MEMBERSHIP AND ITS POLITICS:
When the outsider expands the formal rights of citizens.

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The tension between the formal status and the normative project of citizenship reinforces views of citizenship as an aspirational project that includes effective rather than formal equality and increasingly comprehensive social membership.

The growth of anti-immigrant sentiment in Europe is renationalizing membership politics. While ideologically strong, this renationalizing of membership is becoming institutionally weak as the EU is increasingly strong institutionally. And although the EU level is still thin compared to that of the national state, it is beginning to alter the articulation between citizenship and the national state. The institutional development of the European Union and the strengthening of the European Human Rights Court are a partial denationalizing of what has historically been constructed as national. What is significant is that this denationalizing is also fed by the emergence of multiple actors, groups, and communities increasingly keen on broader notions of political membership: they are unwilling automatically to identify with a national state even when they are citizens of that state. This is not a rejection of the national state nor a full embracing of the EU. It is a more complex distancing between the citizen and the state. This distancing is partly triangulated by some of the EU institutions, by the human rights regime, and by the ascendance of transnational civil society.

These institutional and subjective transformations in the EU clash with that other strong trend, the renationalizing of membership. Can the new, often virulent anti-foreigner nationalisms intensify even as the institutional settings of membership are becoming partly denationalized. Can growing discrimination against the alien coexist with a strengthening of the right to have rights –as is illustrated by the decisions of the European Court of Human Rights when it confirms rights of immigrants that national legislatures had tried to withdraw. And can the ideological renationalizing of citizenship coexist with the Europeanising of membership and multiple transnationalisms for identity politics?

Citizenship has historically grown and expanded through the claim-making and the demands of the excluded, be they minoritized citizens or immigrants. Further, by expanding the formal inclusions of citizenship, the national state itself contributed to create some of the conditions that eventually led to EU citizenship. At the same time, with the neoliberal ascendance of the last two decades, the state itself has been changing. One feature of this change is reduction of social obligations to citizens in the name of the neoliberal "competitive state." Thus today's states are less likely to do the legislative and judiciary work that in the past produced expanded formal inclusions. This may in turn lead to even weaker attachments of citizens to their national states. Also claim-making will increasingly be directed at other institutions, such as the European Court of HumanRights.

The tension between the formal status and the normative project of citizenship has also grown. For many, citizenship is becoming an aspirational project that should include effective, not only formal equality, and where social membership should be increasingly comprehensive. Civic globalization and human rights are further feeding this tension and therewith furthering the elements of a new discourse on rights.

These developments signal a shift in the analytic terrain for addressing the question of rights and membership, of authority and obligations. Here I examine some of these issues through a particular lens: the actual complexity of immigrant membership in Europe, especially if we take a sufficiently long temporal framing.

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BENEATH NEW NATIONALISMS, A BLURRING OF MEMBERSHIP POLITICS.

Unlike the "citizen," the "immigrant" or, more formally, the alien, is constructed in law as a very partial, thin subject. Yet the immigrant and immigration are actually thick realities, charged with content. In this tension between a thin formal subject and a rich reality lies the heuristic capacity of immigration to illuminate tensions at the heart of the historically constructed nation-state and national citizenship. These tensions are not new, historically speaking, but as with citizenship, current conditions are producing their own distinct possibilities. Further, the changes in the institution of citizenship itself, particularly its emergent deborderings of formal definitions and national locations, has implications for the definition of the immigrant. Confronted with postnational and denationalized forms of citizenship, what is it we are trying to discern in the complex processes we group under the term immigration? On the other hand, the renationalizing of citizenship narrows what we might refer to as the customary definition of the citizen and thereby that of the immigrant.

As a subject, then, the immigrant filters a much larger array of political dynamics than its status in law might suggest.

Working with the distinctions and transformations discussed thus far, we can discern the possibility of two somewhat stylized subjects that destabilize formal meanings and thereby illuminate the internal tensions of the institution of citizenship, specifically the citizen as a rights-bearing subject. On the one hand, we can identify a formal citizen who is fully authorized yet not fully recognized. Minoritized citizens who are discriminated against in any domain are one key instance. This is a familiar and well-researched condition. On the other hand, we can identify a type of informal citizen who is unauthorized by the law yet recognized by a potential community of membership, as might be the case with undocumented immigrants who are long-term residents in a community and enact membership they way citizens do. Thus, unauthorized immigrants who demonstrate civic involvement, social deservedness, and national loyalty can argue that they merit legal residency, and often get it. But even if they do not gain legal residency, we can posit a condition akin to informal citizenship that binds long-term residents, even if they are undocumented immigrants, to their communities of residence.

These are dimensions of formal and informal citizenship and citizenship practices that do not fit the indicators and categories of mainstream academic frameworks for understanding citizenship and political life. The multiple dimensions of citizenship engender strategies for legitimizing informal or extra-statal forms of membership. The practices of these undocumented immigrants are a form of citizenship practices and their identities as members of a community of residence assume some of the features of citizenship identities. Supposedly this could hold even in the communitarian model, where the community can decide on whom to admit and whom to exclude, but once admitted, proper civic practices earn full membership.

Duane Michals, Joseph Cornell, 1972 from Les Rencontres d'Arles

EUROPE AND ITS MIGRATIONS

It is a fact that the immigrant groups of the past are today reasonably well absorbed, though there are important differences. These older immigrant groups, dating three or four generations back or centuries back, have given us many of today's citizens. They are not the issue in today's debates. But in their time, they were the issue.

Today the argument against immigration focuses on questions of race, religion, and culture, and it tends to see cultural and religious distance as the reason for the difficulty of incorporation. And this can be seen as rational. But in sifting through the historical and current evidence we find only new contents for an old passion: the racialising of the outsider as 'other'. Today the 'other' is stereotyped by difference of race, religion and culture. Equivalent arguments were made in the past when migrants were broadly of the same religious, racial and cultural group: they were seen as not fitting in with the receiving society, as having bad habits, the wrong morals, and not practicing their religion correctly. Migration hinges on a move between two worlds, even if within a single region or country – such as East Germans moving to West Germany who were seen as a different ethnic group and one with undesirable traits.

There is strong evidence of a cyclical character to anti-immigration politics and the clouding of the issues that comes with it. For centuries Europe's major economies have gone through rapid cycles of great demand and then severe expulsion, only to fall back into high demand a few decades later. In the recent past, a country like France had a desperate need for immigrants during the first world war (using Algerian immigrants in its armies) and the reconstruction in the 1920s, only to move into aggressive anti- immigrant politics in the 1930s, to then wind up once again with acute needs for foreign workers in the late 1940s, and so on. In my reading of the features of that history and the current conditions described above, this cyclical history may well still be playing its part. If we consider the growing demand for low wage workers and sharp population decline in today's EU, it is easy to see that we might actually switch to a phase of sharp demand for more immigrant workers in a decade, if not sooner.

When Italy(1990), Portugal(1991) and Spain (1992) became part of the EC free movement area, it meant integrating what had been major senders of migrants to the north, barred from further entries for work by 1973. The policy change generated widespread fears of invasions by masses of poor workers and families. In retrospective we can see how wrong this fear was. In fact, more immigrants returned home to Spain, and Italy, and Greece, and Portugal, and fewer emigrated to the North than had been expected. This was partly because now they were free to circulate and partly because their economies were developing in ways that incorporated their people.

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The same is likely to hold with the much feared migrations from the new EU members in the East. Indeed the latest figures indicate that up to 50 percent of the Polish migrants who came to the UK after EU enlargement have recently returned to Poland (Pollard et al. 2008). People with deep grievances in their home countries are far more likely to emigrate permanently than those who might be low income but are fully fledged members of their communities. We have considerable evidence showing that being low income is not enough by itself to leave your community.

We also know that many low income migrants want to come every year for a few months and then go back to their communities.

If, on the other hand, immigration is partly conditioned on the operation of the economic system in receiving countries, the latter can implement domestic policies that can regulate the employment of immigrants. Thus, if a country such as the US seeks to make manufacturing more competitive by making production cheaper using sweatshops, it is a participant in the formation of a sweated immigrant workforce. Also the growing demand for low-wage service workers in the new growth sectors of developed economies is a domestic condition. In both cases, the receiving country is not a passive bystander to the immigration process. Further, there is something these governments can do beyond controlling borders –they can make those jobs more attractive to resident immigrants and to citizens. Finally, at the global scale, receiving countries need to recognize that when they outsource jobs to low-wage countries they are building bridges for future migrations from those same countries. Yes, immigration happens in a context of economic inequality between countries and poverty in the emigration country. But poverty by itself is not enough to lead to emigration. Poverty is activated as a migration push factor – through organised recruitment by employers in the richer country, by neo-colonial bonds, etc.

The economic, political, and social conditions in the receiving country contribute in many ways to set the parameters for immigration flows. Immigration flows may take a while to adjust to changes in levels of labour demand or to the saturation of opportunities, but will always tend eventually to adjust to the conditions in receiving countries, even if these adjustments are imperfect. Thus there was a decline in the growth rate of Polish immigration to Germany once it was clear that the opportunities were not as plentiful, and this movement was replaced by circular migration in many East to West flows, including from the former East Germany to West Germany. The size and duration of flows is shaped by these conditions: it is not an exogenous process shaped only by poverty and population growth elsewhere, and hence autonomous from the accommodation capacities of receiving countries.

A major addition to this making of in-migration flows on the part of rich countries is the devastation brought about by the IMF and World Bank restructuring programs beginning in the 1980s. These have destroyed the traditonal economies of already poor countries. Under the banner of modernizing their economies and opening them up to global trade, these programs undermined local, less modern firms and replaced jobs with imports. The emergence of a whole new set of migrations to Europe from Sub-Saharan Africa is deeply linked to these devastations of modernization.

There are implications for the politics of membership when we recognize that receiving countries participate in the making of in-migrations. One of these implications concerns the right of these immigrants not to be seen as criminals and illegitimate human beings. A second implication is that the working classes of Europe which have suffered so many losses over the last twenty years, should direct more of their anger to the key economic and political actors who have engineered and supported these devastating programs.

Concluding, the history of intra-european migrations shows us that over time many persecuted immigrants became the parents and grandparents of Europe's citizens. And perhaps most importantly, this history shows us that the work of incorporating the outsider was also the work that expanded the formal rights of citizens and made Europe an open society. But every generation went through its conflicts and hatreds directed at whatever the new nationalities entering Europe. In the 1970s it was the Italians, the Spanish, the Portuguese. Now this seems almost inconceivable. But the hatreds are there and directed to a whole new generation of foreign nationalities and cultures. The challenge of ensuring that Europe's society remain an open one will require, once again, the making of expanded inclusions. These will only strengthen the rights of citizens and strengthen openness.

Thus EU enlargement enables far more circular migration and reduces trafficking among authorized nationalities. Perhaps the best story here is that of the Polish women who teamed up to take care of cleaning and housekeeping in Berlin households. Each wanted to spend a minimum amount of time in Berlin, no matter its comforts, and then go back and live their real life. So teams of four organised for each to spend three months in a given household, and rotate annually (Lutz 2007). The best strategy for the rich EU countries so worried about receiving masses of low-wage, poorly educated workers from the new EU members, is to do whatever can be done to ensure their broad based development.

There is one set of communities for whom this will be inadequate: the Roma. Europe has failed the Roma for centuries. All those struggles fought in the name of civil society and civic rights fundamentally excluded the Roma. This will have its own backlash effect. Today we are paying the price for our historic neglect and, often aggression. There are significant numbers of very poor Roma in some of the new EU member countries, and centuries of exclusion have left their marks. Enlargement must be a wake-up call: we need to think of the Roma as part of our future.

At the same time, the Roma also illuminate a key feature of our history of migrations in Europe: it has usually been particular groups who are at the core of a country's emigration, rather than massive generalised flows from poverty to prosperity. In the early 1990s after the so-called Berlin Wall went down, Germany received over two million migrants from Eastern Europe and Russia, but the vast majority were ethnic Germans and the rest mostly Roma.

There were no high numbers among other nationalities. Similarly, the Turkish emigration to Germany, for instance, consisted largely of particular groups of minoritised Turkish, including Turkish Kurds. In brief, these were not indiscriminate movements from poverty in the East to wealth in the West. These two groups were motivated by very specific and long-term historical minoritizing insde their countries of origin.

MIGRATION AS EMBEDDED PROCESS

Establishing whether labour migration is an integral part of how an economic and social system operates and evolves is, in my view, critical to develop the politics of membership. The logic of this argument is, put simply, as follows: If immigration is thought of as the result of individuals in search of a better life, immigration is seen by the receiving country as an exogenous process formed and shaped by conditions outside the receiving country. The receiving country is then saddled with the task of accommodating this population. In this view as poverty and overpopulation grow in the rest of the world, there may be a parallel growth in immigration, at least potentially. The receiving country is here portrayed as a passive bystander to processes outside its domain and control, and hence with few options beyond tightening its frontiers to avoid an 'invasion'.

Fig.1: Ten most numerous citizenships of non-EU immigrants, 2006

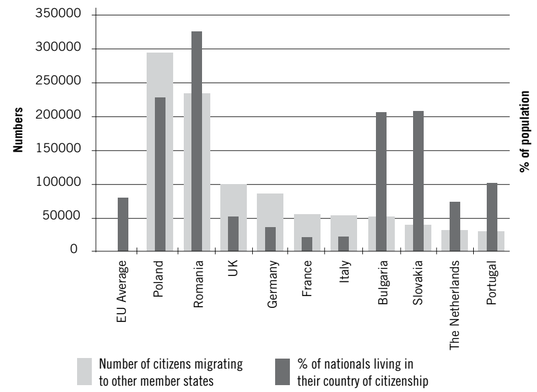


Fig.2: Immigrants from non-EU to EU citizenship, 2006

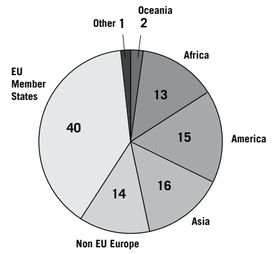


Fig.3: Median age of immigrants in the EU, 2006

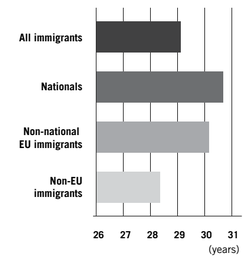
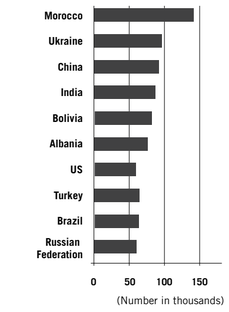


Fig.4: Ten most numberous citizenships of non-EU immigrants, EU-27, 2006



Eurostat estimate from Population and Social Conditions by Anne Herm, Eurostat, 98/2008