dans une société globalisée. Une proposition de cadre analytique dénationalisé transnationalisme

Résumé : Les hiérarchies épistémologiques dans les sciences sociales stipulent que la sédentarité est naturalisée en tant que norme, et que la mobilité est considérée comme une déviation. Cet article a pour but de proposer un cadre analytique qui amène l'analyse au-delà de ce type de production de connaissances nationalisées, et de montrer empiriquement les gains des cadres dénationalisés pour l'analyse de la protection sociale et de la dynamique de l'in-/égalité dans la société globalisée. Pour ce faire, je m'appuierai sur l'exemple empirique du régime public de pension de vieillesse en Suède.

Mots-clés : Suède, rente vieillesse, politique sociale, migration, transnationalisme

* Malmö Institute for Studies of Migration, Diversity and Welfare (MIM) and Department of Social Work, Malmö University, SE-205 06 Malmö, Sweden, erica.righard@mau.se

1 Introduction

The epistemological hierarchy between sedentarism and mobility in the social sciences mirrors and reproduces the Westphalian condition of societies in which territory and people are divided into states and members of states. This means that, while sedentarism is naturalized as a normality, mobility is viewed as a deviation in our understanding of societies. This relationship between sedentarism and mobility is very visible in analyses at the intersection of the national welfare state and international migration. Such analyses commonly reduce processes of migration into one of immigration and, similarly, put the analytical focus on the integration of newcomers into national welfare services and schemes. In response to the critique of this epistemological hierarchy between sedentarism and mobility, often referred to as the critique of methodological nationalism (Wimmer and Glick Schiller 2003), in this article, I will propose a de-nationalized analytical framework which is sensitive to varying forms of mobility. In addition, I will also empirically show the gains of such frameworks for our understanding of social protection and dynamics of social in-/equality in contemporary societies. To do this I use the empirical example of the public old-age pension scheme in Sweden.

When the Swedish old-age pension was introduced in 1913, it was the first universal public insurance to be introduced world-wide. It was tax-financed and included all pensioners on equal terms; in that sense it is an extreme example of a *national* social security scheme. Naturally, “all” was not *all*, but was framed by implicit assumptions about who belongs and who does not, which is why it is so suitable for my purpose here – namely to apply a framework for a de-nationalized analysis of national social policy. Empirically, the article answers to traditional social-policy questions of who is eligible and when, but in the limited purview of situations that involve international migration. However, in order to not reproduce frameworks assuming sedentarism, the questions are specified to cover eligibility for nationals and foreigners upon immigration and upon emigration. In this way, the contribution of the article is two-fold: empirical and methodological. I propose a methodological approach for de-nationalized analyses of national policy and, by applying this to the empirical example of the Swedish old-age pension, I show how this contributes new knowledge about national social policy that would otherwise not be highlighted and discussed.

Below I first review the critique of nation-state epistemologies in migration studies and position my contribution within this literature. Next I discuss scales of social protection; I position the national scale in relation to other scales and clarify how this can be approached from a transnational perspective. In the subsequent section I give a general frame to a de-nationalized framework for the study of national social policy, which I then relate to and specify for the empirical example of the Swedish old age pension. The analysis is divided into three sections. I outline the

transnational outreach of the basic part of the old-age pension and then discuss this in relation to various understandings of belonging and social in-/equality respectively. The article is summed up with some concluding remarks.

2 The Critique of Nation-State-Centered Epistemologies

The nation-state centeredness of the social sciences began to be critiqued in the second half of the 1980s. It came from different disciplinary positions and was formulated in varied ways. For instance, Ulrich Beck (20) critiqued the use of “container theories”, as if nation-states were natural containers of economic, political and social activities and dynamics. John Urry (2000), associated with the so-called “mobility turn” in the social sciences, has argued that sedentarism should be critically scrutinised in its complex relation to mobilities. Others have, as I do here, formulated their critique as an argument favoring a de-nationalisation of the social sciences (see, e.g., Sassen 2010; Anderson 2019). Here I briefly discuss this line of critique as it has developed in the disciplines of migration and social policy studies.

In migration studies this critique, commonly framed as a critique of methodological nationalism, is rooted in transnational epistemologies of international migration. The transnational perspective on international migration emerged from frustrations over empirical observations, to which existing conceptual tools did not fit. This need of new concepts freed from assumptions of sedentarism led to the introduction of such concepts as transnational social fields and spaces (see Basch et al. 1994 and Faist 2000 respectively). The critique of methodological nationalism, as emphasized by Andreas Wimmer and Nina Glick Schiller (2003), framed the development of the social sciences in a *longue durée* perspective from its birth towards the end of the nineteenth century and onwards, and showed how the social sciences were intertwined and overlapped with nation-state building – how social-science understandings of societies in non-/articulated ways were framed as nation-states and people as members of these.

This theoretical debate was not limited to the social sciences’ one-sided focus on migration as immigration but applies also to its one-sided focus on migrants. International migration as a social phenomenon, it is argued, does not involve only migrants – that is, those who are mobile across borders – but also their families, friends and sending and receiving societies. This is one of the bottom-line arguments in the conceptualisation of transnational social fields and spaces, as described above (see Basch et al. 1994; Faist 2000). This critique has recently been taken a step further and formulated as a plea to de-migrantise migration studies and to migrantise societies and their members (Dahinden 2016; Anderson 2019). Basically, it means that we should regard the dynamics between sedentarism and mobility, together

with experiences of it from varying societal positions, including both sedentary and mobile segments of the population.

The relationship between the social sciences and nation-building, from that same *longue durée* perspective, has also been analysed within the study of social policy and welfare-state development. The establishment and expansion of national welfare states has been explained in different ways but, be it from a functionalist perspective (e. g. Wilensky 1975) or from a perspective emphasising power resources (e. g. Esping-Andersen 1990), the nation-state framing of social policy was typically disregarded. This means that the logics of industrialisation – and the struggles between the ruling class and the workers – were equally assumed to be national in essence. The development of this national framing of welfare states, in politics as in research, was highlighted when analysed from an extended historical perspective. It showed how the organisation of social policy was shaped by the modern state as it emerged from the end of the nineteenth century, and how the production of scientific knowledge within the social field in the nineteenth century and, later, the formation and expansion of the social sciences within academia, played an important role in this development – i. e. how the social sciences and social policy developed in nation-state-framed feed-back loops (Wagner et al. 1991; Rueschemeyer and Skocpol 1996). Thus, it would not be far-fetched to argue that social policy is the social dimension of the nation-state, just as social rights are the social dimension of citizenship. It is national not only in reach but also in purpose (Clarke 2005; Ferrera 2005).

What is relevant to the argument made here is that both migration studies and social policy studies are subsections of the social sciences, with historical roots in nation-building. This is how we can understand the epistemological hierarchies in research at the intersection of social policy and international migration. Research is excessively focussed on the immigration side – not on the dynamics between sedentarism and mobility as a multidirectional phenomenon – and on the integration of foreign immigrants into schemes and services, not how these schemes and services respond to the varying needs of the population, including both its sedentary and mobile segments. In this article I present an approach that seeks to turn these hierarchies around; I do this by considering social policy as it responds to migration as a multidirectional phenomenon and with a comparative approach to how this is experienced from the positions of national and foreign citizens respectively. Before presenting this in more detail, I briefly position how social policy as a dimension of social protection in cross-border situations is approached.

3 Scales of Transnational Social Protection

As a concept, social protection entails both formal and informal protection systems and may involve a variety of actors – including, for instance, states, markets, non-governmental organizations, social movements and networks (Paul 2017). Transnational social protection refers to such social protection systems that extend across borders (Sabates-Wheeler and Feldman 2011; Levitt et al. 2017). These various aspects of transnational social protection have, often in fragmented ways, been addressed by different sets of literature. There is, for instance, a large body of migration literature about transnational family networks which, in part, engages with social and economic support within them, such as child- and elderly care and remittances. In the perspective applied here, this would typically classify as informal protection, though it sometimes intersects with formal protection and can be linked up with global care economies (e. g. Lutz 2008; Yeates 2008; Widding Isaksen 2012).

The focus of this article is transnational social protection as framed in and by national social policy. The concepts used to discuss social policy from the point of view of transnational social protection include transnational, international and global social policy. There are no coherent and agreed-upon definitions of the concepts, but they are generally used to approach transnational social protection in varying ways. Here I relate the concepts to diverse scales. International social policy often refers to collaboration between states, typically through bi- and multilateral agreements. Global social policy, on the other hand, is more detached from national and other governments, and can involve social policy within global institutions (Deacon et al. 1997; Yeates and Holden 2009; see, for example, Righard and Spång 2020 for a discussion on how public health has shifted from international to global social policy). Transnational social policy refers to national social policy and how this responds to individuals and groups who move, and sometimes organise their lives, across state borders (Lightman 2011). This is the relevant concept for analysis which I pursue below. Moreover, formal social protection is mainly provided through national legislation, including for mobile populations (Sabates-Wheeler and Feldman 2011). However, as I will show in the analysis, national social policy intersects with and is sometimes influenced by international and global social policy.

Formalized rights to social protection through national social policy is, for migrants, about access and portability: access to rights in the country of residence and the portability of rights from previous countries of residence (Holzmann et al. 2005; Sabates-Wheeler et al. 2011). Sometimes this involves several countries and several periods of residence there, depending on the transnational outreach of both unilateral and bi- and multilateral measures. Unilateral measures refer to national regulations and bi- and multilateral measures to international agreements between two or more countries. The focus in my analysis is limited to unilateral measures. This means that multilateral agreements completed within the European Union (EU)

and other bi- and multilateral agreements are excluded, although, when relevant, I describe how the unilateral measures have been shaped by these agreements. In order to reach an understanding of the transnational dynamics of unilateral measures, we are interested in both the access to and the portability of rights that these measures enable. While empirical research on the portability of social rights is still limited in scope (for a review, see Holzmann and Wels 2018, 326–327), in general it is not combined with questions about access to social rights. Here I merge these two aspects into one common approach.

4 A De-Nationalized Framework for the Study of National Social Policy and Migration – a Proposal

Social policy analysis is typically focussed on questions about who and what: *who* is eligible and for *what*. In the analysis of social policy and migration, the “who” – the immigrated foreigner – is usually given. The “what” is typically about that which immigrated foreigners have access to in their countries of residence. With the purpose of building a de-nationalized analytical framework, I here propose a more critical stance on the “who” question. Instead of talking of the immigration of foreigners, I suggest that the analysis should approach migration as a multidirectional mobility that can involve nationals and foreigners alike. International migration, as also in the view of social policy, is not limited to immigration but is also about emigration; nor is it limited to foreigners but is also about nationals. This framework is de-nationalized because it considers various forms of mobility and how public policy responds to these circumstances. This turnover begs for a slightly different set of questions. For instance, is it necessary to live in a country in order to be eligible for (public and unilateral) social rights? If so, how long should a person live in the receiving country after immigration before being eligible? Should eligibility expire after emigration – if so, after how long? And, finally, what is the role of national and foreign citizenship in these matters?

Questions are also included about the transnational outreach of, for instance, parental insurance or child allowance in situations where family members are dispersed in different countries, or where a person has lived and worked in one country, but later lives and becomes unemployed, sick or a pensioner in another. Are such situations responded to differently depending on whether it is emigration or immigration that is the issue, or on whether it concerns a national or a foreign citizen. Importantly, the “who” question has implications beyond who is eligible, or who is dependent on the person eligible. For instance, several family members can be dependent on the pension of one family member, even when the family is dispersed in two or more countries. The basic question concerns how national social protection

schemes respond to such transnational situations, involving both emigration and immigration, both nationals and foreigners, and both migrants and non-migrants.

To provide some substance to this approach, I rely on a study that shows how a state-led social policy scheme includes mobile populations, emigrants, immigrants, citizens and foreigners alike. The empirical focus is on Swedish public old-age pension arrangements in a historical perspective and reveals how the transnational outreach of the scheme has varied over time with varying impacts on equality among the elderly.

5 The Swedish Old-Age Pension – a Contextualization and Specification

In many societies being old and unable to support oneself means being poor. While old-age pension schemes are typically set up with the purpose of reducing this situation, they also vary considerable in a cross-national perspective. This was the case in Sweden when the first public old-age pension scheme was introduced in 1913 as the first universal public insurance to be introduced world-wide (Elmér 1960). At this point in time, a significant proportion of the elderly were dependent on poor relief. The new scheme was not means-tested, as in the UK; instead all pensioners were equally eligible independent of their individual resources. As in Germany, it was like an insurance but was not contributory; instead, all pensioners were equally eligible independent of any previous individual contributions (paid through taxes). It was tax-financed and included all pensioners on equal terms. Here “all” refers to Swedish citizens residing in Sweden. As a backdrop it was limited in scope and many elderly remained in poverty. It was extended stepwise, which meant that, as of 1946, Sweden had a universal flat-rate pension, the People’s Pension (*Folkpension*), which was sufficient to ensure a decent standard of living.

It is true that old-age pension schemes in many countries have changed over time – including in Sweden, where the public pension scheme is typically referred to as two distinct systems, before and after its restructuring in the 1990s. While this general development is not the focus of my analysis, it is an important backdrop to the empirical understanding of it, therefore I now briefly flesh it out. I also present the empirical analysis in more detail, together with my research questions and empirical basis.

The introduction of the universal old-age pension scheme was not easy. The debate that preceded the parliamentary decision covered, among other things, the different costs of living in urban and rural areas, the varying life expectancy between men and women, and the diverse contributions of the working and non-working population. For instance, as living expenses were higher in urban areas, should the pension be higher there? Equally, as women had a longer average life expectancy, should their pension be lower so that it lasts longer? In the end, a universal pension scheme was introduced by law (see government bill, Prop. 1913:126; and Act SFS

1913:120). In this first version, the pension was too small to live on and did not suffice to lift the large numbers of elderly people out of poverty. In response, it was gradually extended through the implementation of new laws in 1935 and 1946 (see SFS 1935:434; SFS 1946:431). With the 1946 scheme, a basic protection that one could actually live on was put in place and named the People's Pension (*Folkpension*). In addition to this flat-rate basic protection, a complementary element was integrated into the public old-age pension scheme from 1959 (see SFS 1959:291). It was contributory, based on a person's taxed income over the 15 highest-earning of his/her 30 working years, and named Public Occupational Pension (*Allmän tilläggspension, ATP*). While the basic protection part of the pension aim to keep all elderly people off poor relief, the complementary part was designed to enable them to maintain their standard of living after retirement.

This design of the public old-age pension was then radically restructured in the 1990s. While this reform, in its direction, followed international trends (Orenstein 2008), the national policy discourse was primarily about a growing financial imbalance, as well as the implications of European Union membership. The financial imbalance referred to the growing discrepancy between the working population financing the pensions and the proportionally growing numbers of retired people drawing them. This situation was deemed unsustainable. The first steps towards a reform were taken in 1992 (SFS 1992:1277). In 1994, just before Sweden joined the European Union in 1995, it was decided that the system should be reformed (see Prop. 1993/94:250); it became law in 1998 (SFS 1998:674 and SFS 1998:702). Since 2010 the public pension scheme has been regulated through the Social Insurance Code (SFS 2010:110); however it has not changed in content but has brought together the various laws into one single law.

The so-called reformed public pension scheme consists of three parts. The principle part is the income-based pension. This Income Pension (*Inkomstpension*), is based on taxed income over the whole life-course. For those who have had a sufficient taxed income, this corresponds to both the basic and the occupational pension of the previous system. On top of this, a Premium Pension (*Premiepension*) was introduced. This is proportional to the bonus of pension premiums allocated from income tax. The money can be allocated to funds at the request of the individual or to a preselected government fund. This means that, for those with incomes sufficient for an income pension, the major part of the public pension is contributory, based on previous income, with a minor part based on premium bonuses. For those who have had no or too little taxed income to be eligible for the Income Pension a third alternative, a Guarantee Pension (*Garantipension*), was established. In order to be eligible for this pension individuals must have resided in Sweden for a minimum of three years. To be eligible for the full scheme it is necessary to have been a resident for forty years between the age of 25 and 65 years. Claimants with a shorter period of residence are eligible for 1/40 of the full pension for each year of residence in

Sweden. As regulated through unilateral measures, under this scheme eligibility is dependent on residency and contributions, and citizenship plays no role. Moreover, while the Income Pension is portable, the Guarantee Pension is not. The so-called reformed pensions system constitutes a radical rupture with the previous system, since the idea of basic protection for all, regardless of previous taxed income, was dissolved (see, for example, Kangas et al. 2010; see also Orenstein 2008).

My focus here is how this public old-age pension system covers persons who have emigrated or immigrated, and whether they are national or foreign citizens. From what we can see in the above brief presentation, it is clear that the pension scheme is not static, but a complex and moving target of analysis. I have limited the empirical focus to the part of the old-age pension aimed at basic protection, which has been regulated through unilateral policy documents and regulations. This means that, in the early period, my empirical focus is on the People's Pension; for the period after the reform in the 1990s, I apply a dual focus on the Income Pension and the Guarantee Pension. Empirically, the analysis covers a century, from 1913 and onwards.

My research questions are formulated to unsettle the epistemological privilege of sedentarism over mobility, and to contribute to knowledge production about a national social-security scheme in the light of a de-nationalized framework. They focus on questions about the access which both national and foreign citizens (after immigration to Sweden) have to the basic level of protection from the old-age pension, and on how portable this same basic protection is for national and foreign citizens after emigration and re-migration from Sweden. Of particular interest is how shifts between the different periods of time and in relation to the various groups have been legitimized. For the analysis I use historical content analysis (Bergström and Boréus 2012), considering how ideologies of policy vary over time, as expressed in documents mirroring government reasoning before the enactment of new – and amendments to already-existing – laws regulating basic protection for national and foreign immigrants and emigrants.

The portability of and access to the basic level of protection of the Swedish old-age pension are regulated by law and enacted by the Swedish parliament (*Sveriges riksdag*), and rely on so-called government “rights documents” (*Rättsdokument*) which include written reports, communications and bills. In general, the government appoints a Committee of Inquiry (*Statlig utredning*) to conduct an in-depth study of the issue. These studies, which convey the opinion of various groups in society, are published as numbered Commission Reports of the Swedish Government (*Statens Offenliga Utredningar*, *SOU*). The government lays down its proposal for new legislation in government bills (*Proposition*, *Prop.*), sometimes also issuing written communications (*Skrivelse*, *Skr.*) to parliament. Government bills and written communications convey the opinion, as well as the arguments, of the government. The various government departments might also issue reports and proposals reflecting

their opinion and arguments; these are published in the Government Department Series (*Departementsserien, Ds.*). These written documents are relevant sources of empirical data for the analysis of the normative underpinning and legitimation of Swedish laws and are referred to in the analysis below.

6 The Transnational Outreach of the Swedish Old-Age Pension

The Swedish old-age pension has changed in its trans-/national outreach over time. The analysis presented here, relying on policy documents and unilateral regulations of the basic protection of the old-age pension over a one-hundred-year period, shows that it can be divided into four sequential steps of development (see also Righard 2017). The first period is characterised by a scheme for nationals in Sweden; in the second this is extended to include nationals living outside Sweden and those return-migrating there; in the third period the scheme is further extended to include foreigners in Sweden and the fourth, which is framed by the reformed old-age pension, is characterised by a transnational scheme for the wealthy and a sedentarist scheme for the poor.

The first period, starting with the implementation of the first old-age pension in 1913, was characterised by a scheme for nationals registered as domiciled in Sweden only; the transnational outreach is non-existent. In these first regulations of the pension scheme, differences between national and foreign citizens were not mentioned; the government reports and bills made it seem quite “natural” that the old-age pension should only cover national citizens registered and residing in Sweden (see Prop. 1913:126; Prop. 1935:217; Prop. 1946:220). This did not change until the early 1960s.

The second period, starting in the early 1960s, reached out to nationals who had emigrated, and to nationals who had return-migrated to Sweden. This reach-out emerged due to a concern that Swedes who had worked their entire lives in Sweden would not be able to access their pension on retirement if they had moved out of the country; upon return to Sweden they would only be able to access it after a delayed administrative procedure of domicile registration that could take up to 18 months. It was argued that citizens with “strong ties” to Sweden should be able to access their pension both abroad and immediately on return to the country.

In 1962 the regulation of the old-age pension was revised to include national citizens both living abroad and returning to Sweden (see Prop. 1962:90). The revision was limited to nationals with “strong ties” to Sweden, and the preparatory work preceding the bill saw lengthy discussion about the meaning of these ties. It was agreed that, if a person had been registered as domiciled in Sweden for a minimum of five years close to her/his pension age (65 years) – i. e. between the ages of 57 and 62 – it was very probable that he/she had “strong ties”. It was named the 57–62 rule

and meant that national citizens who fulfilled this criterium were eligible for the full People's Pension for an unlimited time after emigration from Sweden. Reading the documents, the rationale for this rule – which was later criticized for being too arbitrary – remains unclear,

In 1967, the regulations of the old-age pension scheme were amended to further strengthen the rights for national citizens. From now, all the latter who migrated back to Sweden would access the pension immediately without having to wait for domiciliary registration to pass through the administrative machinery. In practice, this only had relevance for national return-migrants who did not have immediate access according to the 57–62 rule (Prop. 1967:73).

The third change to the transnational outreach scheme was implemented in 1979. It involved not only an extension of access to the People's Pension for foreigners in Sweden, but also an amendment of the criticised 57–62 rule (Prop. 1978/79:75). The driver in this development was a growing critique of the existing rules allowing national citizens with “strong ties” to Sweden to receive the public old-age pension abroad, whereas foreign citizens in Sweden, sometimes following a long working career and, in many cases, with strong ties to Sweden, were not entitled to the basic level of old-age pension.

In this debate, the eligibility criteria of the People's Pension and the Public Occupational Pension were discussed in conjunction. It was argued that the People's Pension, which was a flat-rate sum, should instead be considered ‘contributory’, like the Public Occupational Pension, and calculated in proportion to the number of years worked in Sweden. This meant that a wider group of citizens were eligible for the pension while abroad, but not necessarily for the full benefits. The same government bill introduced access to the People's Pension for foreign citizens who had resided in the country for ten years or more, (see Prop. 1978/79:75). While, until then, transnational outreach had been all about emigrated national citizens, here access for foreign citizens was introduced. It is also noteworthy that the portability of the pension for foreign citizens was never an issue. Moreover, it can also be argued that it was here, and not in the 1990s, that the basic protection of the old age pension was first conceptualised as a contributory factor relative to number of years of residence – a form of territorial rootedness.

The fourth period of transnational outreach occurred at the backdrop of the restructuring of the scheme and involved two major amendments. In 1994, the government decided that the public old-age pension scheme should be reformed (see government bill Prop. 1993/94:250), and in 1998 it was changed by law (Prop. 1997/98:151; Prop. 1997/98:152). While these decisions are generally identified as pivotal to the reforms of the 1990s, this development pathway was already laid down in 1992 when the access to and portability of the basic protection of the old-age pension were changed.

In 1992 Sweden signed the European Economic Area (EEA) agreement. This meant that the country entered a single market with the free movement of persons, goods, services and capital. It also meant that member-states' citizens had the right to access the basic level of protection of their retirement pension after immigration to Sweden, and to maintain it after emigration to another member-state. This would, from a Swedish perspective, entail unacceptable costs (SOU 1990:76). Later that same year, the government then decided that Sweden should reform its pension scheme so that eligibility was based on residency and contributions (see Ds. 1992:89). While it resembled the revision of the scheme in the late 1970s, this was the first time that ideas of a contributory scheme were explicitly pronounced. It was institutionalized in a stepwise manner, first through adaptation to the European Community Regulations in 1992 (see Prop. 1992/93:7; SFS 1992:1277), then through the 1994 decision to reform the pension system (Prop. 1993/94:250), and, finally, the introduction of the Guarantee Pension and Income Pension in 1998 (Prop. 1997/98:151; Prop. 1997/98:152).

Interestingly, while there are strong links in content between these three decisions, there is a discrepancy between the problem definition in 1992 compared to those in 1994 and 1998. While, in 1992, it was intra-EEA mobility that was problematised, in 1994 and 1998 it was instead demographic trends and an economic instability built in to the system. The problem with demographic trends refers to population ageing, which means that the working population is shrinking in proportion to the pensioners it has to support. The problem with built-in economic instability means that pension payments followed the price index instead of the wage index, resulting in pension payments not being proportionate to paid contributions. These situations called for a reform of the pension system, at least according to government bills (Prop. 1997/98:151; Prop. 1997/98:152). From a wider perspective they occurred in conjunction with pension reforms in many other countries and can, thus, be regarded a product of global social policy, altering the postwar social contract between the state and its people and instead increasingly relying on paid contributions (Orenstein 2008). In terms of transnational outreach, it is noteworthy that, while the reform had its set-off in response to intra-EU mobility, it ended with a system which, in its unilateral regulation, involved high degrees of mobility for retirees on an Income Pension, and low degrees of mobility for pensioners with a Guarantee Pension. While the reforms in the 1910s and 1960s/70s involved redistribution both across the life course and between groups, in the 1990s it was less focussed on the former and more on the latter.

7 Layers of Access and Portability

Belonging is generally crucial in relation to welfare-state entitlements. The conceptualisation of this belonging after immigration and emigration has varied for nationals and foreigners, as well as over time. Most significantly, as regards the old-age pension, it was initially only nationals who had access; today citizenship does not play a role, at least not in its regulation –however, in its consequences it does.

Initially pension rights were only accessible for nationals within the nation. They were later extended to include both nationals – post-emigration and immediately (without waiting time) following return migration – and post-immigration foreigners. Under the old pension system, the portability of rights was never introduced for foreigners. These differences of access and portability between nationals and foreigners were abolished with the introduction of the reformed system in the 1990s, the regulations of which were independent of citizenship and applied equally for all. While this might give the impression that it functions to strengthen equality between groups, in fact it has contributed to their increased inequality. What comes into play here are bi- and multilateral international agreements within the social field, discussed above in terms of international social policy. In Sweden, international agreements were first made possible through the act on the People's Pension in 1935 (SFS 1935:434). From the 1950s onwards, Sweden concluded a large number of such agreements (see Boguslaw 2012). All were negotiated separately and varied in content, but had in common that they specified how social rights could be transferred between the contract countries by their citizens.

There is, as regards social rights in situations of emigration and immigration, a principle choice between universalism and particularism. Particularistic regulations give access to and/or enable the portability of social rights for certain groups of emigrants and immigrants. Universal regulations, on the other hand, are the same for all, but can, at least sometimes, be combined with international agreements, thus enabling the transfer of social rights between countries when the universal regulations do not suffice. This choice of principle was a contentious issue which was discussed before the introduction of the first particularistic regulation in 1962. The government bill points out that “The ongoing international development of international social policy seems to be developing in favour of the abolition of nationality as grounds for the right to social benefits and to be against special regulation where their own national citizens are concerned” (Prop. 1962:90, 279). This means that the Swedish government was in favour of universalism and international agreements, and that the special regulations of 1962 and 1979 were implemented with some hesitation.

The reformed pension system presents us with both general regulations combined with international agreements. Its unilateral regulation makes distinctions not between national and foreign citizens but, rather, between persons both with and without certain levels of income. Public pension rights for persons with an income

are mobile, but for those with no or a limited income, not only is access dependent on an extended period of residence in the country, but they must also remain in residence to maintain their rights, at least if they are not citizens of a country with an international agreement. However, and as a downside, at least from a social justice perspective, the conclusion of international agreements follows certain patterns. In effect, the reformed pension scheme has contributed to increased inequality gaps between pensioners in Sweden, with retirees from countries with no international agreements being overrepresented among the older poor. As we might expect, these are often elderly people who have moved to Sweden from a non-member country of the Organisation for Cooperation and Development (OECD) (SOU 2010:105). In this way, the public pension scheme functions to reproduce patterns of global inequality within the national population.

A relevant question for further research regards how contract countries are selected and how the contents of international agreements are negotiated. Are these countries, for instance, primarily relevant from an emigration or an immigration perspective? Or are migration pathways maybe not providing guidance but concern, instead, industrial or economic relations between the countries?

8 Old-Age Pensions as a Redistribution across the Individual Life Course vs between Groups

The preparatory work in commission reports and government bills leading up to the establishment of the first old-age pension in 1913 echoes an engaged voice unconcerned with prevalent social injustices. The focus was on redistribution over the life course and between classes, with the prime aim of taking the masses of dependent elderly people off poverty relief. Foreign citizens had no access and portability was not an option at all. While this definitely was a period of assumed sedentarism, it was also one of national solidarity. This same voice of solidarity continues to speak through the commission reports and government bills up until the fully-fledged People's Pension was put in place in 1946.

As a mobility perspective was integral to the debate in the 1960s, it was first included in relation to nationals and, later, to foreigners. The first case was a matter of enabling national emigrants to maintain rights that were already theirs; the second case, however, at least to some extent, replicates the voice heard in the 1910s. The government reports and bills echo an engaged voice, this time unconcerned with the large numbers of foreign immigrants who could not access the People's Pension. It was also argued that foreigners residing in the country should be able to maintain their foreign citizenship; this was regarded as an important aspect of a multicultural society. These lines of argumentation can be understood in the light of contemporary developments in global social policy, as discussed above.

In the 1960s, the principle of equal treatment between national and foreign citizens grew in strength and became an international issue taken up by, for instance, the International Labour Organization (ILO). In the view of this, it can be regarded as a global policy. In 1964, Sweden ratified ILO Convention No. 118 about the right of foreigners to be on an equal footing with host-country nationals regarding social protection (SFS 1964:57). The equal treatment of national and foreign citizens was also strongly emphasized in the commission reports from the so-called Immigrant Investigation (*Invandrarutredningen*) that functioned in 1968–1975. One of the reports presented figures showing that 13 per cent of the foreign citizens in the group of elderly people in Sweden did not access even the basic level of old-age pension, the People's Pension. The situation was problematised as serious and the commission suggested that foreigners, after a period of residence in Sweden, should be able to access a basic pension (SOU 1974:69, 148). The principle of equal treatment was integrated into different social protection schemes at varying speeds (see Johansson 2010 for a comparison of the People's Pension and the Public Occupational Pension). In 1979, foreign citizens gained access to the People's Pension after ten years of residence in the country (Prop. 1978/79:75).

In the preparatory work leading up to the reforms of the 1990s, the government reports and bills echo quite another voice. At that time, it was emphasised that, if you had worked and had a good income, this would also be visible in your (high) pension; likewise, if your income had been low, the pension would also be low. Of course, this mirrors the overall and different political climates of the 1960s and 1990s, the former being a decade marked by the radicalisation of the social, and the 1990s by the radicalization of individual responsabilization. However, while it is obvious from the national government reports that the development was influenced by global actors in the 1960s, we can see that it was less so in the 1990s. Yet, studying pension reforms in the 1990s from a cross-national perspective shows that, in the 1990s, too, global actors were influencing the development – to the extent that it has been argued that it should be understood as global policy (Orenstein 2005). This is, at least partly, how we can understand the implementation of particularistic solutions in the 1960s and the abolishment of these in the 1990s from a multiscalar perspective.

9 Concluding Remarks

The aim of this article has been two-fold. It set out to present a de-nationalized analytical framework for the study of national social policy, and to show how this contributes new insights compared to more sedentarist approaches. The empirical analysis focussed on the Swedish public old-age pension. It posed questions about access to and the portability of rights to the basic public old-age pension for national

and foreign citizens after immigration to and emigration from Sweden, and about how policy shift can be understood from a historical perspective. It has drawn on a content analysis of unilateral regulations, including government reports and bills, and shown how the Swedish pension scheme has developed from being sedentarist – including nationals in Sweden – over a period, with some compensatory tools for emigrated nationals and immigrated nationals and foreigners, and become a scheme that is mobile for those with sufficient pensionable income and sedentarist for those with low or no incomes.

The use of this de-nationalized approach provides us with important insights that could not be captured by an analytical framework questioning immigrant integration. Apparently, a concern about emigrated and returned nationals seems to be one of several drivers to include foreign immigrants in public social security schemes. The transnational outreach of the public pension scheme, as it developed in the 1960s and 1970s, was first established for nationals, and only later for foreigners. Importantly, the historical perspective contributes insights into how these dynamics change over time. Today, pension rights are dependent on contributions and years of residency. Nationality has no direct impact, only indirect. While the role of bi- and multilateral agreements goes beyond the scope of the empirical analysis presented here, obviously citizenship impacts on how pension rights can be transferred between countries, with far-reaching consequences for the dynamics of social inequality among the elderly in Sweden.

We know from previous research that the elderly take into consideration the old-age pension schemes in their migration decision, although access to and the portability of them is typically only one out of several factors influencing this decision (Ackers and Dwyer 2004; Gehring 2017). This historical analysis, reliant on unilateral measures, indicates that the old-age pension scheme can function to lock in the poor, since the Guarantee Pension cannot be drawn outside Sweden, but can benefit the mobility of the rich since the Income Pension is portable. On this point, Sweden differs from countries like France and the Netherlands, which have special schemes providing a life-long benefit for non-national elderly people with low incomes and who return to their home countries on a permanent or semi-permanent basis (Böcker and Hunter 2017). While globalization, uncontestedly, is an uneven phenomenon across locations and between groups, my analysis has indicated that the public old-age pension scheme also functions to strengthen this inequality.

10 References

- Ackers, Louise, and Peter Dwyer. 2004. Fixed Laws, Fluid Lives: The Citizenship Status of Post-Retirement Migrants in the European Union. *Ageing & Society* 24(3): 451–475.
- Anderson, Bridget. 2019. New Directions in Migration Studies: Towards Methodological De-nationalism. *Comparative Migration Studies* 7(36): 1–13.
- Basch, Linda, Nina Glick Schiller, and Cristina Szanton Blanc. 1994. *Nations Unbound: Transnational Projects, Postcolonial Predicaments, and Deterritorialized Nation-States*. Basle: Gordon and Breach.
- Beck, Ulrich. 2000. The Cosmopolitan Perspective: Sociology of the Second Age of Modernity. *British Journal of Sociology* 51(1): 79–105.
- Bergström, Göran, and Kristina Boréus. 2012. Idé- och ideologianalys. Pp. 125–168 in *Textens mening och makt. Metodbok i samhällsvetenskaplig text- och diskursanalys*, edited by Göran Bergström and Kristina Boréus. Lund: Studentlitteratur.
- Böcker, Anita, and Alistair Hunter (2017) Legislating for Transnational Ageing: A Challenge to the Logics of the Welfare State. *European Journal of Ageing* 14(4): 353–363.
- Boguslaw, Julia. 2012. *Svensk invandringspolitik under 500 år, 1512–2012*. Lund: Studentlitteratur.
- Clarke, John. 2005. Welfare States as Nation States. Some Conceptual Reflections. *Social Policy and Society* 4(4): 407–415.
- Dahinden, Janine. 2016. A Plea for the ‘De-Migranticization’ of Research on Migration and Integration. *Ethnic and Racial Studies* 39(13): 2207–2225.
- Deacon, Bob, Michelle Hulse, and Paul Stubbs. 1997. *Global Social Policy. International Organizations and the Future of Welfare*. London: Sage.
- Elmér, Åke. 1960. *Folkpensioneringen i Sverige. Med särskild hänsyn till ålderspensioneringen*. Lund: Gleerups.
- Esping-Andersen, Gosta. 1990. *The Three Worlds of Welfare Capitalism*. Princeton, NJ: Princeton University Press.
- Faist, Thomas. 2000. *The Volume and Dynamics of International Migration and Transnational Social Spaces*. Oxford: Oxford University Press.
- Ferrera, Maurizio. 2005. *The Boundaries of Welfare: European Integration and the New Spatial Politics of Social Protection*. Oxford: Oxford University Press.
- Gehring, Anoeszka. 2017. Pensioners on the Move: A “Legal Gate” Perspective on Retirement Migration to Spain. *Population, Space and Place* 23(5): 1–11.
- Holzmann, Robert, Johannes Koertl, and Taras Chernetsky. 2005. *Portability Regimes of Pension and Health Care Benefits for International Migrants. An Analysis of Issues and Good Practices*. Washington: The World Bank, Social Protection Discussion Paper No. 0519.
- Holzmann, Robert, and Jacques Wels. 2018. The Portability of Social Rights of the United Kingdom with the European Union: Facts, Issues, and Prospects. *European Journal of Social Security* 20(4): 325–340.
- Johansson, Peter. 2010. *Sociala rättigheter och migration: Det svenska pensionssystemet i internationella situationer 1946–1993*. Stockholm: Institute for Future Studies, Working Paper 2010:15.
- Kangas, Olli, Urban Lundberg, and Niels Ploug. 2010. Three Routes to Pension Reform. Politics and Institutions in Reforming Pensions in Denmark, Finland and Sweden. *Social Policy & Administration* 44(3): 265–284.
- Levitt, Peggy, Jocelyn Viterna, Armin Mueller, and Charlotte Lloyd. 2017. Transnational Social Protection: Setting the Agenda. *Oxford Development Studies* 45(1): 2–19.
- Lightman, Ernie. 2011. Transnational Social Policy and Migration. Pp. 13–29 in *Transnational Social Support*, edited by Adrienne S. Chambon, Wolfgang Schröer, and Cornelia Scheweppe. London: Routledge.

- Lutz, Hilma. 2008. *Migration and Domestic Work: A European Perspective on a Global Theme*. Aldershot: Ashgate.
- Orenstein, Mitchell A. 2005. The New Pension Reform as Global Policy. *Global Social Policy* 5(2): 175–202.
- Orenstein, Mitchell A. 2008. *Privatizing Pensions: The Transnational Campaign for Social Security Reform*. Princeton, NJ: Princeton University Press.
- Paul, Ruxandra. 2017. Welfare Without Borders: Unpacking the Bases of Transnational Social Protection for International Migrants. *Oxford Development Studies* 45(1): 33–46.
- Righard, Erica. 2017. Transnational Social Responsibility: The Case of the Swedish Retirement Pension 1913–2013. Pp. 243–262 in *Transnational Social Policy: Social Welfare in a World on the Move*, edited by Luann Good Gingrich and Stefan Köngeter. London: Routledge.
- Righard, Erica, and Mikael Spång. 2020. Transnational Social Vulnerabilities and Reconfigurations of “Social Policy”. Pp. 472–484 in *Handbook on Society and Social Policy*, edited by Nick Ellison and Tina Haux. Cheltenham: Edward Elgar.
- Rueschemeyer, Dietrich, and Theda Skocpol. 1996. *States, Social Knowledge and the Origins of Modern Social Policies*. Princeton, NJ: Princeton University Press.
- Sabates-Wheeler, Rachel, and Rayah Feldman (eds.). 2011. *Migration and Social Protection: Claiming Social Rights Beyond Borders*. Basingstoke: Palgrave Macmillan.
- Sabates-Wheeler, Rachel, Johannes Koettl, and Johanna Avato. 2011. Social Security for Migrants: A Global Overview of Portability Arrangements. Pp. 91–116 in *Migration and Social Protection: Claiming Social Rights Beyond Borders*, edited by Rachel Sabates-Wheeler and Rayah Feldman. Basingstoke: Palgrave Macmillan.
- Sassen, Saskia. 2010. The Global Inside the National: A Research Agenda for Sociology. *sociopedia.isa*, downloaded from <http://www.saskiasassen.com/pdfs/publications/the-global-inside-the-national.pdf> (24.06.2020).
- Urry, John. 2000. *Sociology Beyond Societies: Mobilities for the Twenty-First Century*. London: Routledge.
- Wagner, Peter, Carol Hirschon Weiss, Björn Wittrock, and Hellmut Wollmann (eds.). 1991. *Social Sciences and Modern States: National Experiences and Theoretical Crossroads*. Cambridge, Mass: Cambridge University Press.
- Widding Isaksen, Lise. 2012. Transnational Spaces of Care: Migrant Nurses in Norway. *Social Politics* 19(1): 58–77.
- Wilensky, Harold L. 1975. *The Welfare State and Equality: Structural and Ideological Roots of Public Expenditures*. Berkeley: University of California Press.
- Wimmer, Andreas, and Nina Glick Schiller. 2003. Methodological Nationalism, the Social Sciences, and the Study of Migration. *International Migration Review* 37(3): 576–610.
- Yeates, Nicola. 2008. *Globalizing Care Economies and Migrant Workers: Explorations in Global Care Chains*. Basingstoke: Palgrave Macmillan.
- Yeates, Nicola, and Chris Holden (eds.). 2009. *The Global Social Policy Reader*. Bristol: Policy Press.

11 Government Bills, Communications, Reports and Acts

- Ds. 1992:89 Ett reformerat pensionsystem. Bakgrund, principer och skiss. [A Reformed Pension System. Background, principles and a plan].
- Prop. 1913:126 Kungl. Maj:ts nädiga proposition till riksdagen med förslag till Lag om allmän pensionsförsäkring och till Lag om ändrad lydelse av 17 Kap. 12 § Handelsbalken; given Stockholms slot den 28 mars 1913. [Government bill about public pension insurance]

- Prop. 1935:217 Kungl. Maj:ts proposition till riksdagen med förslag till Lag om folkpensionering m.m.; given Stockholms slott den 22 mars 1935. [Government bill about people's pensions]
- Prop. 1946:220 Kungl. Maj:ts proposition till riksdagen med förslag till Lag om folkpensionering, m.m.; given Stockholms slott den 5 april 1946. [Government bill about an act about People's pensions]
- Prop. 1962:90 Kungl. Maj:ts proposition till riksdagen med förslag till Lag om allmän försäkring, m.m.; given Stockholms slott den 9 mars 1962. [Government bill about an act for public insurance]
- Prop. 1967:73 Kungl. Maj:ts proposition till riksdagen med förslag till Lag angående ändring i lagen den 25 maj 1962 (Nr 381) om allmän försäkring, m.m.; Given Stockholms slott den 17 mars 1967. [Government bill with proposals about an amendment on 25 May 1062 in the Act about public insurance]
- Prop. 1978/79:75 Om vissa pensionsfrågor; beslutad den 30 november 1978. [Government bill about pension-related questions]
- Prop. 1992/93:7 Om rätten till folkpension m. m. [Government bill about access to the People's Pension]
- Prop. 1993/94:250 Reformeringen av det allmänna pensionssystemet. [Government bill about a reform of the public pension scheme]
- Prop. 1997/98:151 Inkomstgrundad ålderspension, m. m. [Government bill about income-based old-age pension]
- Prop. 1997/98:152 Garantipension, m. m. [Government bill about Guarantee Pension]
- SFS 1913:120 Lag om allmän pensionsförsäkring [Act on General Pension Insurance]
- SFS 1935:434 Lag om folkpensionering [Act on People's Pension]
- SFS 1946: 431 Lag om folkpensionering [Act about People's Pension]
- SFS 1959: 291 Lag om allmän tilläggspension [Act about Public Occupational Pension]
- SFS 1964:57 Kungl. Maj:ts kungörelse om tillämpningen av en av Internationella arbetskonferensen antagen konvention (nr. 118) angående utlänningars likställande med ett lands egna medborgare i fråga om social trygghet [Ordinance about the application of the convention Nr 118 about equality between foreigners and national citizens as regards social protection]
- SFS 1992:1277 Lag om ändring i lagen (1962:381) om allmän försäkring [Act about Amendment of the Act (1962:381) about Public Insurance]
- SFS 1998:674 Lag om inkomstgrundad ålderspension [Act about Income-based Old Age Pension]
- SFS 1998:702 Lag om garantipension [Act about Guarantee Pension]
- SFS 2010:110 Socialförsäkringsbalk [Social Insurance Code]
- SOU 1974:69 Invandrarutredningen 3. Invandrarna och minoriteterna [The Immigrant Inquiry]
- SOU 1990:76 Allmän pension [Public Pension]
- SOU 2010:105 Ålderspension för invandrare från länder utanför OECD-området [Old Age Pension for Immigrants from Countries Outside of the OECD Area]

Collection
Questions de genre



Thierry Delessert

Sortons du ghetto
Histoire politique
des homosexualités
en Suisse,
1950-1990

ISBN 978-2-88351-092-0
280 pages, 15.5 × 22.5 cm
Fr. 34.– / Euro 29.–

En Suisse, la « débauche contre nature » a été totalement dépénalisée en 1992. Les débats autour de la révision des codes pénaux, civil et militaire s'amorcent au début des années 1970, empreints du contexte de la Guerre froide et de l'héritage de la Seconde Guerre mondiale. Les collectifs zurichois jouent alors un rôle décisif dans cette « libération sexuelle », en faisant des homosexuel-le-s un groupe de pression légitime auprès des autorités fédérales. Ils et elles développent un vocabulaire de droit à la citoyenneté, qui aboutit cependant à une reconnaissance différenciée. Cette dernière devient alors l'objet de luttes par les LGBTQ+, qui exigent une égalité paritaire.

Cet ouvrage lève le voile sur des facettes méconnues de l'histoire des homosexualités en Suisse. À partir d'une analyse fine de la révision du droit pénal en matière sexuelle, des discours de groupes d'acteurs-clé (juristes, policier-ère-s, psychiatres, théologien-ne-s, homosexuel-le-s), ainsi que des influences des débats aux États-Unis, en Allemagne et en France, l'auteur livre une histoire politique globale des luttes homosexuelles pour une reconnaissance citoyenne.

*Ce livre retrace 40 ans de lutte
pour la reconnaissance citoyenne
des homosexuel-le-s*

Thierry Delessert est docteur en sciences politiques et historien à l'Université de Lausanne. Ses travaux portent sur l'histoire des homosexualités en Suisse et interrogent les rapports de pouvoir genrés. Le présent opus est un résultat de sa recherche postdoctorale financée par le Fonds national suisse pour la recherche scientifique.

Ideological Boundary-Making: Representing Immigrants in an Anti-Immigration Party

Dina Bader* and Alexandra Feddersen**

Abstract: How can migrant organisations affiliated to anti-immigration political parties reconcile their party's ideology with the representation of immigrants? Based on a website content analysis, this article investigates the representative claims of a migrant group affiliated to the Swiss People's Party. Comparing them to the discourse of its left-wing counterpart, the findings show that the group sets ideological boundaries between immigrants, establishing a hierarchy that enables it to contrast its members with the immigrants targeted by its party.

Keywords: Migrant organisations, radical right, representative claims, boundary-making, Switzerland

Frontières idéologiques : représenter les immigré-e-s dans un parti anti-immigration

Résumé: Comment un groupe de migrants affilié à un parti politique anti-immigration concilie-t-il l'idéologie de son parti avec la représentation des immigrés? Basé sur une analyse de contenu web, cet article analyse comment un groupe de migrants affilié à l'Union Démocratique du Centre déclare les représenter. En comparant son discours à celui de son homologue de gauche, les résultats montrent que le groupe établit des frontières idéologiques entre migrants, créant une hiérarchie lui permettant d'éloigner ses membres des migrants ciblés par son parti.

Mots-clés: Organisations de migrants, droite radicale, déclarations de représentation, frontières, Suisse

Ideologische Grenzziehung: Repräsentation von Migrantinnen in einer migrationsfeindlichen Partei

Zusammenfassung: Wie können Migrantengruppen, die einer migrationsfeindlichen Partei angehören, die Ideologie ihrer Partei mit der Vertretung von Migranten vereinbaren? Dieser Artikel untersucht mittels einer Webinhaltsanalyse, wie eine Gruppe nahe der Schweizerischen Volkspartei erklärt, Migranten zu vertreten. Ein Vergleich mit dem Diskurs ihres linken Pendanten zeigt, dass die Gruppe zwischen Migranten ideologische Grenzen zieht und damit eine Hierarchie bildet, die ihr die Distanzierung ihrer Mitglieder von Migranten ermöglicht, auf die ihre Partei abzielt.

Schlüsselwörter: Migration, rechtsradikale Parteien, Repräsentationsansprüche, Grenzen, Schweiz

* Sociology Department, New York University, NY-10012-9605 New York, dina.bader@nyu.edu

** Département des sciences de la communication et des médias, Université de Fribourg, CH-1700 Fribourg, alexandra.feddersen@unifr.ch

1 Introduction¹

Migrant associations in civil society are often organised along ethnic, cultural or linguistic lines. These forms of migrant organisations have been extensively analysed, with studies investigating everything from their role in immigrants' political engagement to why immigrants join these groups in the first place (e. g., Morales and Giugni 2011; Morales and Ramiro 2011; Portes and Fernandez-Kelly 2015; Pilati and Morales 2016). Thus far, however, much less is known about migrant organisations that are either formally or informally affiliated to a political party. Since the 1980s, several such organisations have emerged in Western Europe, either as official intra-party groups, or with the intention of supporting a specific party (Martiniello 2009). In contrast to ethnic migrant organisations, which claim to represent a specific demographic group based on shared ethnic or cultural characteristics, party-affiliated migrant organisations aim to connect constituencies from different ethnic and cultural backgrounds on the basis of a shared political ideology, in an analogous way to party-affiliated women's organisations (e. g., Childs and Kittilson 2016).

Party-affiliated migrant organisations have emerged across the entirety of the ideological spectrum, including in support of anti-immigration parties². This raises the question of how such organisations reconcile their claim to represent immigrants (and their descendants)³ with the political ideologies of their associated parties. In an attempt to tackle this question, this article examines the case of the Swiss migrant organisation *Neue Heimat Schweiz*, which supports the right-wing anti-immigration Swiss People's Party, and the ideologically opposed *SP-MigrantInnen*, an official group of the Social Democratic Party.

Drawing on a detailed website content analysis, our results indicate that political ideologies have strongly affected both of these organisations' representative claims. While the left-leaning group, *SP-MigrantInnen*, claims to represent all immigrants residing in Switzerland, the right-leaning group, *Neue Heimat Schweiz*, has set clear boundaries to its representative claims, declaring itself to be advocating only on be-

1 The authors are grateful to Leonie Mugglin, the editors of this Special Issue and the two anonymous reviewers for their helpful comments. An earlier version of this paper was presented at the 2019 ECPR General conference in Wrocław. We would like to thank Alexandre Paturel for editing and proofreading. The research was funded by the Swiss National Science Foundation as part of the project "An Improbable Commitment? Explaining Naturalized Citizens' Political Engagement in the Swiss Social-Democratic Party and the Swiss People's Party" (grant 178840).

2 These parties may be either right-wing populist or radical-right populist (for a comprehensive definition see Mudde 2007). Since, for the purposes of this article, the distinguishing feature of these parties is their hostility towards immigration, we will refer to them here as anti-immigration parties. However, this by no means entails that right-wing (or radical-right) populist parties are the only anti-immigration parties in Western Europe. That said, anti-immigration rhetoric remains a defining characteristic of this type of party (Mudde 2007).

3 By immigrants and their descendants, we are referring both to naturalised citizens and non-Swiss residents.

half of those immigrants who have “successfully” integrated into their host society. To reconcile its claim to represent immigrants with the anti-immigration agenda of the Swiss People’s Party, *Neue Heimat Schweiz* has therefore deployed a strategy we call *ideological boundary-making*. We argue that this has enabled *Neue Heimat Schweiz* to position its constituents at the top of a discursive hierarchy within the migrant population, thereby distancing them from those migrants targeted by the Swiss People’s Party’s discourse and policies. In theorising the strategy of *ideological boundary-making*, this article provides a theoretical and empirical contribution to the overlooked social phenomenon of migrant political organisations affiliated to anti-immigration parties, as well as to the study of these parties’ appeal to immigrant activists and voters.

2 Theoretical Framework

2.1 Migrant Political Organisations

Notions of political quiescence or migrant passivity have been historically prominent in the social scientific literature on European immigrants. As Martiniello (2009, 35–36) notes, immigrant workers “were not considered to be potential citizens” and were thus not “expected to be politically active”. Notwithstanding this academic blind spot, as a matter of fact immigrants who came to Western Europe in the 1950s and 1960s often participated in trade union activity, while the next generation became increasingly involved in party politics (Martiniello 2009). In the 1980s, migrant political organisations – to be understood here as structured or organised migrant groups inside of, or affiliated to, established political parties – emerged in Western Europe. Sewell’s (1993) subsequent seminal study of the black section of the British Labour Party in the 1980s lay the groundwork for research on these party-affiliated and intra-party migrant organisations.

However, the scarce research since carried out on these types of migrant organisations has largely focused on investigating their role in migrant political representation, as well as their implications for the political parties themselves. Broadly speaking, this research has found that, in addition to the standard functions carried out by most other party-affiliated organisations – for example, membership recruitment, leadership formation, and so forth – migrant organisations additionally fulfil four key purposes. Firstly, they form gateways into political participation for immigrants, since parties are gatekeepers of the access to institutional politics and conventional political participation (Michon and Vermeulen 2013). As such, migrant political organisations are “welcoming forums”, which “function as first points of contact and/or ‘safe spaces’ for party members with migration background and/or (potential) party members interested in migration and integration policy” (Markard and Dähnke 2017, 817). Secondly, as Laurence and Maxwell (2012,

24–25) underline, migrant organisations often work both to communicate the parties’ “friendliness to voters with an immigrant background”, as well as to serve as their “de facto spokespeople [...] on integration issues”. Thirdly, they may allow for better coordination of immigrant party members, while also enabling the latter to have greater leverage when addressing shared demands on the party. Finally, they can act as “watchdogs” over party policies regarding immigrants and immigration writ large (Wauters et al. 2018).

As discussed in the context of intra-party women’s groups (e. g., Childs and Kittilson 2016), the notion of substantive representation thus constitutes the basis of these intra-party or party-affiliated migrant organisations. Substantive representation here refers to representation “acting in the interest of the represented, in a manner responsive to them” (Pitkin 1972, 209). The aim of such groups is therefore not merely to give more visibility to party members identifying with a specific demographic, but furthermore to enable the party to deliver a more substantive representation of that demographic (Wauters et al. 2018).

2.2 Political Ideology and Multicultural Conservatism

Scholars studying migrant political organisations have found that migrant organisations are affiliated to political parties across the ideological spectrum. In the UK, for example, this has been true of both the Labour and Conservative parties since the early 1980s (Sewell 1993; Shukra 1998). In Germany, almost every party has an affiliated migrant organisation, for example the *Arabische Sozialdemokraten*, *Immigrün*, *Deutsch-Türkisches Forum* and *Liberale Deutsch-Türkische Vereinigung* (Laurence and Maxwell 2012). Thus, while existing research indicates that left-wing parties are generally more open to immigrants (e. g., Carvalho and Ruedin 2018), and correspondingly receive more support from immigrant voters (e. g., Michon and Vermeulen 2013), parties on both the left and the right have immigrant members, and try to appeal to immigrant voters and candidates (e. g., Burchianti and Zapata-Barrero 2017).

Left-leaning parties are generally considered “the most important ally for migrants” in institutional politics (Giugni and Passy 2006, 198). This reputation may be due to how these parties emphasise “egalitarian policies and social justice targeting the marginalized” (Wauters et al. 2016, 6). In the German case, for example, Schönwälder (2012) finds that the Greens and the Social Democrats explicitly mention their willingness to include more immigrant members in their election programs, while Burchianti and Zapata-Barrero (2017) come to similar conclusions in the Spanish context. In Switzerland, Strijbis’ (2014) findings indicate that the Social Democratic Party is clearly preferred by many immigrant citizens, notably as the party mobilises a more liberal discourse on immigration (see also Ruedin 2013). However, as Strijbis (2014) also highlights, the Swiss People’s Party (currently the largest party in the Swiss legislature), is the second most appealing

party for immigrant voters. This may seem surprising, as the Swiss People's Party is what Mudde (2007) would call a "populist radical right party", which promotes a conservative and anti-immigration agenda (Ruedin 2013). Yet, this case exemplifies a more general trend, according to which right-wing parties seek to appeal to immigrant voters and candidates, even as they pursue restrictive immigration policies and entertain explicitly xenophobic discourses. For example, Bird and colleagues (2010) demonstrate that right-wing parties in Canada were sometimes more likely to bring up ethnic minority-related issues than their left-wing counterparts. In fact, as Burchianti and Zapata-Barrero (2017, 842) note, right-wing parties often "oppose the idea that advocating for a restrictive policy on immigration means that they are less inclined to include immigrants in their ranks".

At first glance, the commitment of racial or ethnic minorities to right-wing parties that overtly express racist or xenophobic views appears puzzling. In the American context, Dillard (2001) argues that members of the Republican Party who come from minority backgrounds are what she calls "multicultural conservatives".⁴ Namely, they reject the identity politics commonly associated with the left, as well as the corresponding victimisation of minority groups. By contrast, they support notions of sameness, patriotism and "national" values (Dillard 2001, 77). Moreover, they campaign against state intervention in the realm of structural inequalities and believe in "the redemptive possibilities of assimilation, individualism, and character" (Dillard 2001, x). Conducted twenty years ago, Dillard's study demonstrates that the participation of minority groups in the political right is by no means a new phenomenon. Nevertheless, scholarship on this "improbable" relationship is scarce and predominantly North American (see also Prisock 2018). Moreover, existing research has not yet addressed how multicultural conservatives, inside or affiliated to anti-immigration parties, claim to represent their fellow citizens. Meanwhile, it is only by studying the political engagement of these rather unusual supporters of the political right that the full complexity of migrant political organisations may be further theorised.

2.3 Representation and Boundary-Making

According to Saward (2006, 305), political actors make representative claims when they purport "to represent or to know what represents the interests of someone or something". Defining who or what is represented thereby entails establishing boundaries between those who are represented and those who are not. "Boundary-making" is the process of creating political groups by defining these representative limits (Wimmer 2013; Duemmler and Dahinden 2016). At the same time, such boundaries are fluid, and remain strongly related to the political projects that give

4 Following Dillard (2001), the term "multicultural" here refers to the diversity of subject positions within the mainstream conservative party, and not their (acknowledged lack of) support to multiculturalism.

rise to them. Drawing on Tajfel and Turner (1986, 15), we understand a group in this context to be a “collection of individuals who perceive themselves to be members of the same social category, share some emotional involvement in this common definition of themselves, and achieve some degree of social consensus about the evaluation of their group and of the membership in it”. To the extent that groups rest on self-established criteria and perceptions of sharedness, they are constituted by fundamentally “symbolic” boundaries (Lamont and Molnár 2002).

This definition, we contend, is what may best explain the particularity of migrant political organisations in relation to ethnic or cultural migrant organisations. Migrant political organisations connect persons from different backgrounds for the sake of a shared political goal. Drawing on Putnam (2000, 22), they may therefore be described as “bridging” associations – that is, groups or networks “encompassing people across diverse social cleavages”. As such, they differ from ethnic minority associations, which reinforce “exclusive identities” (Putnam 2000, 22) by bringing together persons of the same ethnic or cultural background (see also Bird et al. 2010). The nature of Putnam’s (2000) clear-cut distinction between “bridging” and “bonding” associations is, admittedly, ideal-typical, and most existing organisations will be located between these categorisations. However, as of yet, the research on migrant *political* organisations has not clearly defined how they differ from other migrant groups. Putnam’s theory enables researchers to highlight how migrant political organisations are constituted beyond any set of cultural or ethnic characteristics. Sharing a similar background (here, a migration experience) does not *per se* bring all individuals together. Uncovering the process of boundary-making in group formation is thus crucial for understanding how migrant political organisations inside of, or affiliated to, political parties may challenge any conception of “immigrants” as forming a homogenous demographic with a correspondingly uniform political representation.

3 Data and Methods

Investigating party-affiliated migrant organisations in Switzerland is particularly meaningful. The country has a long-established community of immigration and foreign nationals, who together represent approximately a quarter of the population (OFS 2019). According to the Migrant Integration Policy Index (MIPEX 2015), Switzerland is among the countries in which it is hardest for foreign nationals to become citizens (ranked 31 out of 38). However, Switzerland does permit a degree of political participation to immigrants (ranking 12 out of 38 on the same index), especially for the residents of cantons or municipalities that grant voting rights to

foreigners at the local level.⁵ Against that backdrop, the political representation of immigrants (whether naturalised or not) is a crucial question, as it is one of key ways in which immigrants can safeguard their political participation. Given Switzerland's multiparty system, several parties across the political spectrum may appeal to immigrants. This makes the commitment of a migrant group to a radical-right party with an anti-immigration agenda particularly noteworthy. To answer our research questions, we have focused on the case of the migrant group *Neue Heimat Schweiz*, which is affiliated to the Swiss People's Party. At the same time, for the purpose of a comparative analysis, we have selected an ideologically opposed migrant group, the left-leaning *SP-MigrantInnen*. In having selected *Neue Heimat Schweiz* and *SP-MigrantInnen*, we examine the migrant organisations affiliated to the two leading political parties in Switzerland⁶ and preferred parties of immigrant voters and their descendants, as mentioned earlier.

Neue Heimat Schweiz and *SP-MigrantInnen* were created at around the same period (2010 and 2012 respectively), and their members' typical profiles are also similar. Both organisations include the first and second generations of a wide range of mostly underrepresented nationalities among immigrants in Switzerland⁷ (notably from Turkey, Kosovo and former-Yugoslavian countries, among many others). However, unlike *SP-MigrantInnen*, which is a national section of the Social Democratic Party, *Neue Heimat Schweiz* is not officially part of the Swiss People's Party. Nonetheless, several factors suggest a close connection between *Neue Heimat Schweiz* and the Swiss People's Party, enabling us to compare the former to standard party-affiliated groups. Firstly, the founder of *Neue Heimat Schweiz*, Yvette Estermann, is a Swiss People's Party national councillor (member of parliament), while the chair of the Zug section, Niko Trlin, is a party candidate. Secondly, the chair of the Basel section, Jasna Milanovic, declared in a press interview with the newspaper *Tageswoche*⁸ in July 2014 that she founded the cantonal subgroup following the suggestion of a party representative. Thirdly, elected representatives of the Swiss People's Party, including then party president Toni Brunner, attended *Neue Heimat Schweiz*'s inaugural event, affirming its status as an accepted organisation. Finally, as our analysis of their website indicates, members of *Neue Heimat Schweiz* regularly attend events organised by the Swiss People's Party and collect signatures for its popular initiatives⁹.

5 Switzerland being a federal state, a considerable amount of leeway is given to sub-national entities, notably the cantons.

6 The Swiss People's Party was credited with a 25.6% vote share during the 2019 national election, while the Social Democratic Party received 16.8% of the vote.

7 In 2018, the great majority of foreign residents in Switzerland were citizens of neighboring countries (e.g., Germany, France and Italy; OFS 2019).

8 Duong, Yen. 11.07.2014. Ich finde die SVP nicht ausländerfeindlich. *Tageswoche*.

9 Popular initiatives are instruments of direct democracy that allow Swiss citizens to propose a total or partial amendment of the federal Constitution, subject to a vote of the Swiss people. They require the signature of 100 000 citizens.

To analyse the representative claims of *Neue Heimat Schweiz* and *SP-MigrantInnen*, we carried out a content analysis of their websites.¹⁰ This well-established methodology for the study of political groups hinges on an examination of their official statements, thereby yielding insights regarding their political ideology, the political demands that bring their members together, and the rationales for their political affiliations (see Gfeller and Jaggi 2001; Caiani and Parenti 2013; Krämer 2017). Meanwhile, websites are privileged platforms of investigation, as they function as virtual ports of entry into understanding how these groups address potential members while publicly defending their political positions.

To understand how these groups present themselves to the public, we examined the general design of their respective websites, including their featured pictures. We then collected all of the text published on both websites (including attached press interviews and electronic flyers¹¹) – as of November 20, 2018 for *Neue Heimat Schweiz*, and December 31, 2018 for *SP-MigrantInnen*.¹² To reconstruct the groups' representative claims, we drew on a codebook of 13 thematic codes, using sentences as units of analysis and allowing overlapping codes. We investigated the groups' collective identity (Melucci 1995) by looking at how they justify both their political affiliations as well as their reasons for mobilising the immigrant community (2 codes). We examined how they represent their members, immigrants more generally, the Swiss people and Switzerland as a country (4 codes). We also analysed how they discuss migration-related issues (e. g., integration, citizenship and state borders), and whether they make statements on other political issues, or if they remain focused solely on migration (2 codes). Moreover, we paid attention to the type of language (including metaphors and keywords) they employed (2 codes). Finally, we analysed how they narrativised their groups' history, including accounts of the lives and personal commitments of their featured members (3 codes).

4 *Neue Heimat Schweiz*

4.1 A Political Commitment towards the Host Country

Our analysis of the website of *Neue Heimat Schweiz* shows that the group's focus is Switzerland and its prosperity. The group's name – *Neue Heimat Schweiz* (meaning “New Home Country Switzerland”) – clearly summarises its vision: Switzerland is

10 *SP-MigrantInnen's* website: <https://www.sp-ps.ch/de/partei/sozialdemokratische-bewegung/sp-migrantinnen>; *Neue Heimat Schweiz's* website: <http://www.neue-heimat.ch>. We only considered the German version of the websites. For reasons of visibility, *Neue Heimat Schweiz's* website is available in several different languages (automatic online translations in 58 languages).

11 However, we excluded comments from the online guestbook of *Neue Heimat Schweiz*, as we could not confidently identify those that were written by members of the group.

12 The total length of content available on both websites, and subsequently included in our analysis, is 58 text pages for *Neue Heimat Schweiz* and 21 for *SP-MigrantInnen*.

the country its members have chosen as their new home. The texts on the website frequently employ the pronouns “we” and “our” to emphasise its members’ inextricable link to the country. Moreover, the website features several images of Swiss landscapes (e. g., flowers, lakes, mountains), as well as the Swiss Federal Railways. The latter is particularly noteworthy as, in the Swiss popular imagination, taking the train is a synecdoche for a typical Swiss life. It is therefore unsurprising that members of *Neue Heimat Schweiz* refer to it as they describe their integration:¹³

We are polite [and] decent. [We] work and pay taxes. We have a good education, or even an academic qualification. We speak the language perfectly and greet our fellow men. We don't fight, and we mediate when possible. We also travel by bicycle or train. We pay social security. We save and spend.

The images shown on the website draw on stereotypes of Switzerland as a calm, efficient and punctual country. As the above quote demonstrates, the members of *Neue Heimat Schweiz* depict themselves in the same way. These qualities purport to demonstrate their “successful” integration, indeed assimilation, into Swiss society. In this vein, the group states:

We, the well-integrated immigrants [...] are here to fight for a safe, clean and successful Switzerland!

Neue Heimat Schweiz similarly understands these immigrants’ commitment to their “new home” as a sign of proper integration, and in fact, the very goal of their organisation. On that basis, they seek to appeal to immigrants who share the same commitment, declaring:

Well-integrated foreigners who stand up for the values of Switzerland are cordially invited to participate in the association.

As this excerpt suggests, *Neue Heimat Schweiz* claims to represent those immigrants who meet their normative criteria. As such, the group clearly draws a boundary between “bad” and “good” immigrants, defining itself as representing *solely* the latter category rather than all individuals on the mere basis of a shared experience of migration. Put differently, it aims to appeal only to those immigrants who have demonstrated their “worthiness” by integrating into the host society.

4.2 Integration as a Set of Duties

In line with Dillard’s (2001) theorisation of “multicultural conservatives”, members of *Neue Heimat Schweiz* espouse conservative values, economic liberalism, and patriotism. These form the core elements of *Neue Heimat Schweiz*’s definition of integration, while also placing them in line with the Swiss People’s Party’s stances on migration and the economy. In particular, the group has a behavioural concep-

13 All the following quotes were translated from German.

tion of integration, understood as an individual's choice to fulfil specific *duties*. Their website's title therefore reads "Integration can be easy!" (*Integration kann einfach sein!*). This statement suggests that being integrated (or not) is a matter of individual choice (*kann*); one *decides* to fulfil the duties that integration requires. Correspondingly, *Neue Heimat Schweiz* overlooks institutional obstacles to integration, such as the barriers to entering the labour market faced by persons from an asylum background (Bertrand 2019).

Our content analysis suggests that *Neue Heimat Schweiz* highlights four duties in particular. The first is learning the local language: "German is a duty!" (*Deutsch is Pflicht!*). *Neue Heimat Schweiz* makes clear in its rhetoric that linguistic proficiency preconditions integration. For example, it regularly blames immigrant parents for having insufficiently developed their children's linguistic skills.

The second duty is contributing to Swiss economic prosperity. According to *Neue Heimat Schweiz*, immigrants should serve the interest of their host country – not the other way around. For that reason, the group declares its support for migration strictly as an instrument of economic growth. As the founder of *Neue Heimat Schweiz* commented, with regard to Turkish immigrants:

I meet many well-integrated women and men who care about the well-being of the country. Whether they are employees or entrepreneurs, they will help ensure that Switzerland continues to be a common, successful home for us.

The third duty incumbent on immigrants is respecting Swiss traditions. *Neue Heimat Schweiz* – whose members are sometimes shown on their website wearing the Swiss folk dress during social events – depicts Switzerland as having a unique and singular identity. The group associates this identity with the values of neutrality, democracy and independence, while also portraying it as fundamentally Christian:

We want to protect and preserve Swiss traditions. Whoever comes to Switzerland must accept the laws, the state symbols and our traditions. Switzerland has a Christian tradition, and the flag with the cross belongs to Switzerland.

Notions of diversity and multiculturalism are accordingly absent from the vocabulary of *Neue Heimat Schweiz*. For example, when in 2011 another immigrant association called *Second@s Plus* called into question their image of an (exclusively) Christian Switzerland, the group responded by declaring:

The immigrant association 'Second@s Plus' demands the abolition of the Swiss cross! How disrespectful! [...] This group disturbs the religious peace in our country, disregards its worldwide respected symbol and is, therefore, a danger to our society! What is next? The abolition of Christian churches in Switzerland?

As this quote indicates, *Neue Heimat Schweiz* sharply distinguishes between “good” immigrants, who respect Swiss values and traditions, and “bad” immigrants, who allegedly disrespect them by defending multiculturalism.

The fourth duty is respect of Swiss rules. *Neue Heimat Schweiz* declares this duty is critical to ensuring Switzerland’s security. In this context, allusions to “bad” immigrants refer primarily to criminals. Although the group often points out that only a minority of immigrants have committed criminal acts, it nevertheless highlights foreign criminals as a significant problem, and is vocally in favour of their deportation.¹⁴

Those who abuse their right to hospitality, who do not abide by the rules and become criminals have to leave the country.

In this quotation, the use of the term “right to hospitality” (*Gastrecht*) demonstrates *Neue Heimat Schweiz*’s argument that immigration is not a right. As the chair of the Zug section declares: “To be a guest is a privilege”. In this context, the group perceives immigrant criminality as not only a sign of a lack of integration, but also as a mark of disrespect towards Switzerland’s generosity. The website explains:

Neue Heimat Schweiz is clearly in favour of stricter laws for those who do not respect the norms and laws of Switzerland, even though Switzerland is one of the countr[ies] with the most progressive policies in the world and offers excellent basic conditions to all.

In this passage, *Neue Heimat Schweiz* explicitly suggests that Switzerland is already doing enough for immigrants and that, therefore, the latter should be grateful for what they have. This constitutes a veiled criticism of the left-wing migrant organisation *SP-MigrantInnen*, which calls on the Swiss state to do much more in the way of helping immigrants to integrate. By emphasising the need for gratitude, *Neue Heimat Schweiz* suggests that the social settings for one’s *individual* integration are already established, and that *collective* claims for better conditions of integration are therefore inappropriate. This is in line with Dillard’s (2001, 67) theorisation of multicultural conservatives as urging “self-help within communities”.

4.3 Exclusion in the Name of the Country’s Prosperity

Members of *Neue Heimat Schweiz* share a meritocratic understanding of migration, which explains their emphasis on the individual responsibility of immigrants to integrate. For them, the right of immigrants to remain in Switzerland depends on the positive contribution of each individual to the country. On this point, the

14 *Neue Heimat Schweiz* supported the popular initiative entitled “For the effective deportation of foreign criminals (implementation initiative)”. This initiative, launched by the Swiss People’s Party and rejected by Swiss citizens in 2016, called for the deportation of all foreigners convicted of committing specific offences listed by the initiative.

group's support for the deportation of "criminal" immigrants enables its members to distance themselves from the Swiss People's Party's other immigrant targets. This is what the group means when it states that not all immigrants should be placed "in the same pot". Convinced that foreign criminals damage the reputation of all the "good" immigrants, *Neue Heimat Schweiz's* members declare that:

A greater help for us immigrants, secondos [i. e., children of immigrants], and foreigners would be to finally end the lenient penalty system and start the consistent deportation of criminals. This would release us from being the hostages of our 'compatriots', who harm society, disobey the law and thus stain the reputation of righteous foreigners.

Meanwhile, the group labels asylum seekers "economic refugees" (*Wirtschaftsflüchtlinge*) by defining their primary motivations for immigrating to Switzerland as economic ones, rather than political ones. Such an argument would qualify these asylum seekers as "bogus" refugees, according to the 1951 UN Refugee Convention. *Neue Heimat Schweiz* thereby also establishes boundaries to asylum seekers, advocating for them to be barred entry into the country:

In terms of surface area and population, Switzerland occupies a leading position worldwide in the welcoming of refugees. However, even with the best will, it cannot take in the 'whole world'. The attractiveness of our country as an asylum country must be radically reduced! This will reduce the number of deaths and the population can finally breathe a sigh of relief.

Nevertheless, just as the group claims to reject immigrants who allegedly seek to exploit Switzerland economically, it claims to welcome those immigrants who stand to contribute to the country's economic prosperity (itself one of *Neue Heimat Schweiz's* primary objectives). Indeed, it calls wealthy foreigners "a financial blessing for our country". On these grounds, in 2014 it vehemently opposed a left-wing initiative in Zurich proposing to abolish the flat-rate tax for wealthy foreigners.¹⁵

In the end, *Neue Heimat Schweiz* claims that stricter immigration control is necessary to protect Switzerland. As the chair of the Basel section stated in a press interview printed on the website:

[...] they [my parents] are also grateful that they can be in Switzerland. Nevertheless, I think a limitation [of immigration] makes sense. Immigration used to be more regulated – and that was a good thing.

As this extract demonstrates, members of *Neue Heimat Schweiz* affirm the state's right to select the foreigners on the basis of their "worthiness". In return, immigrants

15 The initiative titled "End of tax privileges for millionaires (abolition of flat-rate taxation)" was supported by several left-wing groups, including the Social Democratic Party and the Greens, and rejected by the Swiss citizens on November 2014.

are called on to express their gratitude towards the Swiss state and people. Adopting such a meritocratic view of migration enables them to overcome what otherwise seems like a contradiction between their political stances on immigration and their own personal backgrounds as members of the immigrant community.

4.4 Meritocracy and the Denial of Anti-Immigration Politics

Given their meritocratic understanding of migration, their hierarchical classification of the immigrant population, and their claims to represent “good” immigrants, members of *Neue Heimat Schweiz* do not consider their political affiliation with the Swiss People’s Party to be paradoxical. Instead, the group declares that their party “is committed to ‘integrated foreigners’ and naturalised persons”. As the chair of the Basel section argues:

I do not think the SVP [Swiss People’s Party] is xenophobic; it is just honest and direct [...]. In the media, the party comes across as being much stricter than it is. So far, I have only had good experiences with SVP people. [...] But if I were to perceive xenophobia in the SVP, I would have trouble getting involved with the association, because then I would feel uncomfortable.

Thus, *Neue Heimat Schweiz* rejects the idea that racism may influence anti-immigration politics. In the words of the chair of its Zug section:

For years, we secondos [children of immigrants], immigrants and foreigners, have been told that other people here hate us and do not like us at all. [...] The Swiss [...] are not racists. They just do not want the flowers in their garden to be trampled on. They just want to be treated with respect, and the Swiss laws and customs to be recognised and appreciated. They want to drink their coffee in peace, without someone spitting continuously in it. They just want to keep what makes their lives so worth living. Wouldn’t everyone want that? Is it inhumane to want to mind one’s own business? Or is it even racist?

This quote demonstrates what Boulila (2019) calls “racial denial”, a phenomenon whereby racism is merely understood as existing in inter-personal relations, but not within broader structures. Likewise, *Neue Heimat Schweiz* rejects the assumption that Switzerland could intentionally discriminate against immigrants. Rather, the group’s meritocratic view of integration and boundary-making within the immigrant population enables it to explain the lack of substantial equality for immigrants in Switzerland as being due to personal misdemeanours of individuals.

Moreover, far from understanding nationalist rhetoric as being potentially xenophobic, it perceives it to be inclusive of foreign residents. As the group declares:

[The right] defends its people, including us foreigners, [...]. The better this country is doing, the better we – being a part of it – do too.

Such a line of reasoning exemplifies how, by overlooking the discriminatory component of anti-immigration politics, *Neue Heimat Schweiz* can reconcile its representative claims with the Swiss People's Party's overtly nationalistic agenda.

5 *SP-MigrantInnen*

5.1 A Political Commitment towards Immigrants

While *Neue Heimat Schweiz* emphasises that the well-being of Switzerland may be furthered by its immigrant residents, *SP-MigrantInnen* centres that the well-being of immigrant residents may be furthered by the Swiss welfare state. The group's intended constituents and beneficiaries are clear from its name – immigrants (*MigrantInnen*). *SP-MigrantInnen* states its objective as “*the equality of all immigrants in the social, political, economic, and cultural spheres, as well as the implementation of human rights and the prevention of discrimination against immigrants*”. The frequent repetition of the term “all” in *SP-MigrantInnen*'s discourse is testament to how the group positions itself as the voice of *every* individual sharing a migration background, regardless of their individual “performance” in the integration process. From the point of view of its representative claims, there are therefore no “good” and “bad” immigrants.

5.2 Integration as a Set of Fights

SP-MigrantInnen stresses integration as a *collective* responsibility. This is not least as, from its point of view, integration is impossible without a degree of state provision to tackle existing structural barriers. *SP-MigrantInnen* makes this argument on the basis of fairness – specifically by helping immigrants as they contribute to the Swiss economy. As its website states

*We want to distribute the prosperity we have reached together more fairly.
Switzerland is strong when everyone is well – not just a few.*

Accordingly, the group understands integration as a process entailing access to a set of rights. Firstly, the “equality” to which it is committed goes beyond equality before the law, emphasising notions of substantive equality: that immigrants should have access to social goods such as housing, employment and training.

Secondly, the group advocates for equality between religions, refuting *Neue Heimat Schweiz*'s Christian-centric portrayals of Switzerland. This is exemplified by the following statement:

With the recognition [of a religious community], the canton also gains a contact partner, such that the critical needs of non-Christian communities can be satisfied on equal terms with those of the major Christian confessions.

Thirdly, *SP-MigrantInnen* supports the right of immigrants residing in Switzerland to express themselves politically, notably by being given the right to vote. Here, it draws parallels between nationality-based and gender-based prohibitions of political participation:

We, the SP-MigrantInnen, demand full political rights for all those who have settled in Switzerland. It is unacceptable that, to this day, Switzerland excludes a quarter of the population – more than two million people – from democratic participation and deprives them of the right to vote. This equals the scandal of when the Swiss federal state, founded in 1848, refused half the population – the women – their political rights until 1971.

Accordingly, with the hope of increasing the political participation of immigrant voters, *SP-MigrantInnen* provides translations of national direct democratic votes:

To allow as many immigrants as possible to read about the initiative in their mother tongue, we have printed flyers in eleven languages.

These translations also operate as a symbolic means of inviting non-Swiss citizens into active political participation. In a similar vein, *SP-MigrantInnen* has translated its call for immigrants to demand Swiss citizenship into several languages. Taken together, these actions suggest that, from *SP-MigrantInnen's* point of view, linguistic skills should not be a prerequisite for full political rights. This challenges the legal stipulation that the ability to speak one of the four national languages is a precondition of both Swiss citizenship and the right to vote at the federal level.¹⁶

5.3 Inclusion in the Name of the Country's Prosperity

SP-MigrantInnen champions a civic conception of citizenship in which being a citizen is defined by one's participation in, and acceptance into, the host society, rather than by a mere administrative decision bestowing an individual with a passport. This is shown by how the group refers to immigrant citizens as "Swiss of migratory origin", and immigrant non-citizens as "Swiss without a passport". As it states clearly:

Over two million inhabitants have no Swiss passport. They live here, they go to school with us, they play football with us or go swimming with us, they work with us, they pay taxes – they belong to us, to Switzerland.

Just as it does not advocate for distinctions to be made within the immigrant population, *SP-MigrantInnen* rejects all hierarchies normatively differentiating Swiss and non-Swiss citizens. As it states:

We, immigrants, are not second-class people. We belong to the Swiss society like everyone else. We contribute to Switzerland's prosperity and well-being

¹⁶ The prohibition only applies to national issues, as some cantons such as Geneva and Neuchâtel give foreign residents the right to vote on cantonal matters.

through our work, taxes and social security contributions. We enrich the culture through the diversity of our languages, experiences and global networks.

The frequent use of the word “diversity” further illustrates the group’s inclusive definition of Swiss national identity. This is reflected in *SP-MigrantInnen*’s statements regarding the Swiss National day:

On August 1st, Switzerland’s diversity will once again be addressed in the official speeches. And rightly so, because Switzerland has always distinguished itself through its different languages, cultures and religions.

As such, *SP-MigrantInnen* emphasises Switzerland’s pluralistic and multicultural history as the proper backdrop to the contemporary inclusion of residents from different backgrounds. Nonetheless, the group also advocates for this inclusion on the basis of the country’s general prosperity. For this reason, it declares that immigration is “*advantageous for Switzerland for many reasons*”:

Without immigration, entire economic sectors, as well as the education and social systems, would already be in great difficulty today. SP-MigrantInnen stands up for a policy that emphasises the opportunities of migration, and helps to reduce and distribute the costs and risks associated with migration as fairly as possible. Problems that arise cannot be solved by exclusion and discrimination, but, on the contrary, require mutual respect and the willingness of all parties to cooperate.

Consequently, the group calls for an “*open and positive attitude towards people who want to spend their lives in Switzerland*”. In this quote, *SP-MigrantInnen* uses the verb “want” (*wollen*) to plead for the welcoming of those who have chosen Switzerland as their country of residence. In this respect, its language differs sharply from *Neue Heimat Schweiz*, which argues that immigrants have been “allowed” (*dürfen*) to live in Switzerland. This is because, unlike its right-wing counterpart, *SP-MigrantInnen* does not champion a meritocratic understanding of migration. Instead, it conceives of migration as an inalienable human right.

5.4 Social Justice and the Denial of the Party’s internal Divisions

Given *SP-MigrantInnen*’s goal of safeguarding and furthering the rights conferred on immigrants, the group perceives the Social Democratic Party, to which it is affiliated, as the ideal “ally” for such social justice demands (Giugni and Passy 2006):

Always an advocate of social justice, the [Social Democratic Party] today counteracts the open or underhand attacks on people who are temporarily or permanently dependent on the social safety net. All those who suffer from poverty, hardship or social exclusion should be able to expect support and protection from the welfare state. Instead of stigmatising and excluding the

socially weak, the problems must be tackled at their roots, and social cohesion must be strengthened.

As this quotation suggests, *SP-MigrantInnen* perceives their affiliated party as defending the most vulnerable in Swiss society. For the group, this includes immigrants who depend on public social security – precisely those *Neue Heimat Schweiz* would shun as being allegedly unable to contribute to Switzerland’s economic prosperity.

That said, *SP-MigrantInnen*’s image of the Social Democratic Party hides the internal divisions that have prevented the latter from always taking a clear stance on immigration (Ruedin and Morales 2019). As a matter of fact, the party’s reputation of being opposed to nationality-based discrimination is relatively recent. Until the 1970s, and under the pressure of trade unions, it took a stand against open borders and viewed immigrants as a threat to Swiss employment. Meanwhile, it was the Swiss People’s Party that pushed for economic liberalism. The positions of the two parties shifted in the 1990s when the Swiss People’s Party adopted its winning formula, economic liberalism combined with cultural conservatism, while the Social Democratic Party adopted a more welcoming discourse towards immigrants (at least officially, and by no means unanimously).

All in all, our findings suggest that both *SP-MigrantInnen* and *Neue Heimat Schweiz* repackage their respective party’s ambivalence towards migration into a purportedly univocal support for immigration (notwithstanding whether this support is extended towards all immigrants, or only the allegedly “good” ones). Each migrant organisation therefore presents the ideology of their affiliated party as being perfectly aligned with their representative claims.

6 Conclusion

This paper set out to investigate how a migrant organisation affiliated to a right-wing party could reconcile its representative claims with its party’s anti-immigrant agenda. As of yet, little research had been conducted on this question, even though several studies have explored the question of immigrant support for right-wing parties more generally. To ground our own investigation, we adopted a comparative analysis, conducting a website content analysis of two opposed migrant organisations linked to the largest political parties in Switzerland respectively: *Neue Heimat Schweiz*, which is affiliated to the radical-right Swiss People’s Party and *SP-MigrantInnen*, an official group of the Social Democratic Party.

Our findings indicate that the representative claims of *Neue Heimat Schweiz* were shaped by a process we have called *ideological boundary-making*. Specifically, the group has established ideological boundaries within the immigrant population, dividing it into “good” or “worthy” immigrants and “bad” or “unworthy” ones. *Neue Heimat Schweiz* positions its members at the top of the ensuing hierarchy, thereby

distancing them from the Swiss People's Party's targets. By contrast, the left-wing migrant group draws no such distinctions, and claims to represent *all* individuals sharing an immigrant background.

Our analysis moreover shows that the use of this process of ideological boundary-making depends on two additional criteria. Firstly, ideological boundary-making depends on the migrant groups' definition of integration. For *Neue Heimat Schweiz*, integration consists of an *individual* fulfilling of a set of *duties* leading to assimilation in the host society. For *SP-MigrantInnen* integration is a *societal* responsibility, according to which a set of *rights* should be guaranteed by the state as a means of ensuring equality among all residents. Secondly, the migrant groups' respective perspectives on migration policies also play a crucial role. While both migrant groups acknowledge the presence of immigrants as being beneficial for Switzerland's prosperity, they differ on their stances on how to regulate immigration. *Neue Heimat Schweiz* calls for strict border controls and the *exclusion* of immigrants they consider to be unworthy of the host society, whereas their left-wing counterpart praises liberal immigration policies and advocates for the full *inclusion* of all immigrants.

Taken together, our results suggest that the affiliation of a migrant group to an anti-immigration party is not as "improbable" as it may seem. The right-wing group we examined shares its affiliated party's conservative values and political ideology of individualism, economic liberalism and nationalism. They have therefore aligned their representative claims accordingly. As such, our analysis empirically extends Dillard's (2001) theorisation of "multicultural conservatives" to the Swiss context. Furthermore, our findings challenge commonsensical assumptions according to which migrant political organisations are seen as "bridging" associations (Putnam 2000), which represent the immigrant population without distinction. In the case of our case study, this held true for only the left-wing *SP-MigrantInnen*. By contrast, the right-wing migrant group we examined operated more as a "welcoming forum" (Markard and Dähnke 2017) only for immigrants who are purportedly "successfully" integrated. This group draws ideological boundaries, bestowing its members with moral and political worth according to an elitist understanding of naturalisation as being a "reward" for demonstrating one's "contributions" to the economy.

This process of ideological boundary-making, we contend, is an indispensable prerequisite for a political migrant group affiliated to an anti-immigration party. *Neue Heimat Schweiz* supports the exclusion of certain immigrants because this simultaneously allows the group to embody an example of "successful" integration. For the party, the migrant group embodies "token" minority representatives (Prisock 2018). They enable the party to whitewash accusations of xenophobia and racism, and demonstrate that there is no contradiction between the inclusion of immigrant members and their political demands regarding immigration more broadly (Burchianti and Zapata-Barrero 2017). Moreover, the migrant group's meritocratic understand-

ing of immigration allows the party to pretend to be “colorblind” (Prisock 2018), in favour of being “selective” in their appreciation of immigrants.

While our case study and theorisation of ideological boundary-making provide important empirical and theoretical contributions to the analysis of migrant organisations affiliated to the political right, more research needs to be undertaken concerning this neglected domain. In particular, while our study provides insights on the *collective* commitment of right-wing migrant groups, further qualitative research is needed to explore individual members’ biographies and personal motivations for their engagement, particularly if and when immigrant members come from ethnic or cultural backgrounds that their party deem to be “unworthy”. It is only by looking at all levels of analysis that we can understand this complex phenomenon.

7 References

- Bertrand, Anne-Laure. 2019. Refugees’ Trajectories in Switzerland: Impact of Residence Permits on Labour Market Integration. *Quetelet Journal* 7(1): 71–99.
- Bird, Karen, Thomas Saalfeld, and Andreas M. Wüst (eds.). 2010. *The Political Representation of Immigrants and Minorities: Voters, Parties and Parliaments in Liberal Democracies*. Milton Park: Routledge.
- Boullila, Stefanie. 2019. Race and Racial Denial in Switzerland. *Ethnic and Racial Studies* 42(9): 1401–1418.
- Burchianti, Flora, and Ricard Zapata-Barrero. 2017. From Participation to Confinement: Challenges for Immigrants’ Incorporation in Political Parties in Spain. *Ethnic and Racial Studies* 40(5): 830–850.
- Caiani, Manuela, and Linda Parenti. 2013. *European and American Extreme Right Groups and the Internet*. London: Routledge.
- Carvalho, João, and Didier Ruedin. 2018. The Positions Mainstream Left Parties Adopt on Immigration: A Cross-Cutting Cleavage? *Party Politics*, online preview.
- Childs, Sarah L., and Miki Caul Kittilson. 2016. Feminizing Political Parties: Women’s Party Member Organisations Within European Parliamentary Parties. *Party Politics* 2(5): 598–608.
- Dillard, Angela D. 2001. *Guess Who’s Coming to Dinner Now? Multicultural Conservatism in America*. New York: NYU Press.
- Duemmler, Kerstin, and Janine Dahinden. 2016. Gehören wir dazu? Grenzziehungsprozesse und Positionierungen der zweiten Generation im Vergleich zwischen Luzern und Neuchâtel. *Schweizerische Zeitschrift für Soziologie* 42(2): 309–331.
- Gfeller, Maria, and Marco Jaggi. 2001. *Die Schweizer Parteien im Internet: eine Modellstudie*. Bern: Institut für Medienwissenschaft der Universität Bern.
- Giugni, Marco and Florence Passy (eds). 2006. *Dialogues in Migration Policy*. Lanham, MD: Lexington Books.
- Krämer, Benjamin. 2017. Populist Online Practices: The Function of the Internet in Right-Wing Populism. *Information, Communication and Society* 20(9): 1293–1309.
- Lamont, Michèle, and Virág Molnár. 2002. The Study of Boundaries Across the Social Sciences. *Annual Review of Sociology* 28: 167–195.
- Laurence, Jonathan, and Raḥsaan Maxwell. 2012. Political Parties and Diversity in Western Europe. Pp. 13–31 in *Immigrant politics: race and representation in Western Europe*, edited by Terri E. Givens and Raḥsaan Maxwell. Boulder, Colo: Lynne Rienner Publishers.
- Markard, Lea, and Iris Dähnke. 2017. Contested Discourses on Diversity and Practices of Diversity Incorporation in Political Parties in Germany. *Ethnic and Racial Studies* 40(5): 809–829.

- Martiniello, Marco. 2009. Immigrants and Their Offspring as Political Subjects. Pp. 33–47 in *Bringing outsiders in: transatlantic perspectives on immigrant political incorporation*, edited by Jennifer L. Hochschild and John H. Mollenkopf. Ithaca: Cornell University Press.
- Melucci, Alberto. 1995. The Process of Collective Identity. Pp. 41–63 in *Social Movements and Culture*, edited by Hank Johnston and Bert Klandermans. Minneapolis: University of Minnesota Press.
- Michon, Laura, and Floris Vermeulen. 2013. Explaining Different Trajectories in Immigrant Political Integration: Moroccans and Turks in Amsterdam. *West European Politics* 36(3): 597–614.
- MIPEX. 2015. Migrant Integration Policy Index. Available from: <http://www.mipex.eu/> (04.05.2020)
- Morales, Laura, and Marco Giugni (eds.). 2011. *Social Capital, Political Participation and Migration in Europe: Making Multicultural Democracy Work?* London: Palgrave Macmillan UK.
- Morales, Laura, and Luis Ramiro. 2011. Gaining Political Capital Through Social Capital: Policy-Making Inclusion and Network Embeddedness of Migrants' Associations in Spain. *Mobilization: An International Quarterly* 16(2): 147–164.
- Mudde, Cas. 2007. *Populist Radical Right Parties in Europe*. Cambridge: Cambridge University Press.
- OFS. 2019. *La population de la Suisse en 2018*. Neuchâtel: Office fédéral de la statistique.
- Pilati, Katia, and Laura Morales. 2016. Ethnic and Immigrant Politics Vs. Mainstream Politics: The Role of Ethnic Organisations in Shaping the Political Participation of Immigrant-Origin Individuals in Europe. *Ethnic and Racial Studies* 39(15): 2796–2817.
- Pitkin, Hanna F. 1972. *The Concept of Representation*. Berkeley, Los Angeles: University of California Press.
- Portes, Alejandro, and Patricia Fernandez-Kelly (eds.). 2015. *The State and the Grassroots. Immigrant Transnational Organisations in Four Continents*. New York: Berghahn.
- Prisock, Louis G. 2018. *African Americans in Conservative Movements: The Inescapability of Race*. Palgrave Macmillan.
- Putnam, Robert D. 2000. *Bowling Alone*. New York: Free Press
- Ruedin, Didier. 2013. Obtaining Party Positions on Immigration in Switzerland: Comparing Different Methods. *Swiss Political Science Review* 19(1): 84–105.
- Ruedin, Didier, and Laura Morales. 2019. Estimating Party Positions on Immigration: Assessing the Reliability and Validity of Different Methods. *Party Politics* 25(3): 303–314.
- Saward, Michael. 2006. The Representative Claim. *Contemporary Political Theory* 5: 297–318.
- Schönwälder, Karen. 2012. Cautious Steps: Minority Representation in Germany. Pp. 67–85 in *Immigrant Politics: Race and Representation in Western Europe*, edited by Terri E. Givens and Rahsaan Maxwell. Boulder, Colo: Lynne Rienner Publishers.
- Sewell, Terr A. 1993. *Black Tribunes: Black Political Participation in Britain*. London: Lawrence Wishart.
- Shukra, Kalbir. 1998. *The Changing Pattern of Black Political Participation in Britain*. London: Pluto Press.
- Strijbis, Oliver. 2014. Migration Background and Voting Behavior in Switzerland: A Socio-Psychological Explanation. *Swiss Political Science Review* 20(4): 612–631.
- Tajfel, Henri, and John C. Turner. 1986. The Social Identity Theory of Intergroup Behavior. Pp. 7–24 in *Psychology of Intergroup Relation*, edited by Stephen Worchel and William G. Austin. Chicago: Hall Publishers.
- Wauters, Bram, Floor Eelbode, and Karen Celis. 2016. Parties Matter, Right? Parties as Actors for the Substantive Representation of Ethnic Minorities. Retrieved from Pisa: <https://biblio.ugent.be/publication/7197949/file/7197950> (18.06.2020).
- Wauters, Bram, Floor Eelbode, and Karren Celis. 2018. Colorful or Colorless? Local Parties Defending Ethnic Minority Interests. *Lex Localis* 16(3): 413–430.
- Wimmer, Andreas. 2013. *Ethnic Boundary Making: Institutions, Power, Networks*. Oxford: Oxford University Press.

The Swiss Journal of Sociology was established in 1975 on the initiative of the Swiss Sociological Association. It is published three times a year with the support of the Swiss Academy of Humanities and Social Sciences.

The journal is a multilingual voice for analysis and research in sociology. It publishes work on the theory, methods, practice, and history of the social sciences in English, French, or German.

Although a central aim of the journal is to reflect the state of the discipline in Switzerland as well as current developments, articles and book reviews will be accepted irrespective of the author's nationality or whether the submitted work focuses on this country.

The journal is understood as a representative medium and therefore open to all research areas, to a plurality of schools and methodological approaches. It neither favours nor excludes any research orientation but particularly intends to promote communication between different perspectives. In order to fulfil this aim, all submissions will be refereed anonymously by at least two reviewers.

The Swiss Journal of Sociology is indexed by EBSCO and Scopus and is available on Sciendo: <https://content.sciendo.com/view/journals/sjs/sjs-overview.xml>

<https://szs.sgs-sss.ch/>

© 2021

Schweizerische Gesellschaft für
Société suisse de
Swiss Sociological Association

soziologie

ISBN: 978-3-03777-248-5



Price of this issue: sFr. 48.- / € 44.-

ISSN 0379-3664

Schweizerische Gesellschaft für Soziologie
c/o Seismo Verlag, Sozialwissenschaften und
Gesellschaftsfragen AG
Hirschengraben 20
CH-8001 Zürich



Supported by the Swiss Academy
of Humanities and Social Sciences
www.sagw.ch