

# "International Migration Politics and Policies in Europe and the U.S.: Gender and class Perspectives"

Université Libre de Bruxelles, Institut de sociologie, Salle Dupréel, 28-29 April 2015

## Talks Titles and Abstracts

Tuesday 28<sup>th</sup> April 2015

### Session I - Politics of Ethnicity in Immigration Policy

**Moderator:** Soumia Boutkhil, Université Mohamed Premier, Oujda, Morocco  
**Discussant:** Tom Wong, University of California, San Diego, United States

**David Scott FitzGerald, University of California, San Diego, United States**

#### "Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas"

**Abstract:** *Culling the Masses* questions the widely held view that in the long run democracy and racism cannot coexist. David Scott FitzGerald and David Cook-Martín show that democracies were the first countries in the Americas to select immigrants by race, and undemocratic states the first to outlaw discrimination. Through analysis of legal records from twenty-two countries between 1790 and 2010, the authors present a history of the rise and fall of racial selection in the Western Hemisphere. The United States led the way in using legal means to exclude “inferior” ethnic groups. Starting in 1790, Congress began passing nationality and immigration laws that prevented Africans and Asians from becoming citizens, on the grounds that they were inherently incapable of self-government. Similar policies were soon adopted by the self-governing colonies and dominions of the British Empire, eventually spreading across Latin America as well. Undemocratic regimes in Chile, Uruguay, Paraguay, and Cuba reversed their discriminatory laws in the 1930s and 1940s, decades ahead of the United States and Canada. The conventional claim that racism and democracy are antithetical—because democracy depends on ideals of equality and fairness, which are incompatible with the notion of racial inferiority—cannot explain why liberal democracies were leaders in promoting racist policies and laggards in eliminating them. Ultimately, the authors argue, the changed racial geopolitics of World War II and the Cold War was necessary to convince North American countries to reform their immigration and citizenship laws.

**Floya Anthias, University of East London, United Kingdom**

#### "Transnational Mobilities, Gendered Lives and Inequalities: a Translocational Lens"

**Abstract:** This presentation explores the important role that gender plays in migration processes both in terms of aspects related to identity and belonging (and the discourses and practices surrounding these) and in terms of different types of inequality and violence migrant and racialized women face. It argues against the current focus on identity related concerns in migration policies of integration and diversity and towards a greater emphasis on forms of inclusion at the structural and citizenship levels. It proposes a move away from an ethno-religious and nation based lens towards a focus on the ways different hierarchy making social relations interact to produce inequalities and exclusions. The presentation provides examples of how a translocational lens can help in moving away from the ethno-religious bias that characterises

much of the discussion on migration, with an emphasis on the transnational lives of women.

---

**Barbara Buckinx, Princeton University, United States**  
**"The Practice and Fairness of Selective Immigration"**

**Abstract:** As long as there are more aspiring immigrants than available residence permits, immigration policy in the United States and the EU is destined to remain selective. Citizens and policy makers alike are increasingly interested in selection criteria that privilege resourceful migrants such as high-skilled workers over vulnerable ones such as refugees. The practice of selling citizenship is resurgent. The talk will be based on paper co-authored with Abdeslam Marfouk. The paper considers the permissible boundaries of selective immigration. If not all individuals who are interested in immigrating can do so, what is a fair way of determining who can enter and who cannot? Selective immigration draws support from the argument of sovereignty, according to which it is the state's prerogative to make autonomous admissions decisions, and from democratic theory, which emphasizes the state's obligation to be responsive and accountable to citizens. In this view, states or their citizens should be allowed to freely select resourceful immigrants at the expense of others. Our paper argues that this freedom to choose is constrained in multiple ways. First, states have ratified conventions and international agreements about the treatment of refugees and other vulnerable populations, and, all other things being equal, they are duty-bound to observe these contracts. Second, many states owe a duty of rectification to populations they have injured in the recent or the more distant past – such as the War on Terror or colonialism. If historical injustice can be rectified by way of a more open immigration regime, this may constitute a compelling reason for limiting selectivity. Third, the liberal and cosmopolitan values that feature prominently in constitutions, Bills of Rights, and other declarations commit Western states to a norm of anti-discrimination and harm prevention. Any deviation from this self-described ethos must be defended, and we see few plausible justifications for a selective immigration policy that declines to care for the vulnerable. Finally, the United States and the EU are strongly anti-paternalist in their outlook, and selective immigration of a certain kind fails to treat immigrants with dignity and respect. States that nevertheless wish to pursue selective immigration policies must do so in the context of a global immigration regime that ensures that no single state can shirk its duty to fairly share in the burden of providing vulnerable immigrants with a refuge.

## Session II - Refugee and Asylum Policy

**Moderator:** Hassan Bousetta University de Liège, Belgium

**Discussant:** Adelina Miranda, Università Federico II di Napoli, Italy

**Stephanie J. Silverman, University of Toronto, Canada**

**"The Carrot and the Stick: Ways Forward for Alternatives to Detention in the U.S., the U.K., Belgium, and Canada"**

**Abstract:** The immigration detention systems in the United States of America, the United Kingdom, Belgium, and Canada ensnare hundreds of thousands of people every year. Much like their counterparts around the world, these systems seemed to be on a path of relentless expansion in size and scope. This trend was disturbing to civil society and the advocacy community because of the associated deprivations of liberty, the violations of international law and human rights, and the mental, physical, and other traumas linked to even short periods of detention. Led by groups such as UNHCR: the UN Refugee Agency and the International Detention Coalition as well as a broad coalition of local anti-detention campaigners, activists, and academics, civil society sought to convince governments to consider Alternatives to Immigration Detention (ATD) programs in lieu of formal detention centres. These non-custodial ATDs are characterised by case management, holistic support, basic needs provision, and high-quality legal access from an early stage in the immigration and asylum process. This paper will trace the emergence of an international ATD

agenda (the carrot) in tandem with ballooning detention policies and practices (the stick). Particular attention will be paid to the End Child Detention campaign in the U.K., three in-community pilot programs run by non-profits across the U.S., the family housing model in Belgium, and the informal network of home-based shelters operating in Canada.

---

**Jane Freedman, Université Paris 8, France**

**"Taking Gender into Account in EU Asylum and Refugee Policies"**

**Abstract:** In recent years, a “feminization” of the flows of asylum seekers to European Union Member States has posed questions for the elaboration and implementation of asylum and refugee policies within EU member states, and for the development of a harmonized asylum and refugee policy at EU level. The increased number of women claiming asylum has introduced new grounds for asylum claims, such as fear of female genital mutilation, forced marriage or domestic violence, grounds which are not a priori easy to treat within the 1951 Refugee Convention, forcing an evolution in refugee status determination criteria. In addition, the specific situations and needs of women asylum seekers and refugees may necessitate changes in policies and practices for the reception of asylum seekers. Whilst several EU member states have attempted to address these issues through the integration of UNHCR gender guidelines into their asylum policies, and whilst the recast EU Qualifications, Procedures and Reception Directives have in theory integrated concerns with regard to gender and the protection of women asylum seekers and refugees, there remain questions as to the extent to which EU member states are really offering a gender-sensitive protection to asylum seekers and refugees. Concerns have been raised specifically about the failure to recognize certain forms of gender-related persecution as grounds for granting refugee status, and about the treatment of women asylum seekers and their continuing vulnerability to various forms of violence even once they reach the EU (and particularly within asylum retention/detention centres). Jane will examine attempts to integrate gender into EU asylum and refugee policies, including an analysis of national policies, EU Directives, and the role of the European Asylum Support Office, in order to analyse to what extent the EU is really fulfilling its promise to protect victims of gender-related persecution.

---

**Elisabeth Boulot, Université Paris Est Marne La Vallée, France**

**"Impact of Immigration Policy in the United States on Women Victims of Persecution Based on Gender"**

**Abstract:** Twenty years ago, when the US Immigration and Naturalization Service put in place procedures that better took into account the asylum claim of refugee women, following the Canadian model, the United States were the pioneers. The take will review the situation of women claiming today political asylum due to persecution based on gender and report the resulting debates, both at local and national levels. Elisabeth will address the causes of many obstacles that still exist whether administrative, legal, legislative, cultural or social. In a transnational perspective, the solutions will be discussed and their relevance examined.

### Session III - Irregular Immigration

**Moderator:** John Skrentny, University of California, San Diego, United States

**Discussant:** Nouria Ouali, Université Libre de Bruxelles, Belgium

**Tom Wong, University of California, San Diego, United States**

**"Does The Legalization of Undocumented Immigrants in the U.S. Encourage Unauthorized Immigration from Mexico? An Empirical Analysis of the Moral Hazard of Legalization"**

**Abstract:** Do legalization programs in the U.S. increase unauthorized immigration from Mexico? The logic of the moral hazard of legalization suggests that the legalization of undocumented immigrants has the

unintended effect of incentivizing unauthorized immigration. However, we argue and show that concerns about the moral hazard of legalization are overstated. We conceptualize our argument using two distinct temporal dimensions: a concurrent dimension and a prospective one. Our analysis of the 2007 Mexican Migration Field Research Program (MMFRP) survey, which includes over 500 prospective (undocumented) immigrants, provides evidence supporting our arguments. The data show that knowledge regarding a prospective legalization program in the U.S. does not increase the intent to migrate among respondents. Our results hold when accounting for a range of potential confounding factors, across several multivariate model specifications, and also when analyzing comparable respondents who are matched using propensity score matching (PSM) techniques.

---

**Marie-Claire Caloz-Tschopp, Collège International de Philosophie, Switzerland-France**  
**"Violence, Apartheid and Civility'. An Ambiguity at the Heart of Illegality"**

**Abstract:** By analyzing developments in migration policy and asylum in Europe and Switzerland in the context of globalization warrior, I intend to show how they are structured by violence and apartheid which itself is part of new forms of war challenging philosophy and politics itself. The gravity of the situation on the borders of Europe and also in the daily life of all European residents raises questions of political ontology and fundamental political anthropology on which I propose to present some fundamental axes. What is citizenship/civility in Europe today? How to articulate the "right to have rights" (Arendt), the defense of fundamental rights, the rule of law and the resistance of social movements?

---

**Smaïn Laacher, Ecole des Hautes Etudes en Sciences Sociales et Université de Strasbourg, France**  
**"Silent Persecution. Migrant Women in the Hell of the Forbidden Travel"**

**Abstract:** The nature of the violence suffered by young women during their clandestine journey is indeed intimately linked to the condition of their departure from the country of origin: a woman who leave more or less precipitously is not exposed to the same abuse as a young woman who takes a conscious decision to migrate and organize her trip or when the trip is meticulously organized by the others, such as in the case of prostitution ring. Although in all of these cases, there is a lack of awareness of the risks and dangers involved.

---

**Wednesday 29<sup>th</sup> April 2015**

---

**Session IV - Skilled Migration**

**Moderator:** Paola Bacchetta, University of California, Berkeley, United States  
**Discussant:** Abdeslam Marfouk, IWEPS, Belgium

**John Skrentny University of California, San Diego, United States**  
**"Understanding the 'Battle for the Brains'"**

**Abstract:** The talk will lay out some key dynamics regarding the desire of receiving states to attract foreign talent, especially in science and engineering, identifying key points of variation between different destinations, especially regarding which kinds of migrants they want and how they hope to attract them, and key variations between the migrants themselves, depending largely on which part of the world they come from and what they want. A major theme will be that this variation suggests that there is no one battle—there are many battles (different goals among the receiving states), and many strategies to win.

---

**Umut Erel, The Open University, Milton Keynes, United Kingdom**  
**"Highly Skilled Migrants' Strategies for Mobilizing Cosmopolitan Capital"**

**Abstract:** Literature on skilled migration tends to focus on working lives of migrants, though recently it has been recognized that family reasons, such as concerns for children's educational opportunities can also influence migration decisions. This presentation looks specifically at the strategies of European migrant mothers in London of using their cultural resources of Europeanness, whiteness and middle-class identification. There is growing interest in how social and cultural capital can be mobilised and used across national borders. Transnational capital, mobility capital and cosmopolitan capital are some of the concepts used to understand how migrants can turn cultural resources into cultural capital that can be accumulated, circulated and converted into other forms of capital. Drawing on this body of work, the article looks at a range of strategies developed by migrants to capitalize on their cultural resources. Using examples from research on migrant mothers, the article identifies and discusses strategies for accumulating cultural capital for themselves and their children which European migrant mothers in London employ. These strategies range from 'investing in mobility', 'transnational cultural capital speculation', 'valorising intercultural/cosmopolitan capital'. This is contrasted with migrants' strategies of investing into nationally validated cultural resources, such as private schooling, instead of investing in explicitly transnational or cosmopolitan forms of capital.

---

**Speranta Dumitru, Université Paris Descartes, France**  
**"Women's Labor Migration From "Brain Drain" to "Care Drain": the Case Against Methodological Sexism"**

**Abstract:** The metaphor of "care drain" has been created as a womanly parallel to the "brain drain" idea. Just as "brain drain" suggests that the skilled migrants are an economic loss for the sending country, "care drain" describes the migrant women hired as care workers as a loss of care for their children left behind. The talk will summarize the result of a paper that criticizes the construction of migrant women as "care drain" for three reasons: 1) it is built on sexist stereotypes; 2) it misrepresents and devalues care work; and 3) it misses the opportunity for a theoretical change about how skills in migration contexts can be understood.

**Session V - Public Opinion : Racism and Immigration**

**Moderator:** Sébastien Brunet, General Manager, IWEPS, Belgium  
**Discussant:** Nadia Fadil, Katholieke Universiteit Leuven, Belgium

**Michael Nicholson University of California, San Diego, United States**  
**"Immigrants' Political Participation across Integration Contexts: An Identity Politics Approach"**

**Abstract:** I argue that, all else equal, immigrants who possess dual identities—that is, those who perceive attachment both to residents of their host country or region and residents of their home country—are, on net, more likely to engage in politics than those who lack such identities. I emphasize that immigrants' notion that they are members of their host society—and hence deserving of the rights implied by their membership—provides the psychological basis for claims-making. Immigrants' identification with those of the same national or ethnic origins, in turn, can facilitate perceptions of shared grievances—motivating political mobilization. Employing recently released survey representative data from the Localmultidem project and qualitative evidence from Switzerland, Michael will present preliminary statistical evidence that dual identification bears positively on political participation among both naturalized and non-naturalized first-generation immigrants. My results hold both across a pooled multi-ethnic sample of immigrants in 10 European cities.

---

**Scott Blinder, University of Massachusetts Amherst, United States**

**"Immigration Images: How the Public and News Media in Britain See Immigration, and Why It Matters"**

**Abstract:** Public opposition to immigration is widespread in Britain, as in many immigrant-receiving nations. In Britain and across Europe, governments often respond to public demand with policies that increase restrictions on immigrant admissions or rights. Yet the conception of immigration that members of the public imagine can diverge substantially from the conception of immigration documented by official statistics and targeted by policy changes. My research documents how members of the British public perceive immigration, and examines whether these perceptions are rooted in media portrayals. I argue that the difference between the public's and the state's respective visions of immigration creates distortions in policy-making and problems for democratic responsiveness.

---

**Abdeslam Marfouk, IWEPS, Belgium**

**"Public Opinion and Immigration: Sources of the Gap Between Stereotypes, Misperceptions and Reality"**

**Abstract:** Due to the lack of accurate and comprehensive information on immigration public opinion relies on anecdotes, personal experiences and anti-immigration discourses disseminated by various media, to build an image of immigrants different from the reality. This is what emerges from national and local pools and surveys' results especially in Belgium. The talk will answer the following questions: How stereotypes and misperceptions about immigrants and immigration are formed, and what are their consequences on discrimination toward immigrants and immigration policies?

---

**Yvan Gastaut, Université de Nice Sophia Antipolis, France**

**"Portrait of Men and Women Immigrant from Maghreb in French Television since Algerian War"**

**Abstract:** The talk will use the results of the project ANR Ecrin (Ecrans et Inégalités, la figure de "l'Arabe" sur les écrans français depuis 1962) "Screens and inequalities, the figure of the "Arab" on French screens since 1962", which will be completed in 2016. The talk will focus on how the television in France has shaped the image of the North African population. Television offers an angle that can sometimes confirm or nuance the approaches revealed by other support. The talk will identify the rhythms and key moments in the evolution of North African's image with multiple angles: immigrant workers, women migrant, undocumented migrant, criminal, "Beur" and "Beurette" boys and girls with foreign background living in suburb areas (Banlieues), veiled Muslim, terrorist, young man with foreign background well integrated or not, "chibani" (elder first generation-immigrants), etc ... Through these portraits, the talk proposes a reflection on stereotypes and discrimination.

**In partnership with ABSFA (Association Belge Francophone de Sociologie et d'Anthropologie) and with the financial support of:**

