

Protesting Theories About Immigrant Workers:  
Economic Change and *Sans-Papiers* Activism in France

by

Natasha N. Iskander

B.A. in Cultural Studies  
Stanford University  
Stanford, California, 1994

Submitted to the Department of Urban Studies and Planning  
In partial fulfillment of the requirements for the degree of

Masters in City Planning

at the

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

June 1999

Natasha N. Iskander 1999, All Rights Reserved

**The author hereby grants to MIT  
permission to reproduce and to  
distribute publicly paper and  
electronic copies of this thesis  
document in whole or in part.**

Author

Department of Urban Studies and Planning  
May 20, 1999

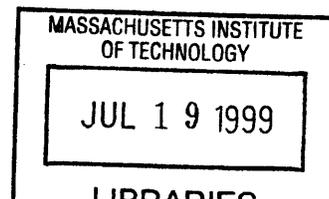
Certified by

Professor Meenu Tewari  
Department of Urban Studies and Planning  
Thesis Supervisor

Accepted by

Associate Professor Paul Smoke  
Chair, MCP Committee  
Department of Urban Studies and Planning

**ROTC**



# PROTESTING THEORIES ABOUT IMMIGRANT WORKERS



## ECONOMIC CHANGE AND *SANS-PAPIERS* ACTIVISM IN FRANCE

## **ABSTRACT**

A wave of protests by undocumented immigrants has swept through France over the past three years, and has pushed the issue of immigration and the changing role of migrant workers in the economy to the fore of the political stage. These protests have brought to light how shifts in the French industrial structure have impacted the way that undocumented immigrants navigate the labor market. In this paper, I use these protests as a window onto how the status of undocumented immigrants in the labor market has changed as French firms and state policy makers have adopted “flexibility” as their new mantra. However, I also draw on them to illustrate the role that undocumented immigrants, through conspicuous and politically poignant appeals for their rights, have played in shaping their labor market position. Finally, my theoretical project in describing this wave of activism is to suggest some of the places where immigration models and industrial relations theory have become brittle and outdated. The paper concludes with the implications that this study raises for policy design.

## DEDICATION

*To my father, Magdi Rashed Iskander ~  
an immigrant who is very close to my heart*

## ACKNOWLEDGMENTS

This thesis has been much more of a collaborative endeavor than one individual's work, and I am grateful for the opportunity to thank all those without whose gifts this project would never have come to fruition. First, I would like to thank my intellectual mentors, Meenu Tewari, my advisor, and Michael Piore, my reader. To Meenu Tewari, I owe a deep debt for pushing me beyond what I thought were my intellectual limits. Her thorough analysis of my argument, in the many forms it took over the past several months, and her consistently meticulous and insightful comments were essential as I struggled to turn a few intuitive hunches into a paper that held together. To Michael Piore, I am grateful for the faith and courage he gave me to make intellectual leaps that I hadn't even conceived of yet. His amazing creative mind came to my rescue on several occasions when my own was hopelessly stalled. I also want to thank Richard Locke, Bish Sanyal, Myron Weiner, Sharon Russell, and Alice Amsden for their constructive comments, their encouragement, and pedagogical patience. I am grateful to my research methods and thesis writing group for their enthusiastic and infectious interest in the subject matter of my research and their helpful criticisms on draft after draft. Special thanks go to Nichola Lowe, who let me "borrow her brain" without reserve, and generously offered up the gems of insight that I would be certain to find if I called before 6pm. Thanks also go to Marco Magrassi, for his sharp questions, and for the diplomatic but expressive yawns that brought me back to the crux of my argument when I had strayed too far. He also deserves credit for getting me out of more than one jam with his characteristic "débrouillard" flair. I would also like to reach back to my years at Stanford, and thank Ramon Saldívar, my advisor there, who taught me to think critically in the borderlands, and showed the creative and transgressive possibilities of that space.

As I conducted my research in France, I received invaluable assistance from many people. I would like to thank all the people who took time out of their busy schedules to talk with me about immigration policy and undocumented immigrants in France. In particular, I would like to thank Jean-Pierre Garson at the OECD, whose expertise on immigrant legalization programs in France and in Europe, and the participation of undocumented immigrants in the labor market is matched only by his sense of humor. I am also grateful Claude-Valentin Marie at the DILTI: not only did he provide key figures about the work situations of undocumented immigrants, his perceptive description of the role of undocumented immigrants in a changing industrial structure provided an indispensable foundation for my own thinking. I would also like to extend special thanks to Sarah Chase, correspondent for National Public Radio. Sarah helped me with my fieldwork via email before I even arrived in Paris. When I got there, she generously shared with me her files of newspaper clippings, protest tracts, and press releases covering the *sans-papiers* protests since they began. More importantly, though, she offered her historical knowledge of the immigrant activist wave and the insights that come only through observation that is not only careful but also compassionate.

I owe a deep debt to the immigrant activists themselves. My hope is that this thesis can serve as an installment in repaying it. I would like to extend my gratitude to the members of the *3ème collectif* in the North of Paris who by letting me into the church that they were occupying, also let me, for a brief moment, into their lives. I am thankful for the honesty and generosity with which many members shared their stories, recounting how they had come to France and what their life was like in their new country. I am very grateful also for the many small but deeply poignant gestures of care that many members extended to me. They are moments I have replayed

in my mind many times, simply for the sense of belonging and human connection with which they fill my heart. I also want to thank the people at Droits Devant!! for their assistance and their friendship. The activists' commitment to supporting the rights of undocumented immigrants and the level of cooperation among staff and volunteers in the service of this larger goal was and continues to be an inspiration to me. The extent of their perseverance and effort was perhaps best illustrated by the fact that within a week of being firebombed and having all their files and most of the building structures damaged by the deliberate act of arson, they were up and running again, providing free legal help to undocumented immigrants.

In a sense, this project, exploring as it does the issues of immigrant identity and the significance of documents as indicators of belonging, is many years in coming. It stems from my personal experience with border crossings, and the countless times I have crossed national boundaries on three continents – careful to pull out the appropriate passport – in search of the warm embrace of family. For the support my multi-national and eclectic family has extended throughout this process, I am deeply grateful. The support I have received from family members around the globe has been both explicit and tacit, but it has been unwavering. I would like to thank my father, Magdi Iskander, who even while he lay in his hospital bed, recovering from major cancer surgery, insisted upon mercilessly picking apart my argument. Thankfully, he helped me put it back together again later, with his kitchen-table diagrams that brought the first lights of clarity to my jumbled thoughts. For his steadfast love and support over the years, I am very grateful. I would also like to thank my mother, Marta Czernin von Chudenitz, who “held her thumbs” for me on more occasions than I can count and sent me constant encouragement. I am also grateful to Hoda Garas, my aunt, for her soothing words and powerful prayers, Silvia Sagari, my beloved stepmother, who reminded me to keep this project in perspective, and to little Yasmina, who brought a good and much-needed dose of joy into my life this year. I also owe a deep debt to Samir and Hoda Nassif, my Egyptian family in Paris. Not only did they generously open their home to me this summer, but they also opened their hearts. I hope they know that I plan to set up permanent residence in their hearts; it seems only just, for that is what they have done in mine.

I want to thank my friends, who now I count among my family. In particular, I'd like to thank Robin Chalfin, Adair Smith, Marco Magrassi, Nichola Lowe, Julie Wagner and Lisa Macdonell. Their gifts of intimacy, kindness, and courage have stood me in good stead during what was a very tumultuous year.

I also would like to thank the CRL “regulars” (you know who you are), for turning a climate-controlled lab with no natural light into a warm hearth where jokes, stories, tips for printing and procrastinating, encouragement, and – let's not forget – CD's, were freely exchanged. Thank you for accomplishing the (almost) impossible – you've have made me nostalgic (already) for a computer lab with orange carpets.

Last, but certainly not least, thanks go to the National Science Foundation and the Department of Urban Studies and Planning at MIT for financial support of this project.

## TABLE OF CONTENTS

INTRODUCTION		1
CHAPTER 1	The Search for Flexibility and The Changing Relevance of Papers	28
CHAPTER 2	Hybrid Informality and Divided Labor Market: The Case of the Garment Industry	53
CHAPTER 3	Re-Drawing the Line That Excludes Them: The Strategies and Structure of <i>Sans-Papiers</i> Activism	90
CONCLUSION		124
BIBLIOGRAPHY		135

## TABLES AND FIGURES

TABLE 1	Change in the Proportion of Immigrants in Principles Industrial Sectors	40
TABLE 2	Trends in Subcontracting by Industrial Firms (1974-1995)	47
CHART 1	Immigrants as a Proportion of Total Population (1911-1990)	41
CHART 2	Distribution of Employed Immigrants (1975-1990)	48
CHART 3	Undocumented Immigrants as a Proportion of All Workers Employed Illegally	52

## INTRODUCTION

### *Three examples –*

leaflet published by the *3ème collectif*, a group of protesting immigrants.  
Paris, July 1998

My name is Mrs. Meryam Demirel. I came from Turkey to France in 1989 with my sons, Abidin, Cemal, and Kemal, as well as my daughter Gunay. Our demands for political asylum were refused in 1990. My second daughter Fatma obtained the status of political refugee in 1991, on the basis of the repression her brothers endured in Turkey, although their demands for asylum were rejected. 1993, my eighteen year old daughter immolated herself in the center of Paris and died. All of the family are members of the Sans-Papiers Third Collective since its foundation and have deposited demands for regularization on the basis of the June 24<sup>th</sup> 1997 circular. My son Kemal and I have been regularized. But my two sons Abidin and Cemal weren't because they are single although all the family lives in France.

My name is Lin Yunmu and my wife is Cai Chunlin. We arrived in France in December 1991 and we have a certificate of lodging and bills to prove of presence in France in 1991, 1992, and 1993. But we only asked for asylum in 1993 (for my wife) and in 1994 (for me). Therefore the prefecture of Bobigny judged that we didn't have five years of sojourn and rejected our demands. We have a little girl, Céline, born the 12/31/1995 and we want her to go to school in France and grow up here. When the circular was published, we were hopeful, but now we are scared.

My name is Moussa Fofana. I'm Malian. I'm 29 and single. I arrived in France in January 1990. I was interviewed three times at the prefecture of Creteil for five minutes and wasn't given a chance to explain my situation.... Last time, December 26<sup>th</sup>, I was told that my demand was refused because [I had] "disrupted public order." I [had been] condemned (5 months in prison and 10 years expulsion from France) for using a counterfeit administrative document and had entered France illegally. But if I hadn't purchased false papers, I would have obtained neither pay slips [required for legalization] nor regularization. I thought the circular would cancel my non-authorized entry. I now have appealed twice in four months without any reply. This means my requests have been rejected and I don't know what to do.

As the world becomes smaller, as economies experience the integration associated with globalization, the increasing mobility of labor has become a concern that has risen to the top of many nations' agendas. As economic futures seem more and more uncertain and national identities seem more and more fragile, shivers of anxiety, if not outright panic, about immigration have moved through political constituencies in countries around the globe. Illegal immigration has been a particular source of alarm. By definition, these clandestine and undocumented flows of people escape government control and cannot be calibrated according to national labor needs. Troubled by these unregulated inflows and their political consequences, governments have adopted a variety of measures to reign in illegal immigration and to curb undocumented immigrants access to the labor market. These have ranged from the reinforcement and militarization of national borders, a strategy favored by the US along its Southern border (Cornelius 1998), to legalization and amnesty programs like those recently implemented in France, Italy and Spain (OECD 1999), to the deliberate crack-down on the employment of undocumented workers (Tapinos 1999, OECD 1999).

In France, where the unemployment rate has been stuck in the double-digits for almost a decade now, undocumented immigrants have become an especially unwelcome addition to the labor force. National debates over whether and how to integrate the sizable population of undocumented immigrants living within the country's borders have become unpredictably volatile, and the reductive but pointed arithmetic of the far- Right – "4 million immigrants, 4 million unemployed" – has steadily gained credence. At the root of this seemingly xenophobic opposition to immigration are archetypal concerns about the impact of immigrants, particularly undocumented immigrants, on the labor

market that autochthonous workers confront. Foremost among these are the traditional claims that immigrants take jobs away from native workers, or alternatively, that they depress wages by flooding the labor market. A more contemporary version of the latter critique is the argument that immigrants contribute to the erosion of working conditions for native workers. Because firms seeking to build flexibility into their production operations have been able to draw on immigrant labor to fill increasingly precarious jobs, vested with few, if any, protections or guarantees, the complaint suggests, French workers have been compelled to accept sub-standard and highly insecure working arrangements. Critics have called this strategy “flexibility on the cheap” or “relocating offshore without moving.”

While these concerns are certainly disquieting, they rest on an understanding of the labor market that is quickly becoming outdated as globalization moves from rumor to reality. As firms have responded to the pressures of revved-up international competition and increasingly capricious shifts in market demand, the labor market has experienced qualitative changes. No longer do the neat supply and demand curves that these concerns assume regulate the labor market as smoothly as before, and no longer does the labor market divide cleanly into a primary sector, where workers with some skill receive stable employment and legal protections, and a secondary sector, where unskilled workers make up a generic lumpen proletariat that firms drawn to fill their least desirable, least stable, and lowest wage jobs.

A wave of immigrant protests that has swept through France over the past three years has pushed the issue of immigration and the changing role of migrant workers in the economy to the fore of the political stage. These protests have brought to light how

shifts in the French industrial structure have impacted the way that undocumented immigrants navigate the labor market. In this paper, I use these protests as a window onto how the status of undocumented immigrants in the labor market has changed as French firms and state policy makers have adopted “flexibility” as their new mantra (Howell 1992a). However, I also draw on them to illustrate the role that undocumented immigrants, through conspicuous and politically poignant appeals for their rights, have played in shaping their labor market position. Finally, my theoretical project in describing this wave of activism is to suggest some of the places where economic immigration models and industrial relations theory have become brittle and outdated. This introduction begins with a brief portrait of the immigrant protests, then goes on to lay out the theoretical questions I attempt to address, and closes with an overview of the chapters that make up the body of the text and a brief discussion of my research methodology.

#### SNAPSHOT OF IMMIGRANT ACTIVISM

In the early morning of August 23, 1996, the French police raided the St. Bernard Church in the North of Paris and forcibly rounded up the almost 400 undocumented African immigrants who had been occupying the space for almost two months. The immigrants – primarily Malian, Senegalese, Mauritanian men and women and their children (some of them French-born) - called themselves the “*sans papiers*” – literally “those without papers” – and were demanding legal residence and work permits. The group had sought refuge in the church, a traditional place of sanctuary, to dramatize how vulnerable living without papers made them. Without legal status, they had few legal

rights and their economic prospects were grim. To draw added media attention to their situation, ten of the immigrants had been engaging in a hunger strike since the 4<sup>th</sup> of July. The immigrants had been steadfast in their determination to continue their protest and remain in the church until the government granted them the residence and work permits they sought, and the ever-weaker hunger strikers vowed to refuse food until the government met the group's demands (*Le Monde & Libération*; March-September, 1996).

The political tension around the issue of papers for undocumented immigrants had been mounting since early in the spring when the group first attempted to occupy a church. Although the group's initial attempt was abortive, with the police forcibly removing them from the premises only five days after the immigrants broke in, the group of *sans papiers* had already made a dent in French public opinion. Philippe Bernard, immigration reporter for the French daily *Le Monde*, captured the impact of protest on the political consciousness of French voters in a news analysis piece:

The protest action by hundreds on African Moslems at [the church of] Saint-Ambroise and the astonishing spectacle of the determination of women ready to spend nights in the corner of a church, to sit in the rain for hours with their children, caused surprise, nurtured by a wide social and cultural chasm (*Le Monde*. March 30, 1996.)<sup>1</sup>

The immigrants had resorted to such dramatic public actions to turn a spotlight on French immigration law and expose what they felt were some of its most unjustly restrictive and arbitrary features. In particular, they targeted the infamous Pasqua laws, a set of measures and directives that were the centerpiece of the government's "zero immigration" policy. The 1993 laws, drafted under the minister of the interior whose name they bore, reflected the preoccupation of the Rally for the Republic Party (RPR),

---

<sup>1</sup> All of the translations from French are by the author.

the mainstream party of the Right and the party then in power, with hemorrhaging defection of its voters to the virulently anti-immigrant National Front (Shain 1996 & 1998). They had created a series of new and often contradictory requirements for all persons filing a request for legal status. Because the legislative hurdles proved, more often than not, to be insurmountable, the Pasqua laws produced a new and growing category of immigrants: immigrants who had been denied legal status but yet could not legally be expelled – immigrants who would remain “*sans papiers*” on French soil indefinitely. (Gisti 1994)

By late summer, the immigrant group, firmly entrenched in the St. Bernard church, had become an unbearable thorn in the government’s side. As the hunger strike passed the forty-five day mark and the fasters were dangerously weakened, public appeals came from virtually all political parties left of center and most of the major labor unions urging the government to negotiate with the immigrants. Demonstrations in support of the *sans papiers* weaved through the streets of Paris every few days. Perhaps more troubling to the government was the trend of similar protests by undocumented immigrants that had cropped up throughout the country. In mid-August, immigrant protests were underway in at least seventeen French cities (*Libération*, July 31, 1996). Jean-Louis Debré, minister of the Interior at the time, warned that the government would not be pressured into giving out papers: “we will be firm,” he declared (qtd. in *Figaro*, August 8, 1996.)

The government’s decision to put an end to protest by raiding the St. Bernard church that August morning ultimately backfired. Images of the police using axes to break down the wooden church doors and billy-clubs to move people through them, of

mothers covering their children's faces with cloth against the tear gas used in the operation, and of hunger strikers in their sleeping bags dragged out to police vans were splashed across the front pages of newspapers that afternoon. Later that evening, tens of thousands of protesters poured out into the streets of Paris in pro-immigrant demonstrations and the groundswell of support for the immigrant protestors contributed to the Socialist Party's electoral victory less than a year later.

Not only was the government's use of force a disastrous public relations move, it did nothing to discourage the similar protests that were ongoing in other areas of France (*Libération*, July 31, 1996) Nor did it deter future protests of the same brand. On the contrary, since the summer of 1996, small informal groups of immigrants in Paris and in cities across the country have organized literally dozens of copy-cat protests ([zpajol@rosa.bok.net](mailto:zpajol@rosa.bok.net); Interviews, Coordination Nationale des *Sans papiers*: July – August 1998) I call them “copy-cat” protests because they have all followed roughly the same format: street demonstrations, the occupation of a public space, usually a church, and a hunger strike. These public protests have generally been short-lived, often lasting no more than a few months. However, together these episodic flashes of unrest have made up a wave of immigrant protest that has continued unabated for the past three years. In a sense, this movement – if one can even call it that - has been less of a unified tidal wave than a series of small ripples set in motion by small independent groups, but combined, these ripples have been enough to shake up the political establishment.

The success of this immigrant activism is perhaps best reflected by the changes in immigration policy since the protests began. The most notable of these is the circular issued by the Socialist Party immediately after it came to power in June 1997 authorizing

the legalization of undocumented immigrants who met certain criteria. The circular represented the Left's attempt to neutralize immigration as a volatile political issue and quell undocumented immigrant unrest, and under the terms of the directive, upwards of 75,000 immigrants, or half of all applicants, have been granted legal status to date (*Le Monde*, May 31-June 1, 1998).

However, despite a change of government from Right to Left, and a significant concession from the new government in the legalization of tens of thousands of immigrants, the momentum of this *sans papiers* activism has remained steady and strong. Demonstrations, church occupations and hunger strikes still characterize the political landscape. Yet, while the level and frequency of immigrant protest in France has not been greatly affected by the dramatic circular and other immigration policy initiatives, the same cannot be said about their effectiveness in garnering public support for their cause. As indicated by recent polls (*Le Monde*, July 31, 1998), French voters may be showing symptoms of compassion fatigue for the *sans papiers*: the immigrant protests no longer draw the same kind of focused attention and the issues they raise have been pushed somewhat to the side as other concerns over unemployment and the restructuring of the work force have come to the fore.

## ZOOMING IN

At first glance, the fact that this *sans-papiers* activism continued at full tilt when the immigrant protestors had managed to get the government to implement a major legalization program – the first since 1981 – seems like a paradox. This conundrum begins to unravel, however, when one investigates the political and economic circumstances that the protesting immigrants shared. Under this type of scrutiny, the fact

that the link between papers and economic opportunity has become more direct also becomes explicit. In an interview, Tobé Conaté, founding member of the immigrant group that occupied St. Bernard, summed up the tightened relationship between legal work permits and economic survival. When explaining why the protestors were compelled to resort to public action that involved significant personal risk, including expulsion from the territory, he described the economic imperative that he and others felt: “we could not feed our family,” he said (Interview, August 1998).

Although the undocumented immigrants who have been active in the *sans papiers* protests come from a range of different national and ethnic backgrounds, and work in a wide range of jobs and industries, they face a very specific set of economic and political constraints. The vast majority of immigrant protestors worked in industries with similar profiles: they were employed in labor intensive industries where the twin pressures of revved-up domestic and international competition and increasingly volatile shifts in market demands were particularly acute - where, to put it bluntly, quick response and flexible production strategies have become a matter of survival. The garment and construction industries are perfect examples of this kind of set up, and in fact those industries were both well represented among the protestors. Another, perhaps less obvious, illustration of this system is the loose network of street vendors that sell, roses, toys for “yuppies”, and roasted nuts on Paris’s busier streets. The relationships between vendors and suppliers are roughly analogous to those in the garment and construction industry: they are temporary, “non-monogamous,” and highly sensitive to shifts in market demand. In a sense, these protests have brought to light the organizational similarities between certain manufacturing and service industries.

Immigrants in these sectors faced a job market where steady employment was an outdated concept: they worked under temporary and sporadic employment arrangements and cycled through employers, working for short periods for a handful of different bosses according to demand. With the end of a job always looming, these workers were perpetually seeking employment. Furthermore, the jobs they held are by no means the “easy come-easy go” and uniformly low-skill employment presented in the literature. On the contrary, competition for work was heated, and factors as slight as a minor differential in skill or a mild advantage in navigating the dense social networks that wove through the industries could affect access to employment.

This situation is further complicated by the fact that new, more sophisticated forms of informality gilded with the appearance of formality have become the norm in these industries. Examples of these types of arrangements include full-time work declared as part-time, “free-lancers” that work regularly for a single employer, temporary employment set-ups to mask lay-offs during period of low demand, and convoluted sub-contracting arrangements, with workers in one firm “borrowed” by another, making it impossible to pin-point a worker’s employer.

These semi-formal employment arrangements have become widespread in these industries for two basic reasons. First, they allow firms to shave off some of their labor costs, be those costs direct wages or be they the social charges leveled on those wages. Second, and arguably more importantly, they enable firms to build much needed flexibility into their production systems, inserting malleability into every joint of their production processes. They have made it possible for firms to consider flexibility not just in terms of expansion and contraction of production capacity, but also as the

reconfiguration of production and the modification of operations according to changing market demand and product needs.

Because the informality in these hybridized employment arrangements is masked by at least one aspect that is declared and above-board, they require that the person hired under their terms be in possession of a legal work permit. As a result, these set-ups were off limits to immigrants without documents, and indeed, immigrants I interviewed consistently reported that it was easier to work “off the books” with papers than without. Many concluded that not having papers meant, more often than ever before, not having a job (Interviews, July-August 1998). This economic marginalization was compounded by the fact that firms in these industries no longer had to rely on undocumented immigrants – easily hired and just as easily fired – for their flexibility. These work arrangements have indisputably dulled the competitive edge of “no-stings-attached” employment that undocumented immigrants enjoyed even a mere five years ago.

With papers increasingly a virtual pre-requisite for access to employment in these industries, the protesting immigrants were faced with an “all-or-nothing” situation. They would refrain from protest when, and only when, they received papers, and indeed, immigrants who were granted papers would drop out of the protests often on the very same day they had collected their documents. The economic constraints and the labor market conditions that the sans-papiers activists experienced meant that regardless of how many concessions the government made, there would be protests as long as there were immigrants without papers. In that sense, these sans-papiers protests are perhaps better defined as the sum of individual demands for papers rather than an ideological challenge to the xenophobic political discourses that marginalize immigrants. The

protestors have banded together less to contest the ideology that underpins discriminatory legislation and practices than to take advantage of the strength inherent in their numbers and to benefit from the import that making demands for papers as a group gives their individual appeals.

However, in the aggregate, these individual claims have represented a significant challenge to the hegemony of the legal boundary between those who work and reside in France legally and those who don't, a boundary that is the source of an exclusion that is increasingly economic as well as legal. The sans-papiers protests are attempts to cross into the legally recognized and sanctioned labor force. Yet, in doing so, the sans papiers' efforts end up contesting the location and relevance of that boundary. Sans-papiers protestors have used a variety of strategies to make the case before the French public and the French government that their demands for papers are legitimate. They have cast their appeal in terms of human rights, and they have backed up that rhetoric with the non-violent but extremely compelling forms of protest – the street marches, church occupation, and hunger strikes - that have become the hallmarks of this movement. By stressing the common humanity between immigrants and French nationals, they have disputed the representation of undocumented immigrants as law-breakers and pariahs from poor countries that threaten to erode the wages of native workers, representations on which the legitimacy of the line is based. Through these protests, sans-papiers activists have inserted themselves into the national debate over where the boundary that separates those with legal right to work from those without should be placed.

Additionally, immigrant protestors have aggregated their individual demands for legal residence and work permits through the articulation of a distinctive political identity

as *sans-papiers*. This identity has served as the centripetal force that has aggregated immigrants from diverse – and often conflictual- national, political, and educational backgrounds, and enabled them to work together. While it stems directly from the economic difficulties that they face as workers without the legal right to work, it is an identity that has been thoroughly political and assertively immigrant. Those who claim it are immigrants at a time of rising anti-immigrant sentiment in France, when immigrants have been the targets of French nationals frustrations with the seemingly inescapable economic stagnation that has descended on France and when, as a result, the government is actively exploring ways to keep outsiders out (Shain 1996; Hargreaves 1996). It is unclear if a total of only a few thousand immigrants could have pressured the new Socialist government to publicly legalize tens of thousands of *sans papiers* if their mobilization had not occurred at a time when debates over immigration policy, and the outcry over its more restrictive aspects, served as a vehicle for the expression of public discontent with the both the Right's and Left's response to the economic changes that are transforming the nature of work.

Although to varying degrees, French and immigrant workers alike are increasingly experiencing the labor market transformations wrought by new global economic pressures that are so apparent in highly flexible industries heavily represented among the *sans-papiers* activists. As firms in all sectors have explored strategies to develop the agility that will allow them to remain competitive in an integrated markets, as they developed methods to obtain high standards and skill levels without providing the associated job security, employment, guarantees, and compensation, all workers – immigrant and native – face a labor market where the definition of what a job is, is

irrevocably changing. Consequently, training our attention on this wave of *sans-papiers* activism and on the industries where the protestors work not only sheds light on the status of immigrants in the labor market and their role in the French industrial structure. It also elucidates the ways in which the low-skilled workers in industries sensitive to international competition are vulnerable, and suggests how our concepts about work must be re-framed if those workers are to be granted even minimal protections.

#### THEORETICAL FRAMEWORKS AND RE-FRAMING THE PICTURE

My project in this thesis is to take a close look at this *sans papiers* “movement” and show the ways in which the mobilizations that have made it up have served as a type of labor protest. I will document how the protests reflect the position of immigrants in the labor market and the new pressures they face as economic changes have increased the importance of legal work permits for access to employment. I will demonstrate how the organization of the movement grows out of the structure and constraints of the industries in which the immigrants who have participated in this movement work. But I will also show how this movement is shaped by the fact that the workers who have organized are *immigrant* workers. As such, the state plays a significant and special role in mediating their access to the labor market. My hope is to bring into relief how these protests reflect the ways that the protestors’ position and identity as undocumented immigrants have constrained their ability to respond to economic pressures, but it is also to highlight the possibilities this identity has opened for their political organizing efforts.

My goal in making visible the labor component of this wave of unrest is to expand the field of vision of industrial relations theory. Theorists about labor and labor organizing have cast their net too narrowly. They have focused on the relationship

between worker and employer, be that employer public or private, and the emphasis has been on the ways that workers organize themselves effectively into a countervailing power with enough clout to affect the dynamics of that relationship. As a result, this perspective has privileged formal labor markets where the link between worker and employer tends to be clear and tangible. It has favored the formal labor institutions charged with representing the interests of workers in that segment of the labor market and negotiating for worker protections and rights that are clearly encoded in company contracts or labor law. Moreover, this bias has meant that only those worker movements organized around class identity - that is, an identity defined by a person's place in the capitalist system of production and accumulation and signified to a large degree by the relationship between employer and employee - have flashed brightly across this set of theories' metaphorical radar screen. Chris Howell, in his study of French labor relations (1992), offers an ironic example of this tendency to split the world into the reductive class-based categories of "employers" and "workers," ironic because of his division of the world into two even as he admonishes industrial relations theory to look beyond the economic and stretch to encompass the political.

It is worth recognizing, at least theoretically, that industrial relations systems are not the product solely of economic need but are also complex structures of social relationships, and as such they rest upon a particular balance of power between two major actors: employers and workers. Thus struggles between these two groups shape industrial relations at least as much as economic change (1992:188).

What this theoretical approach fails to address are the needs of workers whose working lives are not defined by a conspicuous and stable relationship with an employer, workers who labor under terms that are murky, ambiguous and mutable, and that are therefore difficult to defend or contest. It misses the workers on the economic margins: those that work in the "informal sector" outside formal structures, those whose political

location makes them vulnerable to economic exploitation or exclusion, those who do not have access to formal labor institutions (from labor unions to labor law). Arguably, these workers are the most sensitive to some of the economic trends that have been changing the nature of work and revising the employer-employee relationship, making it in many cases much more slippery and impermanent (Dunlop commission report, US Department of Labor 1994; Piore and Sabel 1984; Marie 1997; Carré 1993 & 1998). These economic changes have significant implications for the ways workers - especially workers on the “periphery” who are most subject to them - mobilize. They have generated worker movements that are not organized around a class identity, or around specific grievances with working conditions, but rather are organized around other political identities. Paul Gilroy makes a similar observation in his study of racial and class politics in contemporary Britain (1991); he explains that:

New types of class relations are being shaped and reproduced in the novel economic conditions we inhabit. The scale of these changes, which can be glimpsed through the pertinence of populist politics of ‘race’ and nation, is such that it calls the vocabulary and analytical frameworks of class into question. It emphasizes that class is not something given in economic antagonisms, which can be expressed straightforwardly in political formation. It no longer has a monopoly of the political stage, if indeed it ever had one (1987: 34).

My purpose in this paper is to offer an example of a worker movement that illustrates that the “monopoly of class” has indeed been broken, and that one’s position as “employer” or “worker” is not the sole or even primary determinant of one’s economic and political position. However, it is not to show that class identity has been displaced by another political identity, because I do not believe that it is an “either-or” proposition. Instead, I hope to demonstrate that the identity of “*sans papiers*” is an economic identity as much as it is an immigrant one, and that it reflects the specific economic experiences that immigrants without legal work permits are subject to. Furthermore, my aim is to

show that as a result, the *sans papiers* movement in its organization corresponds to the industrial structure and working conditions of the movement's participants.

In addition to pushing the boundaries of industrial relations theory generally, my project in this thesis is to show how this *sans papiers* movement challenges many of the theories developed about migrant workers specifically. Many of the same biases about work, class identity, and worker organization described above undergird conventional wisdom about migrant workers. However, they are bolstered in this case by a particular understanding of the position of immigrants, especially relatively unskilled immigrants, in the industrial structure. It is worth laying out those theories to make visible and accessible their assumptions, but also to suggest that many of their conclusions may be anachronistic as advanced industrial economies experience fundamental changes.

The theories that seek to explain international migration are as numerous as they are varied. They range from rational choice, micro-economic bargaining models where family units seek to maximize their economic benefits and spread their economic risk by sending one member abroad (Katz and Stark, 1986), to social network explanations that suggest that people migrate to join kin (Portes 1996). Explanations include sociological ones that examine social, cultural and political exchanges between sending and receiving countries (Levitt 1995), as well as those based on world system theory that argue migrants move from the periphery of the world market to its center (Castells 1989). Some models analyze the "brain drain" that occurs when highly educated people migrate *en mass* from their countries of origin (Portes 1996) whereas other models attempt to demonstrate that migrants drag down the average skill level of workers in receiving labor markets (Borjas 1992). In this thesis, however, I focus specifically on the theories that

seek to elucidate the economics of migration and to identify the role of migrant workers in the industrial structure of advanced economies. In particular, I look at the theories developed to explain the economic participation of poorly skilled workers in receiving economies. These theories have a virtual monopoly over policy makers' attention: they continue to serve as the principle framework through which law makers and politicians consider and address the issue of immigrant workers. This is doubly true when it comes to immigrants who work without the legal right to do so.

Canonical explanation of the economics of immigration and the position of immigrants in the industrial structure of advanced economies draw on neo-classical concepts to explain why people migrate and the jobs they take when they arrive. Standard models are based on the idea that there is a global economic dis-equilibrium, with some nations wading in more capital than they can invest productively, and with others saddled with an excess supply of labor, standing idle for a lack of capital to motivate it. If left unregulated, capital and labor would flow in opposite directions, in accordance with the principle of marginal returns to scale. Capital would move to areas where labor was plentiful and cheap, and where returns to capital would therefore be greater. Labor, on the other hand, would migrate to places where abundant capital had created attractive employment opportunities. Eventually, the theory continues, these mirror flows would achieve a natural equilibrium, with labor and capital earning the same returns regardless of location. However, these models point out, laws controlling the transit of people and money prevent this natural economic equilibrium from occurring. (Chiswick 1999; Solow 1969; Borjas 1992, 1994, 1998 & 1999; Borjas and Freeman, 1992; Borjas, Freeman and Katz, 1992. Abwood and Freeman 1991.)

With respect to labor, these measures translate into “unnaturally” higher wages in capital rich countries, wages elevated enough to make migrating – even illegally, at great cost or at significant personal peril – an economic proposition too attractive to turn down. In the literature on migration and in policy discussions, these legal barriers to migration are generally presented in positive light. These laws are supposed allow governments to protect national labor markets from uncontrolled flooding, to preserve certain wage levels, and to ensure a higher standard of living. (Chiswick 1999; Solow 1969; Borjas 1992, 1994, 1998 & 1999; Borjas and Freeman, 1992; Borjas, Freeman and Katz, 1992. Abwood and Freeman 1991; Collinson 1993; LaLonde and Topel 1992).

Theories that look at worker migration through the prism of dual labor markets represent an advance over this basic model. Instead of reducing migration flows to the movement of workers seeking higher rents for their labor, this argument presents migration as also resulting from the demand for immigrant labor inherent in advanced industrial economies. According to this explanation, labor markets in advanced economies are bifurcated, divided into a primary sector, where employment is skilled and stable and where employees are considered “essential” to production, and a secondary sector, where employment is unskilled, low-wage, low-status and contingent. Firms in these economies depend on immigrants to fill jobs in the secondary sector. As Piore, one of the first economists to apply this dual-labor market theory to migration, observes that “migrants are not spread evenly throughout the industrial structure” (1979:17). (Piore 1979; Sabel 1982; Harris 1995; Moulier-Boutang et al 1987; Tapinos 1999).

As workers in the secondary labor market, immigrants provide firms with a kind of “add-on” flexibility. Firms can draw on immigrants in this segment of the labor

market to fill short-term increases in their labor needs, and then dismiss them when their labor requirements contract. As such, these workers act as external shock absorbers for companies, enabling them to respond quickly and painlessly to changes in market demand. (Piore 1979; Sabel 1982; Borjas 1992 & 1998; Garson 1987; Marie 1996 & 1997; Tapinos 1999). Furthermore, because, as Piore explains, “the supply of potential migrants is completely elastic, or, in other words, inexhaustible” (1979: 17), firms can hire more workers without raising wages. These slots are also cheap and easy to fill because the tasks they involve are limited and can be learned quickly, with a minimum amount of training. Unlike their skilled co-workers who participate in the design and modification of products and the production systems to produce them, immigrant workers are, from an employer’s perspective, dispensable and interchangeable. As a result, immigrants offer firms a way out of a potentially volatile industrial relations problem: they can hire more workers without moving up the demand curve and paying wages that would later be impossible to lower. (Piore 1979)

To resolve the problem of why this supply of immigrant labor remains confined to the secondary sector and does not try to cross over into the primary sector, leaving the wages and working conditions in that top segment intact, these discussions about the position of immigrants in the industrial structure turn to sociological theories about the motivations of migrant workers. They argue that these workers are valuable to industrial economies because they are not concerned with long-term job security or, up to a certain point, working conditions. According to this view, migrants travel to take the jobs that they do because they view their employment as temporary. They will put up with arduous working conditions at low wages because they only plan to hold those jobs until

they earn a specific sum to spend for a specific purpose in the areas or countries of origin: Piore calls them “target earners.” They are not interested in the social value of their employment; they are interested in exchanging their labor for the highest possible short-term wage. These theories account for this by explaining that migrant workers define their identity and social position using their geographical and social place of origin as the frame of reference. (Piore 1979; Sabel 1982)

These paradigms present immigrant workers as outsiders to the industrial structure. Migrant workers serve as a complement to autochthonous labor forces. They offer employers an additional and infinitely elastic pool of labor to draw on to deal with market shifts. This perspective has served as a basis for theories about how, why and when migrant workers participate in labor movements. These theories suggest that immigrant workers will join in native labor movements when they perceive their interests as workers to be aligned with those of non-immigrant laborers. In other words, when their consciousness – but not necessarily their position – as workers crosses over from that of industrial outsiders who participate in the industrial work force temporarily to that of more permanent insiders. (Sabel 1982)

Both Piore (1979) and Sabel (1982) provide examples of this perspective as they observe that immigrant demands for worker protection and rights tend to accompany the settlement process. They note that as immigrants settle and participate in the labor market of their new contexts indefinitely, they relinquish their view of themselves as transitory and are thus much less willing to accept the secondary sector jobs that they previously had. Piore observes:

As the migrant community settles down, it becomes increasingly less adapted to the role it initially played, and it is in this transition from temporary migration to

permanent settlement that most of the social conflict and political problems surrounding the migration process arise (1979: 52)<sup>2</sup>.

Sabel offers the example of *autunno caldo* of 1969 in Italy to illustrate how this change in expectations among migrant workers can set in motion waves of labor unrest, and he notes that in this case, the protests provided the momentum behind a broad based labor movement that would fundamentally change labor relations and systems of production in Italy. To summarize, he recounts that the politicized unskilled workers who provided the momentum behind the labor unrest of that fall were migrants from the South who had come to the industrial North in search of jobs. When it became clear to them that they would not earn to return to the South and establish a secure economic existence there, they began, as Sabel put it, to “peer[...] around the edges of their preconceptions” and see plainly the economic circumstances that were trapping them in Northern cities. For the theoretical tools to interpret these economic structures, they turned to ideologically sophisticated, left-wing Northern craftsmen – who had the political consciousness of industrial “insiders” - for assistance.

However, as firms have increasingly found that the “add-on” flexibility offered by immigrants is no longer sufficient to deal with variability in market demand and have worked instead to build flexibility into the very core of their production processes, theories describing the industrial position of immigrant workers no longer capture the changing status of immigrants in the labor market. And predictably, theories about how immigrants organize as workers are consequently no longer wholly accurate, if they ever

---

<sup>2</sup> Both Piore and Sabel argue that the social dislocation and industrial unrest becomes even more pronounced as the children of these workers experience problems of access similar to those their parents endured and find themselves trapped in secondary-sector jobs. The only frame of reference available to them is the context to which their parents migrated and they do not have an alternate identity that enables

were. The *sans papiers* movement shows that immigrant workers do not organize only when they shed their “false consciousness” as outsiders and recognize that they experience the same economic pressures as native workers. Rather, in the wave of immigrant protests that has swept through France, protestors have organized in response to the unique economic circumstances they face *because* of their position as undocumented immigrants.

### THREE ANGLES

This paper looks at the changing status of undocumented immigrant workers in the labor market and the *sans-papiers* protests that stem from it from three different angles. In its structure, this thesis represents an attempt to present a composite picture that captures the various dimensions and complexities of the issue.

The first chapter looks at the role that immigrants, especially undocumented immigrants, have played in the French labor market, and how that role has changed since the late 1970's. In particular, the section focuses on their function as a buffer against economic uncertainty. I argue that in the heyday of Fordist production before the oil shocks of the early 1970's, immigrants, especially undocumented immigrants, served as a type of add-on flexibility; firms could hire and fire easily them at little or no cost to meet shift in market demand. However, faced with fierce international competition and unpredictable economic futures, firms have increasingly sought to build flexibility into the very structure of their operations. I show how these economic transformations have

---

them to put up with work that has a low social value. They are not “target earners” and are acutely aware that their position in the bottom layer of the labor market is not temporary..

changed the relevance of papers, such that legal work permits are fast becoming prerequisites for *access* to even the informal segments of the labor market.

In the second chapter, I use a case study of the garment industry in Paris to demonstrate the impact that these trends have had on undocumented workers. I show that these economic changes, and the emergence of hybrid semi-formal workforms in particular, have edged undocumented immigrants to the margins of labor markets that supply highly flexible industries like the garment industry. I discuss the increasing premium that these labor market transformations have placed on skill for these workers, and describe the disturbing economic chasm that opened among undocumented immigrant workers, with those with skills enough to remain competitive despite their illegal status on one side, and those without them on the other. Lastly, I explain why and how an undocumented status has become an obstacle to skill acquisition that is virtually insurmountable, making the economic divide among undocumented immigrants permanent and producing an undocumented underclass with few economic prospects.

In the third chapter, I discuss the protests that these economic constraints have produced. In this section, I use broad strokes to lay out the defining features of this movement. I discuss their strategies and show how the *sans papiers* have tuned these to match changing historical and political circumstances. I look at the organization of the small informal groups that have orchestrated the protests, and detail how the profile of these groups, as well as the protests they have planned, has grown out of the structure of the industries in which the participants work. In this last section, I explain that the standardized format of the protests, with the repetition of street demonstrations, the occupation of public spaces, and hunger strikes to is key to the way immigrant

mobilization has spread: in the absence of any central leadership or coordinating body, the protests have spread through emulation, hence their copy-cat quality. I argue that what I call the loose structure of the movement reflects the high level of informality of industries where undocumented immigrants are strongly represented. Additionally, I suggest that the immigrant collectives have dealt with the fragility and short half-life that this “ad-hoc” character implies by developing an intricate and almost rigid system of day-to-day management.

#### METHODOLOGY (OR SHUTTER SPEED)

The portrait that this paper seeks to convey of this immigrant movement and the economic conditions from which it stems is based on two months of field research in Paris, during July and August of 1998. While I have conducted documentary research, the detail of this story, detail that I found rich and compelling, emerged through the interviews and ethnographic observation I completed this past summer. The interviews were wide ranging: I talked to government officials in the Ministry of the Interior and the Ministry of Labor; I interviewed *inspecteurs de travail* (work inspectors); I spoke with representatives from the Protestant and Catholic Churches, as well as representatives from several trade unions; I mined academics and statisticians studying immigration and labor for information and valuable insight; and I had long discussions with patient service providers and advocates for immigrants. Most important, though, were the conversations I had with immigrants, both with documents and without, about their life circumstances, their economic prospects, why papers matters, why they came to France, and what they envisioned for themselves. Discussions with immigrants who were participants and/or organizers in this *sans papiers* movement clearly were also devoted to

the nitty-gritty of how these protests were organized: questions included queries about how decisions were made, how logistics were handled, how relations with the government, the media, health care providers (for the hunger strikers), and the police were negotiated.

Although I attended numerous protests this past summer, my most sustained exposure to this form of immigrant organizing was through observation of the activities of the 3ème *collectif*, a collective of *sans papiers* that was occupying a Protestant temple in the North of Paris during my time in France. The collective eventually grew to be about two thousand strong, and its membership was primarily Turkish, Kurd and Chinese. The overwhelming majority of the group members were workers in the garment industry. I spent quite a bit of time at the church, making almost daily visits, and spending hours observing meetings, talking to organizers, speaking with journalists, lawyers, and service providers who came by, as well as just “hanging out” and having informal, and informative, discussions with the protestors. I also explored the garment industry where most of the participants worked, the heart of which was located in the Sentier neighborhood in the center of Paris. I interviewed shop owners and workers alike about issues ranging from quality control to contracting arrangements to changing market demand, and I observed the production operations in process.

While I provide “hard data” where applicable and relevant, much of my discussion reflects my ethnographic methodology. The drawbacks of this methodology are that the evidence it yields is anecdotal and that, therefore, it cannot generate conclusions that are generalizable in any foolproof way. However, when studying informal processes that are vested in remaining undetected by the state and other

institutional bodies that seek to count, measure, and otherwise peg down economic, political, and demographic trends, an ethnographic approach is the most accurate - and indeed the only - research methodology available. So in conclusion, I offer a caveat. The story of this *sans papiers* immigrant movement that I present here to challenge some of the assumptions that underpin theories about labor movements and immigrant workers must be considered like a photograph. It captures one, hopefully multi-layered and telling, image of the realities of immigration, labor movements, immigrant workers, but it cannot record them all.

## CHAPTER 1



FRANCE, TERRE D'ACCUEIL

*"France, Land of Opportunity." Plein Droit, No. 29-30, November 1995, p. 72*

THE SEARCH FOR FLEXIBILITY AND  
THE CHANGING RELEVANCE OF PAPERS

Interviewed the day after the French police forcibly hospitalized the ten immigrants who were staging a hunger strike in the St. Bernard Church, Mr. Fofoma, member of the immigrant collective occupying the space, expressed his outrage. “All we are asking for is to work. We are not lazy. All we want is papers. Why are we treated like this?” (qtd. in Prieur: *Le Monde*, August 13, 1996). Another protestor added, “No one here is discouraged. From hunger strikers to children, we are all determined to fight to the end” (ibid).

These protestors’ comments capture the concern about work that has run like a constant undercurrent throughout the immigrant protests as well as the urgency that preoccupation has lent to the *sans papiers*’ appeal for papers. While for reasons of political strategy, immigrant protestors have generally shied away from squarely couching their appeal for papers in terms of work and employment, they have nevertheless argued that their undocumented status has undermined their access to jobs. As one of the immigrants occupying parish residence at the Basilica of St. Denis on the outskirts of Paris observed, “The administration [government] pushes us to circumvent the law, they let us live like this, with no possibility to work except illegally” (*Liberation*, June 10, 1996). An entry in the public journal kept by the 3<sup>ème</sup> collectif offers another illustration of these concerns: “I have been in France since the 12<sup>th</sup> of February, 1991. I don’t have papers and I work under my brother’s name. I am still in France, hoping to get papers. I am willing to do everything in my power to get papers and to use them to work” (Anonymous, *Collective journal*, summer 1998).

The undocumented immigrants I interviewed, including those who had not participated in the protests, echoed the same preoccupation with employment and

economic opportunities. However, they also communicated that the economic conditions they faced had changed over time. The overwhelming majority of the undocumented immigrants I spoke with said that they were finding it much more difficult to get a job, and that employers had become more stringent in requiring papers. Many also added that they were earning less for the same work than they had been a few years earlier, and that the wage differential between them and their colleagues who had legal work permits had grown.

Their comments indicated that undocumented immigrants were facing a new set of economic pressures. They were not simply coping with a job market that had become tighter because of the economic slowdown that France has been struggling with for almost a decade now. Rather, they were being confronted with changes in the structure of jobs available to them. Furthermore, their observations suggested that as a result of those changes, legal work permits had taken on a new relevance: papers were increasingly becoming a pre-requisite for access to employment, or at least to certain types of employment.

In order to identify the nature and source of these pressures that have pushed a sizable group of these immigrants to public protest, it is necessary to look at how the function immigrants have performed in the French industrial structure has shifted over time. This chapter traces the role immigrants have played in the French labor market since World War II, and looks at how their role has been defined by French firms changing needs for flexibility. In particular, this section focuses on the shift from mass production to more flexible production styles and operations, and looks at how these transformations have impacted immigrants' role in the labor market. It lays out how and

why these changes have made work permits increasingly important for access to the labor market, especially in industries that have been especially touched by these economic shifts. In short, this section addresses one of the puzzles that arises when one considers the recent *sans papiers* activism in France; it answers the question of “why now?”

#### THE “THIRTY GLORIOUS YEARS,” FORDISM & IMMIGRANT LABOR

During the thirty years of virtually uninterrupted high economic growth that immediately followed WWII, the function of immigrants in the French economy was relatively straightforward: they provided the cheap and abundant labor necessary to rebuild the French industrial structure after war. Immigration policy during that period – dubbed the “thirty glorious years” (*les trente glorieuses*) because of the seemingly unstoppable economic expansion that characterized it – was designed to facilitate and coordinate the importation of labor (Weil 1991; Hollifield 1992). The French government’s central economic planners viewed foreign labor as an essential factor of production, and every plan that they published during that time contained specific targets for the number of immigrant workers to be introduced into the economy. Levels identified in the plans were uniformly high, ranging from 430,000 in the First Plan for 1946-47 to 325,000 for the Fifth Plan, which covered the four years between 1966 –1970 (Hollifield 1992; 151).

The French government created the National Immigration Office (ONI) in 1945 to manage these labor flows. The ONI was charged with recruiting, importing, and evaluating the skill level of immigrant labor, and all enterprises seeking to hire foreign workers were theoretically required to do so through this agency (Viet 1995, Garson 1987). The imposition of this state control to regulate the influx of migrant workers

differed from the system during the interwar period, when immigration flows were explicitly controlled by businesses. The change heartened trade unions: they felt that this “neutral” state agency, by carefully matching the entrance of immigrants to the needs of the economy, would prevent these foreign workers from glutting the labor market, depressing wages and eroding their bargaining power (Hollifield 1992: 150). The position of the Minister of Labor at the time lent credence to their optimism; in identifying the function of the ONI, he stated, “[w]e will act with the priority of maintaining the equilibrium of the labor market, as it runs the risk of experiencing important fluctuations of employment because of the difficulties inherent in the economic recovery” (qtd. in Viet 1995: 23).

However, despite fastidious state central planning and bureaucratic oversight, immigration quickly slipped out of the government’s control, and the number of entrants rapidly surpassed the levels specified in government economic plans. In fact, Jean-Pierre Garson, in his survey of clandestine immigration to France, notes that immigrants were already circumventing the ONI requirements and crossing borders illegally in search of work in 1945, only months after the agency was officially set up (1987: 153). The flow of unsolicited - and therefore undocumented immigrants - continued to expand, and in 1949, the government passed a circular authorizing the legalization of immigrants who had found employment in French enterprises (Garson 1987: 154). By the late 1960’s, approximately 80% of all permanent migrants were obtaining their work permits in this fashion (Garson 1987: 157). Additionally, companies that could not fill their labor needs by drawing on local supplies of (mostly undocumented) immigrant workers regularly by-passed the authority and the red-tape of ONI and went directly to sending countries to

recruit employees. Soon, the ONI was reduced to a vehicle for the government to impose a levy on foreign labor, charging firms a processing fee to register their undocumented workers. (It was common practice for firms to subtract this tax from an employee's first paycheck (Garson 1987)). Furthermore, many companies went to the trouble of dealing with what was for them a troublesome formality only after they had been subject to a government inspection (Inspecteurs de travail, Interviews, July-August 1998).

From the vantage point of French firms, the pool of immigrant labor, made up of workers from poorer European countries and former (or soon-to-be former) colonies seemed to be absolutely bottomless. This impression was supported by the sheer number of foreign workers who were entering France. Between 1962 and 1967, for example, almost a million workers joined the French labor force. The expansion was unparalleled: France had never experienced such a massive influx of labor over such a short period of time (Garson 1987: 155). By 1970, immigrants comprised 10 percent of the employed labor force (Howell 1992: 59).

The low cost of migrant labor clearly resulted from the classic laws of supply and demand, with its supply being virtually limitless. However, it is important to note that it was also compounded by the politically marginal position of new immigrants. In a sense, immigrant workers occupied a labor market parallel to that of the autochthonous labor force, but made separate by their status as cultural and national outsiders. It was a labor market subject to a different set of rules, different standards of recompense for skill, and different notions of what work conditions were acceptable. For example, François Granotier, in a 1970 study on immigrant workers in France, reported the widespread underpayment of immigrant workers (1970: 88), and cited a survey conducted in 1968

indicating that immigrants in the construction industry received 20 percent less on average than their French counterparts (Droits et Liberté, Nov-Dec 1968: 25, qtd in Granotier 1970: 89). Additionally, as one 1968 report on immigrant workers explains, Algerians who had received a diploma certifying them as skilled workmen were not hired to positions commensurate with their skill, as were their French colleagues, but were instead employed, in the very best of cases, as assistants to workers in the jobs they should have received. (Michel 1968: 26, qtd. in Granotier 1970: 89).

The role that immigrant workers played in the French industrial structure during these thirty glorious years of economic prosperity was almost archetypal. Immigrant workers served as supplement to the autochthonous labor force, or to use Granotier's analogy, as a sort of worker caulk ("*bouche-trou*") to plug up gaps in the labor market (1970; 76). Firms drew on them to quickly augment their workforce and expand production when they were faced with increases in market demand or when the high growth rates France experienced made the native labor market especially tight. Companies in the heavy industries were especially dependant on immigrant labor. As these firms finally embraced the fordist model of production after the war, they turned immigrants as the ideal workers to fill the low-skill, low-wage, and very quickly, low status jobs on their production lines (Granotier 1970; Marie 1997). In fact, immigrants rapidly became the emblematic line workers (Marie 1997).

However, firms were enthusiastic about immigrant labor not just because they offered them a reserve army of cheap labor, but because that army enabled them to side-step the demands that French workers would otherwise make in a period of such high growth. Firms were able to use immigrant labor for this purpose very effectively because

of the structure of the post-war French economy and its reliance on market mechanisms to regulate wages. France was in many respects an industrial late-comer, adopting Fordist production strategies in earnest only in the late-fifties. During the first two decades after the war, medium-sized firms were at the cutting edge of the economy, and economic growth was not based on a change in production processes, but simply on an intensification of the old methods. The profile of the French industrial structure meant that there was little incentive for firms to develop a Fordist paradigm for wage regulation, one that was based on trade union recognition, collective bargaining and productivity gains as much as it relied on market pressures. Moreover, labor power was fragmented, with unions being poorly institutionalized and disorganized and with little legal mandate to represent their members. Wages in this system were controlled by the invisible hand of the market as well as the visible, but discrete, hand of the state which periodically used labor market tools, such as the imposition of deflationary measures, to keep wages low. (Howell 1992: 58; Lane 1995).

The only exceptions to this general trend were the wage increases followed on the heels of periodic but unpredictable and disruptive flashes of worker unrest (Howell 1992:58). Migrant labor offered firms a way to avoid these heated industrial relations conflicts (Howell 1992) and, more importantly, the ensuing wages hikes. It was, in their view – which until the late sixties was more or less accurate – less susceptible to militancy and less likely to protest. Additionally, immigrant workers could, if necessary, be dismissed with relative ease and without the political consequences associated with firing French workers (Marie 1996, 1997).

The flexibility that immigrant labor offered firms became increasingly valuable to many of them after the worker unrest of May 1968. The explosive and widespread strikes compelled the government to break from the French tradition of relying on market mechanisms to control wages, and to legislate a series of worker protections. These included the indexation of wages to the cost of living, and the provision of a gamut of job security guarantees and unemployment benefits (Piore & Sabel 1984: 169). Confronted with what they viewed as devastating labor market rigidities imposed by the Grenelle accords<sup>1</sup>, firms increasingly turned to less permanent, and more pliable workers and work forms, including, of course, immigrant labor. (Berger & Piore 1980; Piore & Sabel 1994)

While French firms were concerned with their specific needs for flexibility and cheap labor, and were therefore interested in maintaining strong immigration flows, the state's agenda was to adapt immigration to the needs of the economy as a whole. When larger French industries began to falter somewhat in the early 1970s, coming up against the limits of the Fordist systems it has so enthusiastically embraced, the state became concerned with the influx of immigrants who, although they might be temporary additions to a firm's workforce, seemed more and more likely to remain as permanent additions to the French labor market. Furthermore, the memory of immigrant participation in the 1968 strikes that rocked the de Gaulle administration to its very foundations was still fresh in policy makers minds (Ireland 1994: 41). Lastly, the French government was well aware that the immigrants' economic existence was coupled with a social one, and its policies reflected the ambivalence that many French nationals felt

---

<sup>1</sup> The Grenelle accords were a set of labor laws hammered out after the labor unrest of 1968. They raised wages as a whole and the minimum wage was raised by 35 percent. The workday was shortened and a

about immigrants, especially immigrants from former colonies, becoming permanent threads in the country's social fabric. As a result, the government noticeably tightened its regularization procedures after 1970, and the number of legalizations shrunk by one third between 1971 and 1973 (Garson 1987: 158).

Perhaps the most effective, and definitely the most contentious, means that the government used to accomplish this reduction was the Fontanet circular, issued in 1972. This piece of legislation represented an attempt by the state to put an end to uncontrolled immigration – “*immigration sauvage*” – and to reassert its authority to determine immigration flows (Ba 1995). The circular specified that legal work permits should henceforth be granted almost exclusively to skilled workers, and set up a series of stringent requirements<sup>2</sup> to ensure that unskilled workers received permits only in rare cases. What is interesting about these requirements is that they undercut the role that immigrants played in the French industrial structure: firms could no longer regularize employees after hiring them, and if a firm was still interested in hiring an undocumented worker, it had to clear this personnel decision with the local employment agency, a procedure that took at least three weeks, and guarantee the worker an employment contract of at least a year (Garson 1987). Significantly, it also cast the lack of legal work and residence permits as a threat to public order and explicitly defined it as a criminal activity, thus providing grounds for expulsion from France. These constraints undermined the flexibility that immigrant labor allowed firms (Garson 1987). Because the circular required firms to commit to the immigrants that they hired for a relatively extended period of time, firms could not readily dismiss those new employees to deal

---

series of provisions were made for labor representation within firms.

<sup>2</sup> These requirements included, among other things, the provision of decent living quarters.

with shifts in market demand. Furthermore, it meant that firms that did hire undocumented immigrants would be much more likely to keep their workers undeclared, thus keeping them in a status newly defined as criminal, as well as depriving them of the minimal protections that legal status afforded.

This circular, which most students of French immigration policy have dismissed as a mere legislative detail in the history of that nation's immigration law, deserves the attention I have given it in this account for two reasons. First, it illustrates the extent to which the position of immigrants in the labor market is informed not only by the economic requirements of industry but also by the policy measures drafted by government. While to a certain extent this can be said of all workers – after all, all workers are covered by labor law – immigrant workers occupy a distinct legal space that is defined by their identity as immigrants, an identity that is often additionally defined by the immigrants' origin from France's former colonies or from other developing countries. This legal position shapes the way they participate in the economy as workers. Second, this circular caused a wave of immigrant protest. North Africans (mostly Tunisians) and other particularly vulnerable groups of immigrants organized hunger strikes and occupied buildings (Ireland 1994: 43). As a result of these protests, as well as business's strenuous disapproval of the measure, the circular was repealed a few years later (Ba 1995).

The similarities between the protests against the Fontanet circular and the *sans papiers* protests covered in this paper are admittedly striking. Just as with the Fontanet protests, the immigrant activism of the past few years has focused on legal status, and the parallels between the tactics used in the two waves of protests are undeniable. However, the contemporary protests are not simply a replay of the earlier ones. The economic

context has changed significantly since the early 1970s, as has the function of immigrants in the industrial structure. And consequently, the implications papers have for the participation of immigrants in the labor market are also very different now. A comparison of the two sets protests that focuses only on policy and does not take into account the way that policy is ultimately defined by the circumstances - economic and political - in which it is applied will fall flat. The following sections detail the change in these circumstances and suggest the ways they have informed the recent *sans papiers* protests.

## SHOCKS TO THE SYSTEM

The petroleum shocks of the mid-1970s brought an abrupt end to the “thirty glorious years” of unbounded optimism and seemingly unstoppable growth, and marked the beginning of serious changes in the French economy. Although in a sense the oil crisis merely opened wide hairline fractures that had already begun to appear in industry as the sixties drew to a close (Piore and Sabel 1984; Howell 1992), it nevertheless destabilized the French economy significantly and heralded the beginning of the end for classic Fordist mass production styles. New economic pressures that emerged in its wake profoundly altered the function of immigrants in the French industrial structure, and forced a corresponding and fundamental revision of immigration policy. (Hollifield 1992; Marie 1992, 1996, 1997; Garson 1987).

The transformation of the position of immigrants in the industrial structure did not happen all at once, but instead occurred in stages, as French enterprises and the government embraced different strategies to deal with the economic crisis and the new pressures it imposed on the production process. In an initial period, the objective of both

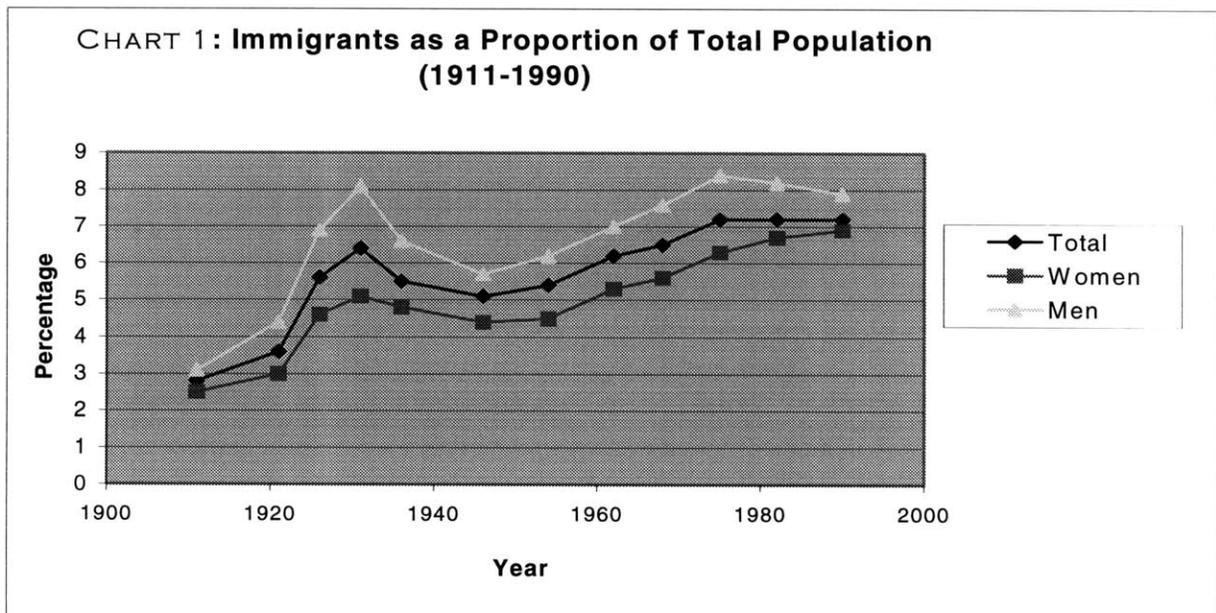
business and the state was to weather what seemed to them at the time to be simply an economic downturn, albeit a particularly challenging and precipitous one. During that time, the function of immigrants as providing an “add-on” flexibility to individual firms and to the economy as a whole remained constant. Companies and the state simply took advantage of the options that flexibility offered them during an economic slowdown. For the first time since the end of World War II, firms began dismissing immigrant workers in fairly large numbers; in doing so, they were shedding the “expendable” portion of their labor force and preserving a leaner central core. Over the fifteen years that followed the oil shocks (1973 – 1988), industrial firms reduced their immigrant workforce by an aggregate of approximate 40 percent (Marie 1996: 15). A similar trend could be observed in other sectors of the economy (see Table 1) so that the employment of immigrant workers in the economy as a whole shrunk by 14 percent over that same period (Marie 1996: 19).

TABLE 1: Change in the Proportion of Immigrants in Principal Industrial Sectors  
(in percentages)

<b>Economic Activity</b>	Oct. 1973	Oct. 1976	Oct. 1979	Apr. 1982	Dec. 1985	Dec. 1988	Dec. 1991
Minerals and non-ferrous metals	16.5	15.1	13.6	12.3	10.7	9.4	8.2
Minerals and ferrous metals	13.5	13.6	13.0	11.8	9.9	10.0	8.9
Construction materials	15.6	13.8	12.4	12.2	11.8	10.9	10.5
Smelting and metal working	15.4	14.6	14.2	12.3	11.4	9.8	9.9
Automobile	24.8	19.7	18.6	15.8	13.5	12.0	11.4
Textiles and garments	9.6	9.5	9.7	8.6	8.7	7.6	7.8
Rubber industry	16.3	15.0	14.6	12.4	11.1	9.2	8.8
Construction & civil and agricultural engineering	31.1	27.2	28.0	23.4	23.0	21.0	21.1
<b>Total</b>	<b>11.9</b>	<b>10.4</b>	<b>10.2</b>	<b>9.2</b>	<b>8.4</b>	<b>7.3</b>	<b>7.7</b>

Source: Marie 1996

In immigration policy, the French government adopted analogous measures, basically shutting off the flow of immigrant labor into the economy. In July 1974, the Giscard administration called for a “total halt to immigration” (*arrêt de l’immigration*) and issued two circulars to that effect (Ireland 1994:48; Hollifield 1992:155). (One of the circulars, designed to suspend the “reunification” of foreign workers’ families was overturned by the Council of State, France’s supreme administrative court, only a year later (Ireland 1994:48)) The legislative strategy may have fallen short of its avowed aim to put a complete stop to immigration, but it did significantly limit inflows. Whereas over 2 million immigrants entered France between 1968 to 1973 (inclusive), that number dropped to approximately 1.4 million for the years between 1974 to 1980 (inclusive) (Office des Migrations Internationales (OMI) qtd. in Hollifield 1992: 152). Additionally, while the proportion of immigrants in the French population as a whole had been rising steadily since 1945, it flatlined after the dramatic re-orientation of French immigration policy from recruitment to control (See Chart 1).



These approaches to the economic crisis affected the level of immigrant participation in the labor market, but it did not affect the ways in which they navigated the labor market and the types of jobs they took. Qualitative changes to immigrant participation in the labor market would come in the early 1980s when firms and the state began to realize that the economic crisis they were facing was not a simple downturn, but rather that it stemmed from more profound structural features of both the national and world economy. As the failure of standard mechanisms to reverse the slump made it increasingly clear that they were confronting the “limits of the model of industrial development...founded on mass production” (Piore and Sabel 1984: 4), business interests and the government explored alternative strategies to jump-start the economy. Competitiveness, productivity gains and the reduction of production costs, dis-indexation of wages from prices, and the removal of “rigidities” from the labor market became the new leitmotiv of the period (Marie 1996, 1997).

The 1983 Delors plan, which incorporated many of these principles, demonstrated the newly elected socialist government’s support for this neo-liberal agenda and cleared the way for firms to incorporate fundamental reforms to their production processes (Howell 1992: 190; Marie 1996, 1997). Moreover, the decentralized collective bargaining structure mandated by the Auroux laws of that same year – which some critics have called “a Trojan horse” offered to labor because the legislative package did nothing to strengthen dangerously weak unions (Howell 1992) – gave firms even more room to maneuver in their push to restyle themselves. The main thrust of these changes was to move beyond a flexibility that was tacked on to the outer edges of the production process to a one that was integrated into every phase of product development, production and

marketing. Firms wanted to become more lithe and agile, and more equipped to deal with the increasingly unpredictable and rapid shifts in market demand, shifts that were no longer simply quantitative but instead touched the quality and characteristics of the product itself.

It was this drive toward structural flexibility that fundamentally altered the function of immigrants, especially low-skilled immigrants, in the industrial structure. As Claude-Valentin Marie, sociologist and director of the Inter-ministerial Delegation on Illegal Work, explains in his analysis on the changing position of immigrants in the labor market during this time, “This phase marks the end of an era. ...It was no longer simply the number of [immigrant] employees that was diminishing, it was a world that was disappearing” (1997:149). As firms increasingly found the “add-on” flexibility they had relied on in the past to be inadequate, immigrant workers served less and less as external shock absorbers against economic turbulence. Instead, the participation of employed immigrant labor shifted to the mechanisms designed to create structural flexibility. These ranged from a growing reliance on sometimes very elaborate sub-contracting arrangements to new more temporary and adaptable work forms (such as part-time work and short-term contracts). (Marie 1996, 1997; Howell 1992; Thébaud-Mony 1996).

## REFORMING RENAULT: THE EXAMPLE OF THE AUTOMOBILE INDUSTRY

A review of the automobile industry and its evolution over the past forty years illustrates the impact that this push toward structural flexibility had on immigrant workers and their position in the labor market. Factories in the automobile industry – the emblem of these being the Renault factories – relied heavily on immigrant labor, and in 1975,

almost one fifth of the employees in this sector were immigrants (Marie 1996: 19). Over the next fifteen years, the number of immigrants working in this industry would be halved, and the layoffs of these workers would represent over 40% of all employee dismissals.

Until the mid-1980s, the layoffs were the result of firms tightening their productive belts and shedding the non-essential members of their workforce, and they were not coupled with fundamental changes to the organization of work, production, or labor recruitment. Furthermore, the dismissal of immigrant workers did not affect their position in the labor market and their function in the automobile sector, with the possible exception of temporarily increasing the supply of immigrants in local labor markets (Borjas 1997). Quite to the contrary, auto companies expressed some nervousness at the government's complete suspension of immigration. They were concerned that this drastic shift in immigration policy would limit the supply of immigrant workers available to them when the economy recovered, leaving them wanting for cheap labor and unable to bounce back. (Marie 1996)

However, it became clear soon enough that firms would have to go further than simply downsizing the labor force and would actually have to revamp their operations if they hoped to regain their competitiveness. After the passage of the Delors plan, the automobile industry saw widespread experimentation with Japanese-style just-in-time production, and sub-contracting became more of a norm than an exception. For automobile companies, the reforms produced the desired outcome: from the mid-1980s on, the industry enjoyed productivity gains that average 10 percent per annum (National Assembly Commission on the Automobile Industry, Report, June 1992, qtd. in Marie

1996: 16) However, the changes in production had profound repercussions for immigrant workers. The reforms called into question the relevance of the paradigmatic production line worker, the job that immigrant workers typically filled. As jobs of that type were altered or replaced, immigrants found themselves edged out of the job market for that industry. The function that they performed as “non-essential” line workers had been made obsolete. (Marie 1996)

#### THE SPREAD OF STRUCTURAL FLEXIBILITY

Although I have used the example of the automobile industry as the archetypal expression of Fordist production systems dealing with new economic pressures, the changes that sector has displayed have surfaced throughout the French economy. While the trend toward structural, “built-in” flexibility has been more pronounced in some industries than in others (the transportation, construction, and garment sectors are examples of industries that have placed an especially high premium on this brand of flexibility (Marie 1997; Ma-Mung 1990; Carré 1993), indications of this industrial transformation can be observed throughout the economy.

The majority of the evidence for structural economic change is circumstantial, and can only be inferred from aggregate labor market statistics. However, it is nevertheless compelling. The data show a clear shift toward more “flexible” forms of employment, and the development of more supple and decentralized production systems. One relatively plastic form of employment is part-time work and data from the National Institute for Statistical and Economic Studies (INSEE) show that the proportion of the workforce employed part-time for under 30 hours a week rose from 14.8 percent in 1982 to 18.1 percent in 1987. For part-time work of more than 30 hours but less than 40 hours,

the proportion of the labor force employed under these terms increased similarly, with 17.8 percent working part-time in 1982 and 22.5 percent in 1987 (INSEE, *Enquete Emploi*, 1982-88, qtd. in Carre 1993). Of some concern is a yawning wage gap between part-time and full-time workers: the INSEE notes that currently part-time workers earn, on average, 26 percent less per hour than their full-time colleagues. (INSEE, No. 549, October 1997).

The use of temporary work contracts has also risen sharply as firms have used these forms of employment to ensure that any workforce expansion can be quickly reduced. Between 1982 and 1987, the percentage of workers in private employment working under temporary contracts rose from 2.24 to 4.14 percent (INSEE, *Enquete Emploi*, 1982-88, qtd. in Carré 1993). That percentage has continued to increase steadily, and according to an article in *Le Monde*, 10 percent of all employed persons in France were working under temporary contracts in early 1998 (Lemaitre, *Le Monde*, February 5, 1998.) Figures for temporary help services indicate that this percentage is on the rise: in 1997, these firms registered an aggregate increase in profits of 21.5 percent over the previous year (“Manpower porté par la vague,” *Figaro*, July 23). The astronomical growth of temporary help services has been on-going since the late 1960s, with such firms showing a value-added figure that tripled between 1968 and 1972. Significantly, the use of temporary workers is more pronounced in some sectors of the economy than in others. For example, 57 percent of the business that temporary help services received in 1997 came from firms in heavy industries, and that proportion was a 20 percent increase over the previous year (ibid). Additionally, the president of Manpower, one of the largest temporary help firms in France, identified firms associated

with the automobile industry as some of his company's best clients: "[t]he builders of cars have become their assemblers. We have definitely benefited from their reliance on subcontractors" (ibid). Similarly, not all segments of the labor market have been equally affected by these shifts: the INSEE reports that one fourth of all unskilled workers labor under temporary contracts (INSEE, No. 455, May 1996).

Additionally, data profiling the enterprises in the economy suggests that proliferation of small firms and the intensification of subcontracting. Between 1974 and 1995, the business contracted out by firms in the industrial sector grew substantially: in 1974, it was valued at 42.8 billion French francs, whereas in 1995, it was valued at 327.6 billion French francs (Industrie Française 1997/1998: 25) (see Table 2). Also, 80% of all firms, with the exception of firms in agriculture and in some segment of the service industry, subcontracted-out some facet of their production process in 1995 (ibid). Finally, another indicator of the increase in subcontracting, albeit an indirect one, is the level of employment in the service sector: from 1975-1990, the number of jobs in the service sector increased by three and half million (Marie 1997).

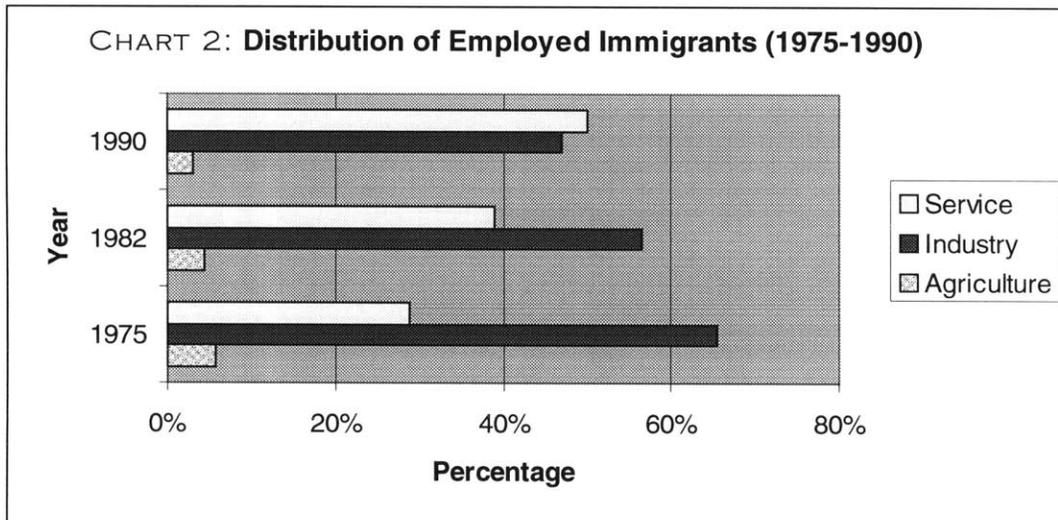
TABLE 2: Trends in Subcontracting by Industrial Firms 1974-1995

	1974	1985	1988	1990	1991	1992	1993	1994	1995
Sub-contracting (in billions of French Francs)	43	188	233	291	305	306	290	306	327
Subcontracting/Sales (in percentages)	5.1	7.1	7.9	8.7	8.9	8.9	8.9	8.9	8.9

Source: Industrie Francaise, Ministry of the Economy, Finance and Industry, 1997/1998

Among immigrant workers, these trends have been over more pronounced. For temporary and part-time work, government data indicate that a larger proportion of immigrants work under both sets of conditions than do their French colleagues (See table). While the disparity between the two groups is not enormous, it is noteworthy.

For example, government figures for 1995 indicate that 8.7 percent of immigrants working had temporary contracts as compared to 7.6 percent of French employees (INSEE- Les Immigrés en France, 1997). This shift of immigrant workers to the service sector, however, has been quite significant. In 1975, two thirds of immigrant workers were employed in the industry or construction, as compared to only a quarter in the



service sector. By 1990, only fifteen years later, those proportions had been turned on their head with two thirds of working immigrants in the service sector (Marie 1997: 153, 154). The most striking change along these lines is the increase in employment in a two sub-categories of the service sector; in “commercial services for individuals” and “commercial services for companies,” the increase in employment for immigrants has been much greater than for French nationals. In the first subset, employment increased 72.4 percent for French workers between 1975 to 1990, while it rose by 88 percent for immigrants, and in “commercial services for companies,” the number of immigrants

employed jumped by 291 percent over that same fifteen year period, whereas employment for French workers rose by only 93 percent (Marie 1996).

#### THE CHANGING NATURE OF WORK AND THE INCREASING IMPORTANCE OF PAPERS

While these data indicate broad trends in the French economy and a definite move toward structural flexibility, they also point to changes in the nature of work and the employee/employer relationship. Arguably, the relationship between worker and employers is changing so that it is no longer a simply binary one, but rather has become multilateral and multifaceted (Marie 1997). As flexible work forms manifest themselves in various and overlapping ways that include cascading or convoluted subcontracting arrangements, the hiring out of labor, temporary work contracts and part-time employment, the variables that once defined worker-employer relationships are becoming increasingly hard to pin down. As production stretches across the walls of multiple firms, identifying who gives orders, who controls quality who sets wages, who is responsible for work conditions, and who pays benefit taxes is becoming more and more slippery and problematic. (Marie 1997)

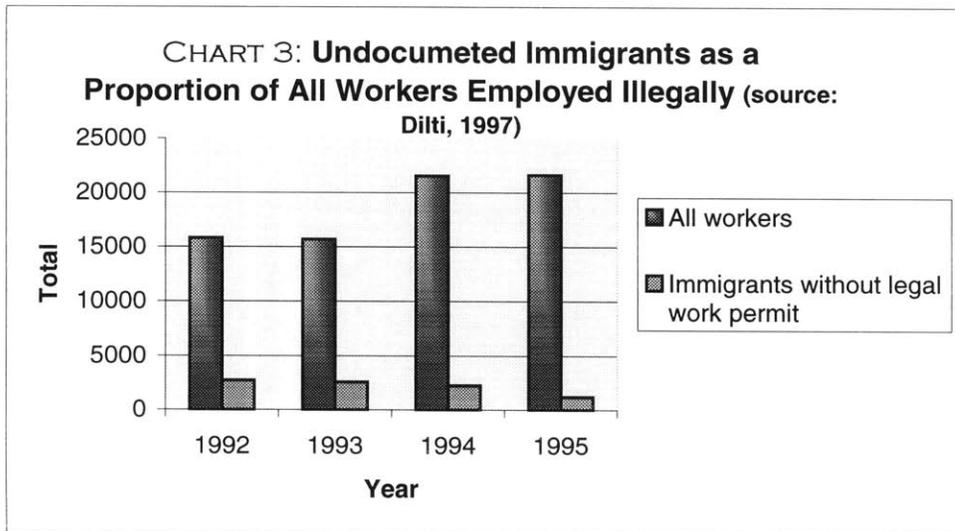
The blurring of the worker-employer relationship has opened up a space for the development of new forms of illegal or undeclared work. The new varieties are more refined and elusive than the earlier versions. They are often disguised with the illusion of formality or there are buried within the formal and visible facets of a firm's production process. These work arrangements generally have one facet that is formal, conferring the aura of formality on the whole thing. Phony freelance contracts that have the freelancer working consistently for a sole employer offer an illustration of these kinds of set-ups. Fraudulent subcontracting arrangements provide another more intricate example. The

way these arrangements work is that a firm will pose as a subcontractor for a fee and insert itself between workers and an employer, thus freeing of the employer of his legal obligations toward his workers and undermining the workers' ability to ask for their rights under the work code. The new forms of informality are erasing the (admittedly theoretical) boundary between the formal and informal sectors, and are opening more and more informal economic spaces with formal structures. How widespread these work arrangements have become is evidenced by the recent change in the legislation that defines the types of informality that are illegal and can be prosecuted. The new law passed in 1997 specifies a whole new series of informal work arrangements as breaches of the work code.

These new varieties of informality have been squeezing undocumented workers out of the informal labor market. There are two reasons for this. First, these more sophisticated types of informality require legal work permits. Because one aspect of the work set-up is usually declared and above board, one cannot participate in these work forms unless one has papers. This development has hit immigrants workers in industries characterized by flexible and layered work arrangements particularly hard. So, for example, undocumented immigrants who work in construction or the garment industry where the reliance these flexible types of informality have mushroomed over the past two decades experience the need for papers as much more vital to their economic survival than those who work in sectors such as restaurant and hotel industries where more conventional, "old-fashioned" forms of informality are still the norm.

Second, these changes have leveled the competitive advantage of informality that undocumented immigrants once wielded. Because these types of informality have

become so pervasive, and because they are part and parcel of the structural flexibility that firms across the economic spectrum have sought to build into their operations, the gamut of workers labor under their conditions has spread increasingly wide. Furthermore, the proportion of French workers employed under these conditions has also grown. The data collected by the Ministry of Labor on citations of illegal work illustrates this tendency. (It must be specified, however, that because these figures document citations, or in other words, incidences of illegal work that were caught, they cannot provide accurate information about the labor market as a whole. However, they can point to certain trends). First of all, the increase in citations for illegal work has been fairly substantial, rising from around 11,500 in 1990 to almost 20,000 five years later. Whereas French nationals represented approximately 50 percent of illegal work cases in 1992, they accounted for 60 percent of those citations in 1995. Even more significant for the case of the *sans papiers*, however, is the precipitous drop in citations for working without a legal work permit. In 1990, these citations were 33 percent of the total; by 1995, the proportion had fallen to a little over 5 percent. The drop of undocumented immigrants as a proportion of all those cited for work infractions also corroborates this trend: in 1992, they were 17 percent of the total, and by 1995, they made up only 8.7 percent of all persons caught working illegally (DILTI 1997; Haut conseil à l'intégration 1992) (See Chart 3).



This information indicates that the “no strings attached” employment that undocumented immigrants can offer firms is no longer as attractive or as needed. The structural flexibility that firms have incorporated into their operations has replaced the “add-on” flexibility that immigrants, especially those without papers, used to provide.

These economic transformations have changed the relevance of papers. To a very large extent, it is because their increased significance to the economic survival of so many immigrants that France has witnessed a wave of *sans papiers* activism over the past three years. The economic pressures that undocumented immigrants experience has made the personal sacrifice and risk involved in protesting for them worthwhile. In the next chapter, I use the case of the garment industry to depict the precise ways that undocumented immigrants experience those economic pressures, and I detail the processes by which they have edged these workers to the periphery of the labor markets to which they belong.

## CHAPTER 2



"You know, I thought I would see the day when they would all be legalized!" "Don't jinx us!" *Le Monde*, May 31–June 1, 1998

### HYBRID INFORMALITY AND DIVIDED LABOR MARKETS THE CASE OF THE GARMENT INDUSTRY

The undocumented immigrants who have participated in the sans-papiers protests come from a wide range of national and ethnic backgrounds. The personal stories and circumstances represented among them are as numerous and varied as the protestors themselves. Families with children, single men, immigrants who arrived as children and immigrants who arrived as adults, those who fled life-threatening political persecution and those who came in search of economic opportunity, those who migrated to join an extended family network and those who ventured out alone – all rallied together under the banner of “sans-papiers.” From the outside, it appeared that this identity was the principle, if not the only, commonality shared by the immigrants in these protests. However, as I conducted my interviews with protestors, organizers, as well as journalists, service providers, and advocates, it became clear that these immigrants were joined together by more than their lack of legal residence and work papers. They were bound together by the particular set of economic constraints that they face, and more precisely, the type of industries in which they labored.

The overwhelming majority of the undocumented immigrants who participated in the protests worked in industries that, although varied, fit a specific profile. They were industries that faced variable and unpredictable market demand, and where the ability to respond quickly and gracefully to shifts in market conditions was key to remaining competitive. They were industries where flexible production strategies had become the norm, and employment arrangements that allowed firms to expand, contract, and transform their production on short notice were widespread. Immigrants in these industries faced employment prospects that were extremely unstable and work set-ups that were highly contingent. They tended to cycle through employers, working for each

employer for a short period of time (an afternoon, a few days, a week or two), based on demand or working for several employers concomitantly on a part-time basis. Workers in these industries rarely had an exclusive relationship with one employer, and they were constantly seeking employment. The erratic nature of employment in these industries was further compounded by the dense and sometimes convoluted subcontracting relationships that firms had built with one another as a means to make production even more malleable. Industries heavily represented among the protestors and that matched this description well were the garment industry, construction, landscaping, and some segments of the service industry.

Notably absent from the protests were undocumented immigrants who worked in industries where employment was associated with some measure of job security. Immigrants who worked in sectors where employee-employer relationships tended to be exclusive (“monogamous”), and relatively stable, or at least, predictably variable as in the case of seasonal work, rarely participated in the protests. Examples of this type of industry include the restaurant, hotel and small-scale commercial industries (“corner shops” or convenience stores). This distribution of *sans-papiers* activists according to industry explains why North African were so poorly represented among the protestors when they account for a large proportion of undocumented immigrants, accounting for over one fourth by conservative estimates (OECD 1999). North African immigrants tend to work this second type of industry, characterized by more stable employment set-ups (Moreau, Espagne, Interviews, July -August 1998).

In this chapter, I examine why this industry selection characterizes *sans-papiers* activism. Why is it that undocumented immigrants who work in the first type of industry

have felt compelled to protest, whereas immigrants without papers who labor in the second, more stable industry type have not? In particular, I look at the labor market conditions that immigrants in the first category confront, and at how those conditions have changed as the flexible industries cope with intensified domestic and international competition. I explore how the significance of papers for undocumented immigrant workers has changed in these industries, curtailing their opportunities for employment and training, and I show how those labor market transformations have made immigrant protest over legal status imperative.

In the preceding chapter, I documented that the structure of the labor market that immigrants face has changed over the past few decades. In particular, I showed that the strategies that firms have adopted since the late-1980's to build the flexibility they need to compete under new economic conditions into their production systems have altered the nature of informality. They have blurred the line between formal and informal labor almost to the point of being indistinguishable. Firms have completed their increasing reliance on part-time and temporary labor with semi-formal hybridized forms of informality that are more sophisticated and elusive than their precursors, with at least one facet of the employment arrangement is gilded with the appearance of formality. Through these newer brands of informality, I explained, firms have been able to informalize and make more contingent the segment of their workforce that they would have previously considered their essential labor – workers that less than a decade ago would have been considered “core employees.” I argued that these new work forms have enabled firms to obtain the standards of performance and skill levels expected from

segment of the labor market without providing the associated job security, employment guarantees, and compensation. (Marie 1996 & 1997).

These shifts have modified the position of immigrant workers both with and without the legal right to work, and have transformed the manner in which legal work permits govern immigrants' access to employment. The impact of these economic changes has been particularly devastating for undocumented immigrant workers. As these hybridized forms of informality become more widespread, these workers have lost their competitive edge of offering firms "no-stings-attached" employment. Firms no longer have to resort to them to build a cheap buffer against economic flux around their operations, and they are increasingly adopting strategies for flexibility that are more integral to their production operations. These immigrants are now facing a situation where their undocumented status no longer represents an advantage, but has even become something of a liability.

In this chapter, I detail the specific impact that the informalization of formal employment has had on workers who do have access to the formal sector by virtue of the fact that they do not have the legal right to work. I show that a disturbing economic divide has emerged among undocumented immigrants. On one side of this yawning chasm are undocumented immigrants who are endowed with skills enough for them to remain competitive in the labor market even under these new conditions. On the other side of the split are undocumented immigrants who are unskilled and who have, in a sense, been left behind. These latter workers labor for substantially lower wages, and under more arduous and difficult conditions. More troubling than this, though, is the fact that their prospects for upgrading their skills are few. Because they labor at some

geographical or qualitative distance in the production process from their skilled peers, their opportunities for acquiring new skills through observation, casual exchange, and informal “learning-by-doing” are limited. As a result, these undocumented workers are solidifying into a permanent underclass whose possibilities for upward mobility are increasingly remote.

To illustrate the trends I have described, I will use the example of the garment industry in Paris. My choice of industry is a deliberate one. The changes in production processes and in the manifestations of informality that I have described here are especially visible and accessible in the garment industry. It is an industry that is especially subject to the economic pressures associated globalization, especially with the sharply increased international competition in labor-intense fields. Clothing production is highly sensitive to shifts in market demand, and international competition in this sector has been unforgiving: in this industry, making production processes as flexible as possible has been more than a question of maintaining competitiveness in a global market. It has literally been a matter of survival. Additionally, the garment sector in France, as in many other industrialized nations, has relied, and continues to rely heavily on immigrant labor, both documented and not.

The Achilles’ heel of any case study on the garment industry is that it is vulnerable to being discounted. Criticisms leveled at studies of immigrant labor in the garment industry have argued that this sector is something of an anomaly and that conclusions extrapolated from analyses of this industry cannot be extended to the economy as a whole. Skeptics have contended that garment production is uniquely subject to shifts in market demands that are unusually capricious, with whimsical changes

in taste and frivolous but powerful fads redefining the product seasonally at the very least, if not more often. No other industry, they point out, is a slave to fashion in quite the same way. Furthermore, critics have argued that observations about the use of immigrant labor in the garment industry cannot be generalized to immigrants laboring in other sectors: they note that not only is the garment industry's reliance on immigrant labor uncommonly heavy, but also immigrants workers in this industry are subject to distinctive styles of exploitation, complete with the archetypal sweatshops and homeworking arrangements. At most, some observers of advanced industrialized economies have conceded that some industries are experiencing a type of "garmentization," displaying some of the characteristics associated with the garment industry in their production processes. A pet example is the micro-electronics industry, with its frequent revisions of product design, its growing reliance on outsourcing, and its search for cheap labor for product assembly.

While the distinctive characteristics of the garment industry are undeniable, I believe that they are not the primary reason that the industry has displayed an informalization of documented workers and the dramatic economic marginalization of undocumented immigrant workers. Because of how consistent these trends are across a number of varied industries, it seems to me that these labor force mutations, particularly the growing economic split between documented and undocumented immigrant workers, stem from larger economic and political pressures, as opposed to simply the idiosyncrasies of clothing production.

## CASE STUDY: THE FRENCH GARMENT INDUSTRY

The French garment industry has been hard hit by international competition, and it has ceded its international market share to new garment producing and exporting giants, like China and Taiwan, such that the proportion of worldwide garment export produced in France has slipped from 6% in 1980 to 3.7% in 1994. Figures from the French Ministry of Economy, Finance, and Industry indicate that since 1990, this sector has lost a fifth of its enterprises and a fourth of its workers. Furthermore, government data show that the structure of the industry has changed, with the number of large firms (with 500 employees or more) shrinking by almost a third since 1990, and the proportion of subcontractors growing from a fifth to a third of all firms over the past decade. (In actual fact, the shift in these proportions has likely been more pronounced than government data indicate, because government calculations only factor in firms with upwards of 20 employees). Production tasks have also undergone a kind of rationalization along firm lines, such that firms increasingly specialize on one stage in the production process, focusing, for example, exclusively on design, fabric cutting, assembly or distribution. In 1986, the proportion of firms that completed more than one phase of the production process was at 38%, but by 1996, it had fallen to 28% (ibid). Links between the different stages established through temporary and relatively fragile interfirm relationships are becoming an industry norm, and subcontracting arrangements have become more complex, with links between firms resembling an intricate web more closely than a neat cascade. (Ministère de l'Économie, des Finances, et de l'Industrie, 1997: 162).

The heart of the French garment industry is in Paris, and the entrepreneurs and workers I interviewed there reported that the sting of these international pressures had

been particularly sharp for the past several years. Owners of sewing and assembly firms in particular explained that the competition they faced had intensified significantly, and that subcontractors had ratcheted up their standards while at the same time lowering their payments for orders. These firm owners reported that they were receiving anywhere from ten to thirty percent less per garment assembled than they had a few years earlier. They added that subcontractors had also tightened the turn-around time they allowed for orders, requiring that higher quality items be produced in less time. Furthermore, they specified that an error in assembly, such as sewing a pocket on in the wrong direction, or a missed deadline for delivery had consequences that were increasingly severe: such a mistake could seriously jeopardize, if not permanently sever, the tie between subcontractor and subcontractee. In short, these firm owners indicated that there was little, if any, slack in the system, and that the requirements for remaining competitive had become much more stringent. (Interviews, July-August 1998).

As a consequence of these economic pressures, two different production strategies seem to have emerged. The first relies on a so-called “high-road” approach, where firms use relatively skilled labor to produce higher quality items under tighter time constraints. In this production method, firms view qualified workers as an asset and as an integral factor in achieving continuous quality improvements, and are therefore willing to pay workers salaries that value their skill. The second approach is a “low-road” production strategy, where labor is viewed as a major and almost unwarranted cost factor. In this method, firms seek to maintain competitiveness by cutting labor costs, primarily wages, without any real upgrade in quality. To put it bluntly, the central strategic tool for profitability on the “low-road” is sweating labor. (Knorranga 1996)

I am not suggesting here that “high-road” and “low-road” production strategies are new to Paris’s garment industry; they have long featured in the repertoire of tactics that firms have used to sharpen their competitive edge. Rather, I am arguing that these strategies have become increasingly discrete. Garment workshops are more clearly favoring one strategy or the other. Their commitment to one “road” or the other is reflected in adjustments made to numerous aspects of their production processes, ranging from their hiring practices to their target markets. Furthermore, a geographical separation has accompanied this dis-aggregation of approaches, such that firms that rely on “high-road” production tend to be concentrated in the heart of the city, whereas firms that use more straight-forward, “low-road” cost cutting strategies tend to locate production in the capital’s suburbs.

This separation of approaches has had a significant impact on the status of undocumented immigrants in the labor market that supplies the garment industry, and has changed the significance of legal work permits for the ways that these workers access employment and training. To explain how, a more detailed profile of these two types of production strategies and the manner in which they draw on immigrant labor is necessary. However, in order to demonstrate the implications of these changes, a preliminary but stylized overview of production processes in garment industry is necessary. Therefore, this case study begins with a brief background account of the organization of clothing production in Paris, and outlines the structure of the industry and the mode of garment production that predominates in this district.

## THE SENTIER: A GEOGRAPHICAL AND CONCEPTUAL SPACE

For decades, the nucleus of Paris's garment industry has been concentrated in the Sentier neighborhood in the heart of Paris. Spatially, the Sentier strictly speaking stretches only across a small handful of arrondissements – or wards – in the city center as well as one or two slightly to the east. However, over the past decade or so, the Sentier as a locale of garment production has broadened to encompass areas in the North West of Paris and some of the city's immediate suburbs. The spread primarily reflects the increased participation of Chinese immigrants in garment production, who have been settling in what were largely Arab working class areas since they began arriving in Paris in important numbers in the late 1970's (Lazzarato et al 1993: 151). The Chinese are the latest in successive waves of immigrants from various ethnic origins that have moved into garment production. Preceding influxes have included Jewish migrants and "pied-noirs" (descendants of colonial settlers) from North Africa, Italians, Yugoslavs and Turks. Presently, Sri Lankan and Bangladeshi immigrants are following the Chinese' footsteps, and moving in to take the lowest status jobs in the industry.

The productive capacity that the Sentier represents is by no means negligible. According to recent estimates, the Sentier houses approximately 2,500 small firms with less than 10 employees, representing a total declared employment of more than 20,000 (Lazzarato et al. 1993: 151). This number, however, does not take into account the significant pool of undocumented labor also employed through Sentier-based garment production.

The Sentier hosts firms that focus on all different stages of the garment production process, such that firms specializing in pattern design or distribution are located caddy-

corner to firms that perform the cutting or sewing and assembly portions of garment production. Textile wholesalers have outlets right next door to clothing manufacturers, and even the most casual observers can spot workers wheeling bolts of fabrics as well as completed garments in modified wheelbarrows through the small backstreets of this historic neighborhood. Discount stores for sewing machines and industrial pressing equipment are also sprinkled throughout the area, squeezed in between the countless tiny workshops. This constellation of firms presents distinct advantages for garment firms in this area: subcontractors can deploy orders to smaller firms quickly and can easily reconfigure their links with these enterprises to meet the specific production requirements of a given batch of garments; clothing items can be cycled through firms responsible for the various stages of production with relative speed and with negligible transportation costs; and firms can exchange information about product design, especially design flaws, with facility. The close relationships between firms engendered by this geographical proximity allow for quick turn-around times on products and make this multi-firm production process flexible and lithe.

However, the close quarters of these enterprises do more than merely facilitate their cooperation. It generates an economic and social environment that supports the organization of garment production characteristic of the Sentier, one that is super responsive to shifts in market demand. As Lazzarato, Negri and Santili observe in their study of the district (1993), traditional conceptions of the firm are too literal to describe clothing production in the Sentier. Businesses in this district do not fit the profile of the firms as institutions that organize and manage proportions of capital, labor, and knowledge in on-going and stable way, and that side-step transaction costs by bringing

economic exchanges within firm walls on a relatively permanent basis. Rather, they are best thought of as “virtual firms” -- the term coined by Lazzarato et al. to describe them. They function as institutions that specialize in bringing together the various factors necessary on a temporary basis to complete a single discrete task, or a given order. Their expertise is in assembling the prerequisites for the production of a specific garment or a particular line of clothing, and these factors exist in the Sentier largely independent of any one firm. This coordinating capability distinguishes firms all the way down the subcontracting chain. For a given garment, the manufacturers/distributors at the top of the subcontracting cascade will collect the capital necessary for the completion of that particular order, choose and purchase the cloth, design or buy the model, hire a group of smaller firms for production, and then will market the finished items. Firms in the lower tiers of cascade will bring together the labor, capital and often equipment necessary to complete the tasks involved in producing a garment, from cutting the cloth according to pattern, to assembling the garment either in its totality or in pieces. However, they gather these factors *solely* in response to orders from manufacturers/distributors; when they are not engaged in completing an order, only the shell of the firm remains. Workshops will be empty of workers and equipment will lie idle; and in the case of homework, even the production space takes on its alternate domestic function. Without an order to fill, the firm exists in name only.

These virtual firms complement the responsiveness and adaptability of their temporal and contingent mode of production through the liberal use of informal practices. Undeclared and concealed economic exchanges are integral to the productive operations of enterprises at every stage of the garment production process, from clothing design to

garment finishing (Lazzarato et al, 1993; Ma-Mung 1990). As Lazzarato and his colleagues observe, “fraud is a part of the mode of production in the Sentier, not as its pathology, but rather as a structural economic characteristic” (1993: 196). These informal activities are key to the economic survival of businesses in the Sentier, and indeed, these firms simply could not be profitable without these “off-the-books” gains. The extra-legal activities common in the Sentier run the whole gamut, and include everything from fiscal fraud and the fabrication of false receipts to the casual “borrowing” intellectual property (which in the Sentier generally means clothing patterns) to the judicious use of undeclared labor. These informal practices provide firms in this district with two broad sets of advantages. First, in what, by now an almost cliché take on informal practices, they allow firms to evade the costs involved in adhering to the laws and administrative rules covering economic exchanges. Second, and more significant in this case, they enable firms to shed the rigidity and operational bulkiness associated with cumbersome and trade and employment regulations, standardized laws that make few, if any, allowances for the types of pressures faced by garment firms or for their “virtual firm” mode of production based on the temporary gathering of factors.

In the Sentier, the declared and undeclared economic exchanges involved firms’ repeated assembly of factors are coordinated to a great extent by market mechanisms. Firms at every level of the subcontracting cascade are highly aware that they are selling their services in a competitive market, with the only distinction between firms being the scope of the market they confront. Manufacturers and distributors compete internationally with producers in Europe, North Africa, and East Asia, whereas small sewing and assembly workshops vie with their neighbors in the Sentier. This exposure to

the rigors of the market, be it international or local, shapes the mode of production that firms large and small adopt (Lazzarato et al 1993: 158). In order to remain in the running for orders, firms strive to produce quality goods at low cost. They also seek to build maximum flexibility into their structures, so as to ride the unpredictable crests and troughs of market demand. In practice, these priorities translate into very short but concentrated production runs, where factors for production are exploited as intensively as possible (this is particularly true where labor is concerned) (Lazzarato et al 1993: 161). Firms operate with absolutely no stock base, purchasing or receiving the exact amount of necessary materials for production with the order (Lazzarato et al 1993: 161). I observed, for example, that sewing firms would receive a precise number of cut cloth segments to assemble a specified number of garments; extra pieces to cover potential human or machine errors, not to mention flaws that might result from defects in the cloth or thread provided, were rarely included. Organization of production is tailored to the needs of each order – if the order is for a shirt with a complex collar, the firm owner will hire a seamster that has a reputation for being particularly talented at sewing collars. However, it is important to note that this last trait is less pronounced when it comes to firms that are relatively specialized, such as operations that focus on the production of women’s evening gowns, for example. (Interviews, July-August, 1998).

Because market mechanisms play a significant role in directing and managing clothing production and inter-firm relationships in the Sentier, this district seems to fit the popular portrayal of informal economic spaces as the expression of the market in its purest form (De Soto 1989). However, while the Sentier as an informal economic space may slip out from under state regulations and labor law, it is not free from controls. The

multiple economic exchanges involved in garment production by the district's "virtual firms" are regulated by the social relationships and the dense social ties that weave through this geographical and productive neighborhood. The affective logic of family and ethnic solidarity orders the impersonal and ruthless logic of the market. (Portes 1994)

Arguably, in the absence of these social controls, economic exchanges and inter-firm relationships could not be coordinated by the market mechanisms that are so pervasive in the Sentier. As Portes observes, the social networks that govern exchanges in informal economic spheres perform many of the functions that state regulations are designed to fulfill. They provide some measure, and indeed the only measure, of protection against the malfeasance, opportunism, and gross exploitation that one might expect in a pure market "free-for-all." It is these social controls that serve to keep informal markets functioning more or less smoothly; they are the institutions that ensure informal rules are followed and agreements are respected. They endow economic exchanges with the degree of predictability necessary to allow economic actors to "truck, barter, and exchange one thing for another" (Smith, qtd. in Portes 1993: 432).

One of the most significant aspects of production that these social networks regulate is labor relations. In my own fieldwork in the Sentier, I observed that social ties had considerable sway in determining worker's access to employment, the conditions under which they labored, and the resources available to them in seeking protection from and, in some case redress against, exploitative employment situations. In the following section, I detail how these networks informed the jobs that workers were able to get and the recompense that they received for their work. I also explain how these networks serve simultaneously as a source of power for workers and as vehicle for oppression and unfair

treatment. In laying out these functions, I hope to create a backdrop for the structural changes in production in the Sentier, one that illustrates the significance of the changes I observed and one that provides some clues to why the changes took the form that they did.

In my interviews in the Sentier, the firms owners I spoke with indicated that social relationships carried significant import in determining who they were willing to hire, Similarly, workers conveyed that personal relationships informed their preferences for employers. Turkish owners of garment sewing and assembly firms, for example, expressed that they were partial to hiring family or friends of family, people from their village or people from their area of Turkey. They wanted to employ “people they could trust to work well.” Workers I spoke with expressed mirror sentiments, stating that they would work for a given employers because “he’s a good man, he is from my village” or “I work for [so and so], he’s my cousin’s husband, it [being at the workshop] is like being at home.” (Interviews, July-August 1998). Ethnic and/or national organizations based in the Sentier area reinforced these ties: formal associations for Turkish, Kurdish, and Chinese workers among others were located right next to garment workshops. The Association for Turkish Workers (Association pour les Travailleurs Turques – ATT), for example, not only offered workers a wide spectrum of services that ranged from legal aid to childcare and support for pregnant mothers, but it also served as a center for networking. The organization provided a social space where workers could come and drink tea, read Turkish language newspapers, and exchange information about job opportunities, the employment practices of bosses in the area, and alternative sources of economic support, such as which Turkish eateries extended free meals to members of the

community who had fallen on particularly hard times. (Interview, ATT staff, August 1998).

The ramifications of these social networks were not always positive, however. They did not just serve as the infrastructure through which employers found reliable and trustworthy workers at short notice, and through which immigrants found work. They also created social distance that, on occasion, made economic exchanges more complex, even acrimonious, thus confounding the market's supposedly impartial logic of efficiency. Several Turkish employers, for example, reported to me that they were not keen on hiring Chinese workers. In their view, Chinese workers were fast and could churn out an impressive quantity of garments in a day, but their workmanship was sloppy. As they explained, a large number of items was of no use to them if the quality was not up to par. Turk and Kurdish workers I spoke with shared this perception of Chinese workers as hardworking but a little careless. The commentary of a Kurdish garment worker I accompanied to one firm where he worked frequently captured this prejudice well. With his head, he pointed to a Chinese worker surrounded by piles unfinished garments, quickly eating his lunch at his sewing machine station, and said, "they [the Chinese] work all the time, they don't even break for lunch, but it's bad. You can dirty the clothes. If you get food stains on the clothes, it's very bad" (Interview, July 1998). The precision of Chinese immigrants' stitching is not what is at issue here; the assertions made by Turk and Kurdish immigrant workers and employers were clearly suspect. Of interest, however, is the manner in which these perceptions inform hiring practices as well as training opportunities within the firm. It was not unusual for firm owners to exercise a more mentoring supervision style with workers with whom they shared kinship

ties or an ethnic solidarity, and a more reserved and taciturn quality control style with workers from whom there was a social distance.

In certain instances, worker and employer were able to bridge this type of social distance to forge an enduring social tie. I observed this on a number of occasions between Turk employers and Kurdish employees. Generally, garment firms' search for quality production served to bridge the silent but often profound rift between Turks and Kurds in the Sentier. If a Kurdish immigrant was especially skilled at a given aspect of garment production, an employer would be more inclined to put aside whatever political tensions and historic animosity he harbored toward the Kurds to hire this particular worker. The comments of one Kurdish worker I spoke with evocatively express the strength and resilience of some of these social relationships forged across political difference. Umit was a fast and meticulous ironing man, and he often worked for a Turk employer whom he called "a good man." He went on to specify that, "He's Turk but he's fair. He told me, 'Come to workshop and work whenever you like, and if there is no work, just come and sit with us and have a coffee and I'll still pay you'," (Interview, August 1998).

Once hired, workers depend on social networks and community norms to calibrate the conditions under which they labor. Analysts of the Sentier, and of the French garment industry as a whole, have suggested that social pressures have been generally effective in ensuring that wages and working situations are passable. Both Ma-Mung (1990) and Lazzarato et al (1993) in their research found that although sweatshops with virtual slave labor conditions did exist, they were the exception rather than the norm. They added that the compensation received by undocumented immigrant workers compared favorably

with that earned by documented workers in the same jobs. While this remains the case for many workers who labor in the garment sector, my research suggests that social networks are failing to serve this protective function for the vast majority of undocumented workers. However, this is an issue I will expand on below, in my description of the changes in the Sentier mode of production and of the resulting economic divide that has opened among undocumented workers in this industry. Nevertheless, for workers on the lucky side of this divide, social networks act in much the same way as previous studies on the district have described. The main mechanism of control against excessive worker exploitation – and, by that token, the main tool of resistance at workers disposal - is social reputation. Word travels fast in an informal economy and jobs, although they are short-term, are not terribly hard to come by. An employer that mistreats his workers or pays them significantly under the industry or neighborhood standard will quickly be branded as unfair and will find himself hard pressed to find anyone – except for the most recent arrivals and the most desperate – to work for him. In an industry where mobilizing labor under very short notice is key to the mode of production, this type of repute quickly translates into economic bankruptcy. (Interviews, July - August 1998, Ma-Mung 1990, Lazzarato et al 1993)

However, the effect of social networks for workers is not always virtuous, and social ties make it more complex for workers to challenge situations that are exploitative. Because work relationships are overlaid onto social ones, workers demanding an amelioration in working conditions confront not just an employer, but someone who may be a member of the immediate or extended family, a person from the same village of origin, or, even more delicate, someone with whom they have built a relationship across a

political divide. Resisting employer exploitation in this situation often does not remain confined to a debate over a just distribution of resources, but it can easily become an affront to the organization of social relationships and community norms. Furthermore, lobbying this type of challenge can mean putting at risk one's status in the social networks to which one belongs. Interface of market pressures and social relationships also means that exploitative practices are quickly socialized. The affective aspect and the ethic of community solidarity makes it easier for employers to pass down to employees the constraints of more demanding markets, cutting costs to remain competitive by lowering wages, lengthening work hours, and accelerating the pace of production. (Portes 1994; Benton 1990; Interviews, July-August 1998).

The manner in which the Sentier as a productive district has typically responded to heightened international competition intensifies this socialization of costs. As Lazzarato et al explain, the Sentier tends to absorb the pressures of increased competition through the market mechanisms that run through the district and that, in conjunction with social relationships, coordinate its economic exchanges. "External competition is not confronted through innovation in production, as is the case in the rest of the industry; rather, it is absorbed in very supple manner at the heart of the existing commercial structure" (Lazzarato et al 1993: 160). Competition between firms in the district intensifies, as they vie for orders that become more scarce. Firms try to sharpen their competitive edge through a dual strategy of cutting internal production costs and making system of production even more flexible. Eventually, production in the Sentier as a whole, argue Lazzarato and his colleagues, becomes more cost effective and more

responsive to market shifts, making the district competitive once again in a global context.

In the last few years, however, as garment producers in the Sentier have faced international competition of unprecedented ferocity, the manner in which this district has coped with these newly intense pressures has been less linear than the processes reported in previous studies of this production system. Instead of socializing costs and enhancing the flexible aspects of their production in a straightforward way, firms have been modifying their production strategies and making different choices about how to use their resources. These changes, some subtle and some dramatic, have amounted to a strategic and geographical cleavage in the mode of garment production based in the Sentier, with firms on one side of this split attempting to remain competitive by adopting a low-cost version of “high-road” production, and firms on the other resorting to sweating labor in archetypal “low-road” fashion.

The group of workers for whom this divide has had the most consequences is undocumented immigrants who labor in this industry. Indeed, they have been at the center of these changes; if not for these workers made vulnerable by the fact that they do not have the legal right to work, the Sentier may not have responded to increased international competition in quite the same structural manner. That said, these structural changes have radically altered the way undocumented immigrants navigate the labor market: they have significantly changed their access to employment and opportunities for skill development; for many, they have meant a clear shift in the conditions under which they labor, with many undocumented immigrants relegated to low-road production sites; and they have modified their status and position in the social networks that regulate the

industry, with many undocumented immigrants finding themselves pushed to the margins of their social webs. In the remainder of this chapter, I provide a description of these structural changes in production and describe the implications that this disaggregation of low-road and high-road production strategies has had for undocumented immigrants working in Paris's garment industry.

#### RAISING STANDARDS: TAKING THE "HIGH-ROAD"

Garment firms physically located in the Sentier area have by and large responded to increased external competition by adopting a pared-down "high-road" production approach. They have adopted a compendium of strategies to allow them to remain competitive in the markets they have traditionally targeted. They continue to produce for middle range markets in Western Europe and clothing produced in the Sentier can be purchased trendy boutiques in cities like Amsterdam, Munich, Geneva, and, of course, Paris. They have worked to enhance their responsiveness to market shifts, and have assumed employment practices to boost their productive flexibility. Along with this emphasis on productive malleability, firms have paid increasingly attention to quality and have modified their operations to facilitate quality control.

Perhaps the most significant qualitative amendment in these firms' mode of production is the increased use of semi-formal hybridized forms of informal labor. More than ever before, full-time workers are routinely declared as part-time, others are hired under temporary contracts (that often last less than a week) every time an order comes in, some are classified as "freelance" seamsters and seamstresses, and still are "borrowed"

from other firms, sometimes several firms removed so that it is impossible to identify a worker's legal employer. Firms in the Sentier have always resorted to these semi-formal employment arrangements to a certain degree. However, as the district has felt the squeeze international competition, firms have made an effort to shed any and all residual "rigidities" and remove lingering arthritic stiffness in their ability to respond to variations in demand. As garment workshops have informalized labor, they have made contingent even the most regular of their workers. True to type, these firms have passed the costs of increased productive flexibility on to their workers, socializing those expenses throughout the social networks in standard Sentier fashion.

While no data quantifying this shift is available for the Sentier, infractions of employment law in the garment industry as a whole – which is in any case concentrated in Paris – reflect this trend. The French Inter-ministerial Delegation for the Control of Illegal Labor (DILTI) reports that in 1992, 40 percent of all citations in the garment industry were for the employment of undocumented workers, and 60 percent were for the informal practices in more hybrid arrangements, that is work set-ups that display simultaneously attributes of both formal and informal employment. By 1997, that distribution had shifted, such that only 20 percent of citations were for the use of undocumented immigrant labor, and the remaining 80 percent were for other more ambiguous set-ups (Marie 1999).

Firms' increased reliance on semi-formal employment arrangements has meant that they no longer need to rely as heavily on undocumented workers to build flexibility into their operations. Their ability to expand and contract their labor force – an elasticity which in the case of the Sentier's "virtual firms" range from non-existent to maximum

capacity – is not nearly as dependent on the use of vulnerable and expendable “easy-come, easy-go” undocumented immigrant labor as it was even a mere five years ago. For undocumented immigrants, these changes have meant a dulling of their competitive edge: they are no longer the sole or even the primary source of malleability in productive systems. For firms, these changes mean that they can enjoy the advantages of informality without the associated inconveniences of hiring undocumented immigrants.

Interviews with employers and undocumented immigrants indicated that the most significant drawback in hiring undocumented workers was that employers could never be absolutely sure that they would show up for work. The primary reason for this is anti-immigrant legislation passed in 1993 has made it difficult for immigrants without papers to circulate throughout the city. The battery of restrictive immigration laws passed under conservative Charles Pasqua’s tenure as Minister of Interior included a provision that allowed police and more recently, employees of the nation’s public transportation system, to check the identity papers of all “suspicious” and “foreign-looking” individuals, and arrest (or, in the case of public transportation staff, turn in) and deport any immigrant, legal or not, who threatened public order. These checks are, in fact, quite frequent, and arrest, as well as the beginning of deportation procedures, is relatively commonplace (Interview, Gisti & Droits Devant, August 1998). As a result, getting to employment that is not within easy walking distance of one’s place of residence can often be a hazardous undertaking for undocumented immigrants. Fear of having papers checked was a significant theme in my discussions with undocumented immigrants. Many of the immigrants I spoke with shared that they rarely ventured out of their “arrondissement” (a ward usually extending about twenty blocks), even, for example to visit relatives in the

suburbs, because they felt the risk of being stopped was too great. Additionally, numerous Turk and Kurdish immigrant men said that they had shaved off their mustaches because they did not want to stand out as “foreign-looking.” (Interviews, July – August 1998).

Along with providing a more dependable source of informality, these semi-formal forms of employment are significantly less conspicuous than the traditional brand of informality. These convoluted and slippery forms of informality, disguised as they are with the appearance of formality, enable firms to mask their illegal use of labor and their widespread evasion of labor laws. The physical concentration of firms in the Sentier makes covering-up illicit practices especially important: their geographical clustering gives them a significant measure of visibility and means that their employment procedures are more subject to government scrutiny than they would otherwise be. A series of highly publicized crack-downs on the employment of undocumented labor in the garment industry over the last few years has made camouflaging illegal uses of labor an even greater priority than before.

The risk that a firm owner runs by having an undocumented immigrant worker labor on business premises is by no means insignificant. Owners face the possibility of being cited and fined, sometimes significant amounts, for employing an immigrant illegally. More importantly, however, this practice makes other hybrid informal hiring activities more vulnerable to government scrutiny: if an *inspecteur de travail*, in reviewing a workshop, finds that one of the immigrant workers is unable to provide work papers, that bureaucrat is more likely to subject the work arrangements of the other employees to more careful examination (Interviews with *inspecteurs de travail*, Paris,

July –August 1998). Furthermore, although firms have a number of means at their disposal to evade penalties for illegal employment practices, should these prove prohibitively high, these strategies have other indirect costs that are perhaps more damaging to the firm over the long term. For example, a common method of avoiding fines is declaring bankruptcy and closing firm doors, only to reopen the business a short while later, registering it under the ownership of a family member (a brother, a child, a cousin), and perhaps, also changing the name of the enterprise. However, resorting to this method means sacrificing a firm's relationships – at least temporarily - with subcontractors and suppliers, jeopardizing its reputation for reliability, and endangering its name recognition.

In a productive environment where external competitive pressures are translated into more heated competition among firms within the district, the costs associated with employing undocumented immigrants are quickly becoming prohibitively high. Firms cannot risk dropping out of the competitive pool because they have had to temporarily shut their doors. Nor can they risk a delay in delivering an order because one of their employees was unable to show up for work. The margin that determines the success and failure – or, perhaps more accurately, the survival or bankruptcy – of a firm has become too slim for businesses in this district to hazard and absorb any unplanned-for costs, be they immediate or future, through damage to its reputation for performance.

Because of the intensity of the contest between firms in the Sentier, garment producers are placing increasing emphasis on quality. Minor differentials in quality, or slightly more attention paid to the finishing of a garment can determine whether or not a firm gets an order to fill, and more importantly, whether or not it will continue to receive

orders. Employers I spoke with reported that they were paying more attention to quality control, checking merchandise as it was being produced. They explained that they regularly cycle through workstations, verifying the garments (or portions of garments) that their employees produce as they produce them. Many specified that they check production often enough to ensure that no more than a handful of garments pass through any one stage of the production process or through the hands of any one worker between inspections. Many also said that they had become more finicky about finishing. They stated that they had become more meticulous in their supervision of detail work and ironing, and were stressing precision along with speed.

Due to the increased emphasis that firm owners are placing on quality, the skill level of workers who labor in the Sentier's workshops is relatively high, and this despite the fact that they work contingent semi-formal employment arrangements. Some employees are hired with skills in one or more aspect of garment production already developed and perfected. Many others, however, acquire and/or diversify their skills on the job, through the informal training of "learning-by-doing." The meticulous and frequent quality control to which employers increasingly subject their employees work has also served to upgrade workers' skills. Precisely because it is so intensive and interactive, this style of quality control acts as form of training. Workers learn through the feedback that their employers give them and are able to correct and improve their technique, and address their weaknesses with accuracy. Additionally, because workers labor in very close physical proximity (sewing machines are often crammed into tight rows), they often learn from their colleagues, through informal exchanges where tips on sewing techniques accompany congenial small talk.

Furthermore, because of the high premium that these firms have been placing on quality, the wages that they pay their employees are fairly competitive. Workers I interviewed reported that in a good month – that is, a month during which they consistently worked full-time or more throughout the whole period – they could easily earn two or three times the minimum wage. (However, it is important to note that because the availability of work in this industry is so sensitive to market demand, months are not uniformly or even regularly “good.”) Employers explained that because producing quality merchandise reliably is crucial to receiving orders, they felt compelled to pay salaries high enough to attract skilled workers. They also clarified that were generally willing to negotiate with workers over whether compensation for labor should be by the piece, by the hour, or some combination of both. Because – in typical “virtual firm” style - most businesses scramble to hire workers only after they have received a work order, firm owners said that they had to pay wages that substantive enough to draw skilled workers on very short notice, with, in many cases, less than a day of lead time to assemble the necessary labor.

Wages and work conditions in the Sentier were also passable because of the control exercised by social norms. The social relationships that coordinate market exchanges in the Sentier act to temper the exploitation of workers. They reinforce social conventions about what the amount of work can be reasonably demand of a worker and what level of remuneration is considered fair. Employers who violate these informal standards risk alienation from the social network as a whole, a consequence that is severe given that those networks serve as the infrastructure through which business is conducted. Workers in the Sentier have consistent and ready access to those social networks, and at a

variety of entry points, such that they are not dependent on any single relationship for their contact with the network. They can at any time prevail upon those relationships and appeal to community norms for protection against unacceptable exploitation.

#### COMPETITIVENESS ON THE CHEAP: “LOW-ROAD” PRODUCTION

While firms in the Sentier have by and large adopted “high-road” production practices, they are surrounded by a ring of production sites in Paris’s poorer neighborhoods and in its suburbs where “low-road” production methods are the norm. I hesitate to call them “firms” and choose the more inclusive term of “sites” because very many of them are not firms in their own right. Rather, they are extensions of firms; they are satellite production spaces for the completion of the sewing and assembly phase of garment production. General contractors or firm owners whose enterprises focus on either cutting or sewing and assembly will drop off sets of cut fabric to be assembled, and then return to collect the finished order a specified number of days later.

Many of these contractors or firm owners are entrepreneurs with businesses in the Sentier who have chosen responded to the increased competition in the garment industry by competing based primarily on cost. They have re-organized either all or portions of production operations to adhere to a more “low-road” approach, and business owners will often engage in this sort of production as a side operation to the manufacturing in their workshop in the Sentier. They are interested in producing goods attractive to consumers because they are both trendy and *cheap*, and are willing to sweat labor to accomplish that goal. They target low-end markets in both Western and Eastern Europe, where their proximity keeps transportation costs down and gives them a slight, but very important

edge against dynamic foreign competitors (specifically garment producers in places such as China, Hong Kong, and Turkey).

Many of the production sites that these entrepreneurs use fit the traditional profile for homework production set-ups, with one or more members of the family producing garments for a contractor directly out of a family home. Others are more formal arrangements, with workers gathering in a separate production location. However, all of these arrangements are concealed from easy public view: they are tucked away in basements or living rooms of suburban houses, squeezed into extra bedrooms or kitchens of crowded city slum apartments, or hidden in tool shacks at the edges of overgrown vegetable gardens.

Perhaps the most important reason these production spots are covert is their complete reliance on informal labor. The employment arrangements in these spaces are uniformly undeclared. They fit the traditional definition of informality in that workers are hired and labor entirely “off-the-books”: no aspect of the work arrangement is officially declared. As is generally the case in underground workshops, the wages that employees receive are sub-par. Workers I interviewed reported that they were paid by the piece, and that during a “good” month, they earned about half the minimum wage, a rate that is substantially lower than that received by garment workers in the Sentier cluster. Furthermore, the conditions under which they labor are often far below standard requirements. In these work spaces, ventilation and lighting are generally inadequate, machinery tends to be in poor condition, and with exits blocked with boxes and with heaps of textile scraps on the floor, fire hazards are a real concern.

These sub-standard working conditions demonstrate that the distance from the Sentier at which workers in the sites labor is just as much social as it is geographic. They are isolated from the social networks that would normally offer them a measure of protection against this degree of exploitation. Furthermore, their general separation from those social networks is aggravated by the fact that whatever access they do have to the social ties that regulate economic exchanges is through their relationship with their employer. He – because it is most often a “he” - acts as the gateway and gatekeeper to the social network, and by extension, to the information and opportunities that it provides.

These production arrangements undoubtedly offer firm owners and contractors a low-cost venue for at least the sewing phase of garment manufacture. However, many employers who have experimented with it are less than enthusiastic about this cheap mode of production. As was explained to me in numerous interviews, these remote production sites significantly complicate quality control. Instead of being able to check the clothes as they are being assembled, they are constrained to inspecting the garments when they collect them, after the whole order has been completed. As a result, errors in assembly often run through the entire set of garments produced. Furthermore, mistakes in stitching have fairly significant consequences: employers, who are themselves accountable to another firm or contractor, are obliged to send the clothes back to the workers for re-stitching, incurring a delay on the order of at least several days. In this industry where quick and reliable turn around time is critical, deferral on delivery can mean lasting damage to a firm’s relationship to its subcontractor. Additionally, even when incorrect stitches are removed, the mistake permanently spoils the garment because the original stitches leave a visible stain in the fabric, and reduces the sale value of the

item. This sort of error in production not only costs a firm revenue on its order; it can cost it its reputation in the market.

The skill level of workers who labor in these production satellites makes the problem of quality control much more pertinent for employers. By and large, the workers who assemble garments in these underground workshops have mediocre sewing skills: their stitching is often imprecise, the finish on the items tends to be slapdash, and their adherence to merchandise design is frequently approximate. The likelihood that the unsupervised production at these sites will yield goods that are flawed in some way, or of lower general quality, is relatively high. While these flaws in quality certainly create challenges for producers, these obstacles they represent are not prohibitive. This is because the markets that these producers target with this “low-road” production strategy prioritize cost over quality, and they do not compete directly with the garments that come out of the Sentier, with its “high-road” production style.

#### WORK PERMITS, SKILLS, AND THE EMERGENCE OF A NEW UNDERCLASS

The dramatic division of skills between the “high -road” and the “low-road” production styles is not simply a story of supply and demand, with higher compensation and better working conditions attracting skilled workers. Instead, the different types of informality prevalent under the two production regimes have exacerbated the skill distribution between them. More precisely, they have ensured that the workers who labor under “low-road” conditions remain unskilled.

As new hybridized semi-formal work arrangements become more and more typical of the “high-road” production method, undocumented immigrant workers who do

not have legal work permits, and who, therefore, cannot be employed under work set-ups where one of more facet of the job is formal and declared, find themselves largely excluded from the labor pools that supply the more established, upscale, and visible garment firms of the Sentier. These workers find themselves relegated to firms that take the “low-road” to competitiveness, where informality is of the more traditional, straightforward ilk. The only undocumented workers to escape this rough rule of thumb are those that are highly skilled at what they do. Their abilities make them attractive to employers despite the hazards involved in hiring a worker who can only labor under completely informal arrangements.

Firms in the Sentier will employ undocumented immigrant workers if they are exceptionally good, or even above average, at completing one or more tasks in the garment production process. In my fieldwork, I found that talented ironing men were could press newly completed garments quickly and cleanly, seamsters and seamstresses who were particularly capable in sewing complex section of garments, like collars or sleeves, workers whose detail stitches were especially precise, had no problem finding work even if they didn’t have legal work permits.

For undocumented immigrant workers who have not already developed marketable skills, employment prospects are grim. Their work possibilities in the garment industry are basically only those that are part of “low-road” production strategies. Because employment in the underground workspaces that are characteristic of this low-cost method offer very limited possibilities for on-the-job training or informal learning-by-doing, and because unskilled workers cannot access the workshops where

that training is available, the likelihood that they will ever acquire the skills to cross over into the labor pool for firms that use “high-road” production approaches is very slim.

The stringent skill requirements that undocumented immigrants confront as they navigate the informal labor market have produced a growing economic divide among them. On one side of the split are skilled undocumented immigrants who work alongside immigrants with work papers for wages that are often passable; on the other are unskilled undocumented immigrants, working in isolation for miserable wages, with no prospects for advancement. Those on the “winning” side of this chasm enjoy liberal access to the social networks in the Sentier and the protection against exploitation that they provide, whereas those on the other side find themselves socially isolated and vulnerable. And this growing economic and skill gulf is virtually unbridgeable so long as the legal right to work is denied these immigrants.

While at present the situation for undocumented workers in the garment industry looks dismal, it is difficult to predict how the labor market circumstances will evolve. There is no way to tell how the labor market split that divides undocumented workers into two categories based on skill will develop over the new few years. This is an industry that is in a process of transformation and in this case study, I have tried to capture how that process looks at a specific moment in time.

## ILLEGAL IMMIGRANTS: A LEGAL CONSTRUCT

In this chapter, I have used the garment industry in Paris to illustrate how the status of undocumented immigrants in the labor market has changed. I have shown that as firms face intensifying pressures for flexibility and as new hybrid forms of informality

become widespread, undocumented immigrants access to informal employment has become more complex. I have demonstrated that legal work permits and skill levels play an increasingly significant role in determining the types of jobs that undocumented immigrants are able to secure. Lastly, I have described the widening economic rift that divides workers in this industry, with workers on the losing side of the chasm working under unacceptably exploitative conditions.

This disturbing divide is not unique to garment industry, however. My research suggests that it is emerging in a variety of sectors that display features similar to those highlighted in my case study. They are industries where flexible production strategies are increasingly indispensable, where work is highly contingent, and where workers cycle through employers, working for each for relatively short periods of time, based on demand. They are the industries in which the sans-papiers protestors tend to work. Furthermore, this economic chasm has not materialized in industries that do not share these industrial characteristics. It is notably absent in industries where employment tends to be relatively stable (or at least predictably variable, as with seasonal work) and is associated with some measure of job security, where both formal and informal work arrangements are fairly standard, and where workers have a direct and exclusive relationship with their boss during their period of employment. They have generally not appeared in the industries that are not represented amongst the immigrant activists.

For undocumented immigrants in industries where this divide is a defining trait, opportunities to escape this hermetic economic entrapment are few and far between. These economic straits are not, however, simply the growing pains of an industrial structure changing shape. What these undocumented immigrant workers are experiencing

are the consequences of being on the wrong side of a legal boundary. In the following chapter, I discuss the actions that the sans-papiers have taken to challenge that boundary. I document the strategies and methods they have used to acquire the legal right to work and all of the benefits associated with it, be they codified in law or be they the product of labor market structure.

## CHAPTER 3



*"If a law can make us illegal another can make us legal" Le Monde June 11 1998*

### RE-DRAWING THE LINE THAT EXCLUDES THEM: THE STRATEGIES AND STRUCTURE OF *SANS-PAPIERS* ACTIVISM

In its June 1998 issue, *Posta Europe*, a monthly Turkish language newspaper published in France, profiled the *3ème collectif*, a group of striking immigrants where Turks and Kurds were heavily represented. At the time of the article's publication, the collective members were debating whether or not to begin the hunger strike that would eventually propel them to the front pages of major French papers and the beginning of evening news programs. When asked why the collective would take such a drastic step, one of the Turkish members, Hakan, answered: “the Turkish employers make us work for 3500F a month [about half the minimum wage] and we have no other choice. They do not want us to be regularized.” (*Posta Europe*, June 1998: 1&22).

As indicated by the collective member’s statement, the economic situation that undocumented immigrants confront is not merely the product of industrial structure changing shape. Rather, the grim employment prospects that they face, as well as the exploitation to which many of them are subject, are the direct result of being on the wrong side of a legal boundary. They are workers who are excluded from the legally recognized labor force, and who are, by that token, divested of the legal right to work and of the protections and privileges associated with that right. As I documented in the previous two chapters, their legal segregation translates into an economic one, as they are precluded from holding the hybrid semi-formal forms of informal employment to which firms are increasingly turning in their search for flexibility. For undocumented immigrants who are poorly skilled, the situation is especially dire: they do not have the skills to compensate for their legal handicap and are relegated to employment under archetypal sweatshop conditions. More importantly, though, their irregular legal status means that they are isolated from the employment opportunities that would allow them to

acquire the skills that are a gateway to higher segments of the labor market where working conditions are passable. Their prospects for escaping this hermetic economic dead-end are few and far between. Indeed, the only real recourse undocumented immigrants have to break out of this economic marginalization is crossing over to the other side of the legal boundary that excludes them, or moving that boundary such that widens to include them.

The *sans-papiers* protests that have emerged in France over the past few years are an attempt to do just that. The actions of protesting undocumented immigrants represent their effort to drag the line between legal and illegal immigrants to the other side of themselves. Although captivating, sometimes even lyric, political discourse is deployed to reify this boundary, it is not a natural border, not is the category of “illegal immigrants” that it creates. The line can be re-drawn, and indeed has, virtually every time the political winds that blow across the nation change direction. This boundary is the product of a heated and on-going national discussion (and sometimes international, as the EU increasingly influences domestic policies), and its exact location is a highly contested matter.

The voices in this discussion are multiple and varied and run the whole political spectrum. The government, political parties from the Right and Left and their constituencies, business associations, trade unions, service organizations, the Catholic and Protestant Churches, immigrant advocate groups, established immigrant communities, the media, the “general public,” and undocumented immigrants themselves -- all take part in this debate. The literature on the participation of undocumented immigrants in the labor markets of destination countries, however, privileges the

contribution of the State and employers, virtually to the exclusion of all other voices (OECD 1999). Where the line between legality and illegality is drawn, as well as how actively that boundary is policed, is represented as the product of negotiations between government and business. Accounts of the history of French immigration law, for example, have argued that the labor requirements of business have been the overriding factor in the creation and enforcement of laws and institutions to control the entrance and hiring of undocumented immigrants. Descriptions of the ONI, the government agency established to regulate flows of undocumented immigrant workers, for instance, attribute its complete irrelevance during the “*trentes glorieuses*” to the business needs for cheap abundant labor (See Chapter 1). Similarly, these accounts argue that the passage of the Fontanet-Marcelin circulars, the directive that criminalized of illegal immigrant status and imposed sanctions to discourage the employment undocumented workers, would not have been possible if industries were not facing a radical economic downturn (Garson 1987). (Literature on US immigration law makes parallel assertions stating that legislation governing the employment of undocumented workers is always the product of compromise between the State and business interests – see Borjas 1992 & 1998, Chiswick 1988 & 1999; Cornelius 1998).

In these representations, undocumented workers are divested of any agency. They are portrayed as passive recipients, who simply endure the location of the boundary between legality and illegality and its enforcement, without any power whatsoever to change it. This perspective on undocumented immigrants and their status in the labor market so integral to current understandings of immigration and immigrant workers that it has suffused even the discourse that supporters of the *sans-papiers* have used to defend

the undocumented immigrants' case. The comments of Christian de Brie in *Le Monde Diplomatique* in an editorial supporting the cause of the *sans-papiers* illustrates how pervasive this perception of undocumented immigrants as passive subjects truly is.

If the migratory pressures are more mythical than real, such is not the case with the degradation of the living and working conditions that a large number of immigrants and the nationals who live alongside them in the slums in cities and in the suburbs endure.... The weakness of the sanctions against enterprises that employ undocumented immigrants and completely disregard the laws shines light on the group of employers that by hiring illegal immigrants manages to "relocate without moving" (by recruiting labor from the South, to work under the conditions prevalent in the South), creating a particularly "flexible" workforce, all with the complicity of the public authorities (1997:18-19).

The words of François Brun, French supporter and participant in the 3<sup>ème</sup> *collectif*, are a blunter and more compact expression of this same viewpoint: "The *sans-papiers* in France are reduced to slavery," he concludes in an interview with *Posta Europe* (July 1998).

In fact, in these representations, the only way that undocumented immigrants can exert any influence on the location of the boundary that delimits the legally recognized labor force, as well as the extent to which that boundary is policed, is through the forces of supply and demand. In a direct neo-classical economic take, prevailing paradigms illegal immigration suggests that greater inflows of undocumented immigrants and/or reduced business demand for cheap, low-skilled labor erodes wages and working conditions for unskilled legal workers, and makes more drastic measures to curb illegal immigration politically possible, even imperative. As the Dutch Minister of Social Affairs declared in his welcoming statement at a recent OECD-Dutch conference on the labor of undocumented immigrants, "[the employment of illegal immigrants] disrupts the labour market.... Employers who illegally employ labourers, deny other job-seekers the

chances of a job. This makes it very hard to fight employment in an effective way” (K.G. de Vries, Opening Statement, April 22, 1999). According to these models, the reverse is also true: smaller inflows of undocumented migrants in periods of high labor demand generally translate into immigration policies and regulations for the use of undocumented labor that is relatively lax. (Borjas and Freeman 1992; Chiswick 1999; Hollified 1992)

Furthermore, just as theories about undocumented immigrants do not recognize their role in determining the location of the boundary that excludes them, theories about immigrant workers do not allow for the possibility that they should effect change in the working conditions they experience due to their peculiar political and legal status. According to these models, immigrants can only contest their work arrangements if they shed their immigrant identities. Only by joining in the efforts of formal labor institutions, and by submerging their interests as immigrant workers to the agenda defined by established labor organizations for all workers, or rather for the generic “worker” – a concept that generally excludes immigrant workers – can they resist exploitation. They can only develop power as workers when they merge with all workers, and when they turn away from the economic constraints they face *because* they are immigrants without the legal right to work, and train their attention instead on the forms of exploitations experienced by native workers to which they as immigrants are also subject. A statement of support for the *sans-papiers*, issued by the Confédération Generale du Travail (CGT), the major French trade union at the Left end of the political spectrum, reflects this limited understanding of the labor movement’s inclusion of and responsibility to immigrant workers: “The competition among workers will not be solved with the legalization [of undocumented immigrants] but this measure will allow all

workers to claim the same rights in full legality. Unity is the best remedy in the face of divisions” (CGT, November 10, 1998, zpajol@rosa.bok.net).

## ACTIVE VOICE: THE STRATEGY AND STRUCTURE OF PROTEST

My project in this chapter is to challenge disempowering representations of undocumented immigrants and record the ways that have actively inserted themselves into national debates over their status. I show that their contributions to the conversation over the position of the legal boundary between that excludes them have indeed influenced where that line has been drawn. I suggest the reasons their efforts have been as effective as they have. I look first at the *strategies* they have used to make their appeal for papers. Specifically, I examine the discourse they have adopted to endow their demands with legitimacy, and I demonstrate the ways the public actions that the immigrant groups have orchestrated have supported that rhetoric, making it even more compelling. I then describe the *structure* of the groups that have used to mobilize for these *sans-papiers* protests, and I examine how the organization of these collectives reflects the profile of the industries where the protestors work. Throughout my discussion of these aspects, I explore the ways in which the *sans-papiers* protests express undocumented immigrants social position as the product of both economic and political pressures. The “*sans-papiers*” identity around which undocumented immigrant protestors have organized captures this interface between the economic and the political well. While this identity grows out of a legal status that definitely shapes their work lives and the pressures that have compelled the immigrants protestors to claim it publicly are economic, it is not strictly class based. Rather, it is intimately informed by their political

status in France as outsiders, as non-white people, as immigrants from developing countries and former colonies.

*Sans-papiers* activism in France distinguishes itself by virtue of its staccato structure: the immigrant protests have been less of a continuous movement than a disjointed series of actions by independent immigrant groups. They have been spearheaded by a succession of small, informal organization of *sans-papiers*, calling themselves collectives, that have formed – and disbanded – largely on their own initiative. Despite their lack of coordination, the collectives have all voiced the same demand of legal residence and work permits for their members. They have resorted to the same set of public and compelling protest tactics – street demonstrations, occupations of public spaces, most often churches, and hunger strikes - to make their appeals difficult to dismiss. They have all followed roughly the same strategic and organizational template. These collectives are in a very real sense variation on a single theme with collectives reproducing themselves in roughly the same format in time after time.. The reason these protests all seem to adhere to a single template is an issue I will return to later in this chapter.

Because of the repetition of the protests staged by the *sans-papiers*, I have chosen to convey the idiosyncratic profile of these protests by focusing mostly on a single collective. By concentrating on a specific collective, my hope is to provide a more detailed picture of the discourses and strategies that these immigrant groups adopt and to offer a more accurate picture of the organizational structure that characterizes them (although admittedly some collectives adhere to this structure more closely than others). I will, however, draw on the experience of other collectives and of the history of this

wave of *sans-papiers* activism as a whole when necessary to flesh out broad aspects of the immigrant movement's strategies and structure.

The example I use is that of the *3ème collectif*. This particular collective was established during the summer 1996, while *sans-papiers* activism in France was still its early stages. When its first meeting was called, the immigrant collective responsible for the first major church occupation and hunger strike was still firmly entrenched in the St. Bernard Church and had not yet been forcibly expelled by police forces. Members of the collective were overwhelmingly Turk, Kurd and Chinese immigrants who worked in Paris's garment industry, and they are precisely the workers who experienced the economic pressures and labor market changes described in the case study of the previous chapter. By the summer of 1998, the collective had grown to a group two thousand strong and had closed its membership rolls. I choose this collective because it displayed the strategies and structure emblematic of collectives in this movement: it pitched its appeal for papers using the discourse of human rights that has become standard in this immigrant movement; the repertoire of public actions that it staged – street demonstrations, church occupations, and hunger strikes - was predictable; membership in this collective, as in almost all of them, was industry-based; and participants used the organization in a chiefly instrumental way, as a means to the specific end of getting papers. However, I also base my description of *sans-papiers* activism on this group because they staged their hunger strike - their protest of last resort - during the period when I was conducting my research in Paris. As a result, I was able to observe the internal workings of this informal organization. I attended meetings, spoke to collective

members, watched as tensions between members opened rifts in the group, and witnessed delicate and exhaustive decision-making processes as they happened.

## SWEET VICTORY: SHAKING UP THE POLITICAL ESTABLISHMENT

How effective *sans-papiers* activists like those in the *3ème collectif* could be in inserting their perspective into national immigration debates is demonstrated by the events of mid-July 1998. A full two years after the first major *sans-papiers* protests shook the RPR-led government then in power and displaced the anti-immigrant far-Right National Front as the swayer of public opinion, it seemed that *sans-papiers* protestors were successfully still pushing their concerns to the center of the political stage. The actions of the *3ème collectif* had forced the government, led by the Socialist party this time around, and political parties along the ideological spectrum to wrestle publicly with the specific legal and economic circumstances that undocumented immigrants faced on a daily basis. This collective had occupied the Temple des Batignolles, a Protestant church in the North of Paris since early June, and on June 16<sup>th</sup>, thirty of its members had gone on hunger strike to lend an undeniable urgency to the group's demand for papers.

On July 17, 1998, a full month after the hunger strike had begun, and the health of a number of fasters was beginning to fail dangerously, *Le Monde* featured an exclusive interview with Charles Pasqua, during which the former minister of the Interior dropped a political bombshell. In a dramatic reversal of political stance, the politician who had made "zero immigration" the centerpiece of his political agenda and under whose tenure in the early 1990s, some of the most restrictive immigration legislation in France's history was passed, called for the legalization of thousands of undocumented immigrants living within the country's borders. "When France is strong, she can be generous" (qtd.

in *Le Monde*, July 17, 1998: 1), declared Pasqua. Coming from the former Minister who had proclaimed that although France had always been a country of immigration, “she no longer wishes to be. She no longer has the means” (qtd. in *Liberation*, June 2, 1993), this was a conclusion that bordered on shocking. He went on to comment that: “The question is simple: will these people [undocumented immigrants] leave? Clearly not...[E]ven if they live a clandestine existence, they are a million times better off here [than in their countries of origin]” (ibid). He added that the government should address the problem of undocumented immigrants “with pragmatism and responsibility, based on the national interest, rising above ideological or political debates” (qtd. in *Le Monde*, July 17, 1998: 6). The following day, in yet another dramatic reversal, *Le Monde* announced that the socialist government of Prime Minister Jospin has finally negotiated an agreement with the *3ème collectif*. Throughout the collective’s thirty-day hunger strike, Jospin and his Minister of the Interior, Jean-Pierre Chevènement warned that the government would not capitulate in the face of “blackmail” (qtd. in Agence France Press, June 28, 1998) and would not make concessions to “manipulators of public opinion”(ibid). Yet, in the end, the Socialist government backed down. They agreed to review the collective members’ appeals for legal residence and work permits with benevolence and with a slightly more generous set of criteria than was generally applied (*Le Monde*, July 17, 1998; *3ème collectif*, Press Release, July 16, 1998). The compromise may have been small but its political symbolism was great.

Whether or not the unexpected public statements of the conservative politician who had once been the apple of the far-Right’s eye actually influenced the socialist government’s decision to make concessions to the striking immigrants is impossible to

determine. What the quick succession of events does indicate, however, is that the *3ème collectif* had managed to insert its voice into the political debate over the legal boundary that made them illegal and to shift the political discourse that defined the status of undocumented immigrants in France. It had succeeded in getting the government to reconsider and redraw the legal boundary between those defined as being on French soil legally and those cast as outlaws, even if that boundary was being retraced strictly with respect to the immigrants who were members in the collective.

This significance of these events was not lost on the striking immigrants and their quick succession sweetened what they perceived to be a clear triumph. The victory speech that Emmanuel Therray, a French anthropology professor who had joined the immigrants in their hunger strike, delivered at the meeting called by the collective after the agreement with the government was concluded, conveyed an appreciation of how significant an impact the protests had had in the national discussion that determine the boundary between legal and illegal immigration. The vast, austere church hall was filled to overflowing with immigrants who had come to hear the terms of the agreement their representatives had negotiated. People crowded in the isles between the rows of pews, others stood in the window awnings and pressed against the organ at the back of the hall. The wide marble staircase that curved up to hall was packed with people, and those who could not squeeze in stood in the church courtyard, huddled around the tall church doors, straining to hear what was said. Therray stood on the elevated stage at the front of the hall, with the other twenty-nine fasters on either side, and gave a metaphoric account of the collective's protests. "At the beginning, I told you that this movement was like selling a fish," began Therray, and as he continued, deafening cheers rose the hall in

staggered waves as his words were translated into the two other official languages of the collective – Turkish and Mandarin Chinese. “Jospin and Chevènement said that the fish we were selling was too expensive, that the price we were asking was too high. But now we have another buyer who is interested, and that buyer’s name is Pasqua. So now, all of sudden, Jospin and Chevènement have changed their minds. They have decided to take our fish, and they have decided to take it at *our* asking price, the same price we have been asking for all along.” (*3ème collectif*, Plenary meeting, July 17, 1998).

The fish the collective was selling was political peace and their asking price was papers. The strategies they used to disrupt the political peace radically enough to force the government to consider buying their goods at the politically high cost of papers - a reputation as lax on immigration and as spendthrift with the resources of French nationals is one that is virtually impossible to shed - is the subject of the next section.

#### STRATEGY SPOKEN: THE RHETORIC OF HUMAN RIGHTS

The main reason that the *3ème collectif*, as well as other collectives before and after it, was able to trouble the political peace so effectively is the spin the put on their demand for papers. *Sans-papiers* activists throughout this two-year-plus wave of immigrant protests have cast the issue of papers as a matter of human rights. They have invoked their right to live a normal family life, to live free from fear and discrimination, and to receive fair and equal treatment under the laws that govern their stay in France. A letter issued by the immigrant collective that occupied the St. Ambroise church in one of the first of such actions illustrates the use of this rhetoric well: they asked for the legalization of undocumented immigrants according to the norms of “basic humanity” and to principles of “the international conventions ratified by France” (qtd. in Liberation,

May 4, 1996). A leaflet distributed by the *3ème collectif* and entitled “We Are on Hunger Strike. Why?” summed up the group’s reason for protest using similar, although perhaps more muted, discourse: “we are asking for nothing more extraordinary than a normal life for ourselves and for our children. The French government has refused to engage in talks with us. To make ourselves heard, we have therefore decided to go on hunger strike” (Leaflet printed July 5, 1998).

Immigrant collectives’ emphasis on human rights stems directly from the political marginalization of its members. It flows directly from undocumented immigrants’ lived experience in France: they are, in fact, subject to widespread discrimination and racism; laws pertaining to their stay in France are applied in an arbitrary and often illegal manner; the economic, logistical (housing, in particular), and legal requirements for family reunification are often prohibitive; and they are vulnerable to a wide array of abuses from law-enforcement officials, administrators, and employers (Interviews, Droits Devants, Gisti, Chase, Coordination Nationale des *Sans-papiers*, Fodé, July-August 1998). However, immigrant protestors also rely on this discourse because of the power and weight that it affords their contribution to national debates over where the boundary between legally and illegality should be drawn and the criteria that should be used to determine its location. In a sense, the moral high-ground they invoke is their only source of legitimacy as they insert themselves into these national discussions over immigration and work to move the line that excludes them. Otherwise, they have no legal right to participate; from a legal and political standpoint, they are unwelcome outsiders who have imposed themselves on the French polity

The protestors' emphasis on human rights discourse is also a product of the labor market confronted by immigrants and French nationals alike. With unemployment rates in France hovering in the low teens since the late eighties, and with unemployment rates for young workers who are anywhere but at the very top of the skill level straining at the 25% mark (Ministère de l'emploi et de la solidarité, 1998), casting their demand for papers in economic terms would mean political suicide for the striking immigrants. Not only would equating papers with access to employment provide fodder for the far-Right anti-immigrant National Front, a party that has won a sizable percentage of votes by playing on fears that immigrants are taking jobs away from French workers, but it would also raise concerns among more mainstream voters, who worry that immigrants depress wages and working conditions.

The rhetoric of human rights is broad, and encompasses everything from the right to self-determination, to equal treatment under the law, to the right to build a stable family life. The *sans-papiers* activists have emphasized specific facets of this discourse depending on the political and legal context they faced at the time of their protests. When groups of undocumented immigrants first began to mobilize in late 1995 and early 1996, they stressed their right to live "a normal family life." Banners at demonstrations orchestrated by collectives and in the sites they had occupied throughout France called for the legalization of undocumented immigrants who lived in France with their families. "WE ASK: respect for the right to live in family, and therefore the regularization of our administrative situation," read a poster at Tours in the summer of 1996. Right next to it hung a poster created by the children in the collective: "Regularize the administrative situation of our parents so that we can live together better, like all human beings. – Being

born somewhere is always a matter of chance for the one who is born” (Liberation, July 31, 1996). In street demonstrations, women and children marched or sat in front. The scene at protest in May 1996, captured in an article in the daily newspaper, *Libération*, was typical: “Under their large banner – ‘March by the Women of St. Ambroise for the Regularization of the *Sans-papiers*’ – they sat facing the police barricades. The African women, with babies strapped to their backs, holding children by the hand, asked for an audience at Matignon [office of the Prime Minister] last Saturday. ‘We are not moving without papers!’ they sang for hours. The doors of Matignon stayed closed. The police did not budge” (“Les *sans-papiers* persistent,” *Libération*, May 13, 1996). During the occupation of the St. Bernard church, children and infants were almost as numerous as adults among the protestors who spent the night in sleeping bags on the church floor, and one woman even gave birth in the church (Interview, Conaté, August 1996).

The *sans-papiers*’ emphasis on the right to live as a family was a direct response to changes in immigration law in 1993 under Pasqua that made doing so much more difficult than before. The waiting period for family re-unification was extended from one year to two and the financial requirements for each family member brought over were increased. Additionally, changes in the nationality code created family circumstances such that some family members had legal status while others did not and had no clear legal prospect of ever getting legal status. Undocumented parents and siblings of children born on French soil were the most manifestation of this type of situation. In many cases, the parents and siblings of these children had at one point been in possession of legal residence permits, but changes in the law under Pasqua precluded them from renewing those permits. These cases occurred so frequently that critics of the Pasqua laws

contended that the laws were actually producing illegals (Gisti, 1994; Alternatives Economiques, December 1995; Dupuy and Stein, 1995; Interview, Gisti staff, August 1998).

By the time the *sans-papiers* of the *3ème collectif* were mobilizing, the legal and political context had changed, and the particular aspect of human rights that they emphasized shifted accordingly. By the summer of 1998, when the collective staged its hunger strike, the Socialist Party had replaced the conservative Rally for the Republic Party at the helm of government, and the regularization program that it had instituted was well under way. In an attempt to neutralize the immigrant protests that destabilized the previous government, the Jospin administration had issued a circular shortly after it came to power authorizing the granting of a year-long residence and work permit to undocumented immigrants who fulfilled certain criteria. The conditions for legalization heavily favored immigrants in families, with all but four of the eleven categories of eligible immigrants identified in the directive referring to those with active ties to immediate family in France. Quinqueton, the technical counselor in charge of migration at the ministry of the Interior, indicated that this emphasis on families was intentional, and that the government was only interested in regularizing single immigrants on an exceptional basis. The last thing the government wanted, he explained, was to send a message that legitimized worker migration (Interview, July 1998). The results of legalization program reflected reflect this bias clearly. When the year-long window for legalization ended on May 31, 1998, of the 75,000 immigrants who received positive responses – or half of the 145,000 applicants, only fifteen percent were single adults (Bernard and Herzberg, *Le Monde*, February 22-23, 1998: 8 & May 31-June 1, 1998: 7.)

In the wake of a major legalization program where families were the preferred beneficiaries, the call to live “a normal family life” could not have carried the same political weight. The *sans-papiers* of the *3ème collectif*, along with other collectives active after the closure of the legalization program, presented their demands for papers, instead, as a matter of equal treatment under the law, and more precisely, under the conditions of the circular. They emphasized the arbitrary manner in which the circular was implemented, citing the fact that some prefectures applied a much more stringent interpretation of the circular’s criteria than others. They also drew attention to the fact amongst immigrants in virtually identical legal situations, some received papers while others did not, without any clear legal indications as to why. The *3ème collectif’s* manifesto, explaining their decision to go on hunger strike, illustrates the use of this argument well and is worth citing at length:

We are “*sans-papiers*,” undocumented immigrants living in France. Our request for regularization and legal residence papers has been refused. We started a hunger strike on Tuesday, June 16<sup>th</sup> 1998.

We know that this decision is grave, but because we are desperate, hundreds of us are willing to resort to this ultimate step. 30 of us have already started the hunger strike. We trusted the French government: we presented our files to the administration and freely gave them our names and addresses. The members of our collective include families with children born in France or who arrived in France in their infancy. There are also unmarried people who have been living in France for twelve years. We believed that we satisfied the criteria laid down by the government, and our hopes were high. But we have been turned down, for a variety of reasons.

[M]any cases identical to ours were accepted. We do not understand why our have been rejected.

We have submitted appeals. They remain either unanswered or receive only a standard answer that does not address any of our individual arguments.

On a legal level, all recourses are now closed to us. At any instant, we may be stopped in the street for an identity check, arrested, placed in a detention center and forcibly deported from France. In the meantime, the government is throwing us back into hiding as illegal immigrants. From now on, fear has returned to our everyday life. (Leaflet, July 5, 1998).

It is important to note that the collective's emphasis on the arbitrary application of the circular, with legalizations seeming almost random, was not a cynical rhetorical strategy. Rather, it reflected the experience of collective members under Jospin's regularization program. Collective members I interviewed expressed extreme frustration with a process that seemed to have no rhyme or reason to it, and in the course of our discussion, many of them would list the ways they fulfilled the circular's criteria. To document the validity of its criticism that the circular was applied unfairly, the collective also issued a booklet that outlined the legal situation of several of its members and showed that the government's grounds for refusing legalization were unfounded. (Interviews, *3ème collectif*, July-August 1998)

#### STRATEGY MANIFEST: THE REPERTOIRE OF TACTICS

While the facet human rights that collectives have chosen to emphasize has shifted as the political and legal context for the protests has changed, the protests actions that these activists make their demands manifest have remained consistent since the immigrant mobilization began in early 1996. Collectives throughout the country have organized frequent, often weekly, street demonstrations; practically all of them have occupied public spaces, very often moving into churches at the most critical periods of protest; and a sizable proportion of these collectives have staged extended hunger strikes. These particular public actions have served the protesting immigrants well; they have created public displays that have dramatized the human rights arguments –in their various historically specific versions – that the *sans-papiers* have used to articulate their case.

Through the poignant and captivating spectacles that these demonstrations produce, the *sans-papiers* have moved their demands for papers from the political margins to the center of political stage. They have skillfully brought the economic and social obstacles that they confront on a daily basis to the attention of the French public. Through these protest actions, they have made themselves and their situations visible to the general public. Even more significant is the fact that they have made their humanity and their humanness clear and undeniable. By marching peacefully through the streets of Paris and other large French cities, with toddlers in strollers at the head of the demonstration, by discretely settling in churches, by quietly refraining from eating, they have challenged mainstream representations of them as criminal aliens who believe themselves to be above the law – representations that have spanned administrations of both the Right and Left with Chevènement’s statements that undocumented immigrants were participants in “workshops of clandestine labor” and “the products of criminal networks” (qtd. in *Le Monde*, July 6, 1998) echoing Debré’s and Pasqua’s with almost uncanny precision (see *Le Monde*, August 17, 1996). By making themselves visible and making their existence and stories tangible, they have transformed these images and have made the common humanity that they share with French citizens difficult to deny. Their actions have demonstrated to the French public that they are the innocent – although not powerless – victims of a constellation of legal and economic factors, and that their experience of those circumstances has nothing to do with who they are as people (as distinct from their political status). As one protestor in the 3<sup>ème</sup> *collectif* put it, “[we are trying to show that] we do not have the plague” (qtd. in *Posta Europe*, June 1998).

These collectives' choice of churches as the preferred space for occupation has proven particularly effective in bolstering their human rights discourse. Churches have been a target of occupation since the beginning of this wave of immigrant activism because of their symbolism as places of sanctuary (Interviews, Conaté, Therray, Chase, *3ème collectif* members, July-August 1998). For the immigrant protestors, the symbolism is one that is not religious – in fact, with a few exceptions, the immigrant protestors are not Christian - but rather one that is explicitly political. They have presented themselves as seeking protection behind church walls from unjust laws that first would separate from their families, and later, after the passage of the legalization circular, from the arbitrary and discriminatory application of measures in ways that deprived them of their livelihood, safety, and dignity. (Interviews, Chase, Conaté, August 1998).

The public response of Protestant and Catholic churches to the immigrant protestors' presence on church property has sharpened this discursive weapon, making it an even more effective public relations tool. Both Churches have issued public statements repeatedly over the past few years in support of the *sans-papiers* activists. Catholic bishops of the Paris metropolitan area have called for solutions to the circumstances of the *sans-papiers* “that conform to the requirements of human dignity” (Libération, April 23, 1996) and have drawn support for their position from Rome, citing papal missive in which John Paul II compares the situation of undocumented immigrants to that of Jesus. Referencing Jesus in the gospel according to St. Matthew – “I was a stranger and you received me” – the pope comments that, “Today, the migrant in an irregular situation presents himself to us as this ‘stranger’ in which Jesus asks to be

recognized” (ibid). More recently, the Catholic Church published a document explaining why immigrants seek asylum in churches: “When the doors of the administration close, the church appear to them [undocumented immigrants] as their last hope. Clearly, they could also choose other places to seek sanctuary, but they know that nothing that touches on the question of human dignity is foreign to the Church.... They hope with their presence within our parish halls to call public attention to their plight, and to cause the public powers to review their files for regularization” (Comité Episcopal des Migrations et des Gens du Voyage, April 7, 1998). The Protestant Church has been even more forthcoming with its public support for the striking immigrants, broadcasting its backing more widely than its Catholic counterpart and criticizing government measures more or less explicitly. The Church’s official statement after its yearly plenary summit in November 1997 exemplifies this ideological defense of the immigrants: “All persons, regardless of origin, culture, legal status, have an inherent sacred dignity. We affirm that legislation cannot, under any pretext, restrict the right of people to live with family, to receive exile, or to live free of discrimination. Every policy, every measure that will in the end dehumanize one group of people is detrimental to society as a whole” (*Le Monde*, November 11, 1997). The Protestant Church has followed through on its statements with material support and has proven more willing to open its parish doors to the protestors than the Catholic establishment (Interview, Tenreiro, Therray, July 1998).

In practice, however, the support of both Churches has been less unequivocal than their public statements would suggest. Both Churches have rarely, if ever, opened their places of worship to striking immigrants voluntarily. In almost all cases, the immigrant protestors have broken into church premises, more or less forcibly. The gamut ranges

from breaking into a church in the early morning hours, as the St. Bernard collective did, to barrel in during a church bazaar, as the *3ème collectif* did for one of its church occupations (Interviews, July-August 1998). Typically, only after the immigrant group had entered the space and made clear that they were determined to stay did protracted negotiations with the church authorities begin. Through discussions that were often exceedingly tense, during which the possibility that the police would be called to forcibly evict the squatters loomed very large, church officials and the immigrant group would decide upon the terms under which the collective would be allowed to stay, drawing up a verbal contract of sorts (Interviews, Tenreiro, *3ème collectif*, Bergeneau, July-August 1998). Collectives would work hard to respect most of the conditions of the agreement (Interview, Chase, July 1998). The *3ème collectif* had a set of rules for its members about staying in the Temple des Batingnolles: these included keeping the noise level down and respecting silence during mass and other appropriate times, keeping the place clean and respecting church property, and not starting or participating in any fights in and around church premises. Violation of these rules was grounds for expulsion from the collective. (Interview, July 1998).

However, the hunger strikes that the immigrant collectives would stage often represented a breach in these contractual terms. In the case of the *3ème collectif*, for example, the Temple of the Batignolles had agreed to host the striking immigrants for fifteen days, from the 15<sup>th</sup> of June to the 30<sup>th</sup>. However, on the 16<sup>th</sup>, the collective declared the start of its hunger strike, and by month's end, the fasters were too weak to move to another location safely. A letter issued by the Presbyterian council to the parishioners of the Batignolles expresses the church's frustration with the change in

situation: “As you may remember, the ERF (Reformed Church of France)...offered the *3ème collectif* a temporary stay [at Batignolles]. We offered to host them first, with the understanding that the parish of Luxembourg would take the relieve from the 1<sup>st</sup> of July on. The hunger strike has modified this situation. We did not want it, but confronted with their unbending and unbendable will, we have decided to cope with the situation as best we can and stand by them. ... After two weeks of fasting, the hunger strikers are weakened, and moving them to another site is now problematic” (Franchet d’Espèrey for the Presbyterian Council, July 5, 1998).

In embarking on hunger strikes, immigrant collectives repeated put at risk their relationship with the supporters that lent the most credence to their human rights discourse. However, in a very real sense, it was risk that they had no choice but to take. For the *sans-papiers* groups, hunger strikes were, by far, their most powerful strategic weapon. They were the magnet that drew the journalists, who would turn frantic scribbles onto notepads into feature articles, and bring to life the immigrants’ personal stories for thousands of French readers (who were also voters). Only through a hunger strike did the immigrants cut a picture captivating and urgent enough for television crews to train their cameras on them, broadcasting their faces and their humanity to the French viewers of the evening news. On short, hunger strikes are what enabled them to distill their human rights rhetoric into significant political pressure. The experience of the *3ème collectif* in negotiations with the government bears this out. According to representatives of this collective, the Jospin administration waffled in negotiations that began at the start hunger strike: the government offered secret and contradictory deals, they made statements they would later retract, and provided no guarantees that it would follow

through on the terms of any agreement reached. Only after July 13<sup>th</sup>, when the hunger strike was nearing the one-month mark and when media coverage reported that three fasters had been hospitalized, did the government begin to negotiate in earnest. (*Le Monde*, July 1-16<sup>th</sup>, Interviews, July-August 1998).

It is important to note that while hunger strikes were definitely the collectives' most forceful method of bringing their concerns to the attention of the French public and government, these strikes were also one of the very few means at the *sans-papiers* disposal to do so. Denied the legal right to participate in the national discussion, and barred from the institutional channels that facilitate that debate, such as voting or membership in political parties or trade unions, the inventory of tactics at their disposal to shift the legal boundary that defined them as illegal was limited. A press release issued by the 3<sup>e</sup>me *collectif* describes this exclusion in its response to Jospin's accusation that the group was engaging in political "blackmail" (qtd in Agence France Press, June 28, 1998): "When Mr. Jospin declares that hunger strikes are a weapon that should never be used in a democracy, he forgets that the *sans-papiers* are deprived of all rights and that they are excluded from the benefits of a democracy: hunger strikes are therefore one of the only weapons available to them" (3<sup>e</sup>me *collectif*, July 7, 1998).

## STRUCTURING PROTEST: THE ORGANIZATIONAL PROFILE OF *SANS-PAPIERS* COLLECTIVES

Orchestrating the protest actions that have become emblematic of this wave of immigrant activism is no mean feat. These forms of protest demand a significant amount of planning before-hand, and their coordination and maintenance throughout necessitates an organizational back-up that is both resilient and capable. The structure that collectives have adopted to rise to this organizational challenge is the subject of the next section.

One structural characteristic that stands out when these immigrant collectives are examined is that they have been overwhelmingly industry-specific. In other words, garment workers have formed collectives with garment workers, and laborers in the construction industry have banded with workers in the same sector. However, it would be inaccurate to conclude that *sans-papiers* collectives represent a form of informal organization based solely, or even primarily, on occupation. Rather, the glue that pulls these collectives together, and then holds them together, are the social networks that run through the industries where the immigrants work. Because those ties are defined primarily outside the sphere of work – they are the connections between family members, friends, and compatriots, an endeavor based on those ties draws in people who do not work in the same sector as the majority of the members in a given collective. In other words, although membership in collectives was clearly industry-based, it was not industry-exclusive.

These immigrant collectives rely on the same infrastructure of social relationships that coordinate economic exchanges in their industries to coordinate the exchanges involved in organizing protest actions. In my fieldwork on the *3ème collectif*, I found that information about the collective's activities, including meeting and street demonstration times, and about the status of negotiations with the government, and sometimes even the status of an individual's application for papers, traveled the same social networks through which information about work and employers was diffused. Furthermore, in interview after interview, collective members reported that they learned about the group's activities through word of mouth, and more often than not, that they

had joined the group because their brother, cousin, wife, or friend was a member, and had encouraged them to do so (Interviews, July-August 1998).

In addition to the exchange of information, this industry-based web of social relationships bound the group together and provided a measure of cohesion in the face of political, national, and social division. These networks provided the bridges that enabled the Chinese immigrants to cooperate with the Turk and the Kurdish *sans-papiers*, crossing a chasm that was social, cultural, and most importantly, linguistic. These industry-based ties had been reinforced enough by work interactions that they proved strong enough, for example, to allow Turks and Kurds to collaborate on a political endeavor and organize acts of political protest even in the face of significant historic tension between the two groups. The Kurds, in particular, expressed that this represented a difficult situation for them, with the Turks being unaware of the personal and political comprises that working with them involved. And yet, they managed to cooperate in delicate decision making processes, and work together to diffuse a few high-stress situations. One such situation that witness was the a drunken outburst that threatened to become violent in the church by one of the Turkish fasters after the end of the hunger strike, when he learned that his bid for papers had been refused by the government. (Interviews, July-August 1998).

While these social networks roughly define the boundaries of these collectives and endow the groups with cohesiveness, they do not and cannot provide the organization structure necessary to orchestrate a street demonstration and arrange for the necessary security, compose and send a press release to dozens of news agencies, or coordinate the health care services for thirty fasters who sleep on mats in the church's main hall. To

handle these tasks, the collectives tended to devise a fairly rigid system of day-to-day management. The *3ème collectif*, for example, had an organizational system based on language groups. The collective was divided into along three main languages spoken by the group's members: French, Turkish, and Mandarin Chinese. A small number of delegates were responsible for the members in each language group. Not only were they charged with maintaining and updating membership rolls and screening new members, they were responsible for checking that members attended the mandatory meetings and street demonstrations that occurred every week. At the very least, these included one meeting of the language-based sub-group, one collective general assembly, and one march through the streets of Paris. If a collective member missed more than one of these obligations without explanation and without contacting his or her delegate in advance, he or she was removed from the membership list. Additionally, a collective member with a legitimate excuse who failed to attend three such obligatory meetings faced similar consequences. My sense from discussions with delegates was that these requirements were relatively stringently enforced. The reason cited was that papers had to be earned: the protests in their effort involved significant personal risk and cost for the collective members, and the group could not afford to drag along any free-riders. (Interviews, *3ème collectif*, July-August 1998).

The decision-making in this collective also followed this language-based organization. The way this process was described to me was that major decisions were discussed first in the smaller language-based groups. Those groups then brought their suggestions and resolutions to the larger plenary meeting, during which the collective as a whole deliberated the different options, and reached a final decision about the direction

the collective should take. Several people I interviewed, especially delegates and the handful of French supporters who had joined the collective, stressed how democratic and egalitarian this system was. However, I observed that, in practice, this system fell short of the democratic ideals to which it was supposed to adhere. What I witnessed was that a small number of charismatic leaders, among which French supporters were disproportionately represented, monopolized the air-time in these meetings, and if they did not impose their decisions on the group, they certainly used their abundant speaking-time to persuade the rest of the group to agree to them. Criticism was expressed quietly, whispered among members on the sidelines of these meetings. However, this criticism, although discrete, was sharp, especially among members who had been involved in political activity and protest in their countries of origin.

While other collectives may not have followed the same organizational set-up, and while others certainly had more proscribed roles for their French supporters, the institutional structure that these collectives have developed to complete the complex tasks of organizing protests were rigid and intricate. Arguably, these almost bureaucratic and rule-based systems of organization for the daily management of collective business and staging of substantial, risky and involved protest actions represented a coping strategy to compensate the fragility and short-half life that the “ad-hoc” nature of these informal groups implied. These formal structures held these completely informal, short-lived, and unofficial collectives together in the face of significant political pressure.

Ironically, the centrifugal force that was responsible for the provisional nature of these collective and perpetually threatened to undo them – the force against which they developed rigid institutional structures – was the same force that had drawn the groups

together: the demand for papers. Collective members viewed these groups instrumentally: these informal organizations were not vehicles to challenge the ideology that legitimated their political and economic exclusion. Rather, they were venues through which to get the legal documents without which they remained material and symbolic outsiders. Furthermore, these protests were just one means among many to secure these legal permits, and protestors had turned to them because the administrative channels they had tried had proven unsuccessful. Once participation in these collectives had brought the desired outcome of papers, immigrant activists saw no further need to contribute their efforts to the larger goal eliminating the legal ostracism of immigrants from the larger policy, a goal captured in the slogan chanted throughout every street demonstration – “*papiers pour tous!*” or “papers for all!” In fact, I observed that protestors who received papers dropped out of the collectives immediately, often on the very day that they heard that they would be granted their documents.

The instrumental way these collectives were used produced another defining characteristic of this movement that I commented above: all of these immigrant groups followed roughly the same template in progression of their protest. They all began with meetings, weekly or bi-weekly, and street demonstrations. Eventually, these groups would occupy a public space, and if the commitment was there and the collective had developed an organizational strong enough to support, they would begin a hunger strike. In my interviews with organizers in various collectives, I was struck by how devoted immigrant collectives were to this pattern of protest. Alternative forms of demonstration seemed beyond the scope of possibilities in strategy discussions. This was true even among collectives that had members who had been active in a diverse forms of public

protests that this repertoire of tactics did not encompass. The “Homo *sans-papiers*” collective, for example, had members who had been activists in ACT UP! Paris and had organized the innovative protests for which that group is renowned. Yet, in discussions over tactics, suggestions of collective members remained largely confined to the traditional forms, with the only major innovation being the place of occupation. Instead of a church, this group contemplated occupying the design studios of Paris’s major houses of couture or the Tour Eiffel. (Meeting, Homo *sans-papiers* collective, July 1998).

There are two main reasons, it seems to me, for this “copy-cat” characteristic of the protests. First, because undocumented immigrants join these collectives for the specific purpose of securing papers and view these protest process, to some extent, as a proxy for administrative procedures that failed them, they want to use a method that is tried and true. The stakes for these immigrants are too high to try a different approach that may not prove as effective as the very compelling strategies they have used to date. Furthermore, because the goal of these collectives is very definite and is attained, if at all, within a very short time horizon, they are not interested in developing strategies that could change and build over the long-term.

The second reason has to do with the disjointed profile of this wave of protest. Although these immigrant protests have been a constant feature of the French political landscape for the past three years, it more closely resembles a rash of disconnected protests than a continuous social movement. This episodic quality, with different collectives authoring the separate chapters that make up the history of this wave of protests, has undermined the “movement”’s potential for institutional learning. Because these groups dissolves as soon as their members get legal work and residence permits, the

opportunities for immigrant activists to build on the lessons that they learn in a cumulative fashion are extremely limited.

This repetitive pattern of protest has, however, connected the individual episodes of unrest in the public's eye, and has thus simulated the "snowball effect" of social movements, with the influence of the groups and the public support they receive rising gradually. Furthermore, the organic and changing profile of this wave of immigrant activism has made the immigrant protestors a slippery adversary for the government. No central body effectively coordinates these collectives and their protests, and there is therefore no single entity with which the government can conclude an agreement once and for all. It has been forced instead to negotiate repeatedly with separate groups that have made public and politically disruptive demands for papers.

## COMMUNITY BETRAYAL AND ECONOMIC EXPLOITATION

In this chapter, I have traced the strategies and structure of the *sans-papiers* wave of activism in France to demonstrate that undocumented immigrants are not passive recipients of legal measures that excludes them. Instead, they participate actively in national discussions over where the legal boundary that separates legal and illegal residents and workers should be drawn. Contrary to both models that reduce their influence to that of supply in the relation to specific labor demands, and models that argue that they can only affect their working conditions by fusing with the autochthonous worker movements, they exercise agency *as immigrants* to change the legal constraints that directly impact their work conditions.

In addition to amending their working conditions by engaging in the national conversation about the legal boundary that excludes them, *sans-papiers* activists

challenged the conditions under which they labored head-on. While this was not the primary focus of their activism, the *sans-papiers* used the protests they organized to critique their employers and to protest object to the ways that they were exploited. *Posta Europe*, for example, in its coverage of the *3ème collectif*'s hunger strike, noted the protestors frustration at the lack of support they received for their efforts from their employers. "The *sans-papiers* of the *3ème collectif* feel abandoned," reads the subheading of their feature article, "except for the Association for Turkish Workers (ATT), no one [in the community] is supporting them" (July 1998). Some protestors I interviewed expressed a sense of betrayal at the lack of employer backing, and reported that a number of employers refused to hire them now that they had gone public with their undocumented status.

The manner in which undocumented immigrant protestors framed the exploitation to which they were subject at work was markedly different from the way their French supporters discussed it. Whereas their French allies presented them as helpless victims defenseless against employers without scruples, they themselves represented their situation as one of exploitation but certainly not one of powerlessness. Whereas their French supporters painted them as "slaves," the *sans-papiers* through the expression of the sense of betrayal of their communities' and industries' lack of support expressed their membership to community institutions and their feelings of entitlement to those organizations' backing. They identified and relied upon the community organizations that stood by them, and publicly criticized that did not. They spoke from a position of relative power and assertively inserted their voices and perspectives into local discussions

about fairness in the workplace and about their status in their communities and in their industries.

## CONCLUSION

Ministers too have dreams. A minister who is responsible for employment can have but one dream: employment for everyone. A society in which no one is involuntarily active. In which employment and prosperity are allocated in a fair and responsible way. That is the peak of what a minister can achieve in this area. Unfortunately, a great number of political obstacles keep this dream from coming true. One of these obstacles is illegal employment. A hard and elusive problem. You all have to deal with it in your own countries. It is an issue that varies from country to country. In our own way, we all try to avoid it, or, when this does not succeed, to fight it. Therefore, it is a good thing that we are together here today. To listen to each other and to learn from each other. To jointly proceed a step forward in the fight against illegal employment. Therefore, I bid you all a very warm welcome.

*Opening remarks of the Dutch Minister of Social Affairs and Employment, Mr. K.G. de Vries, at the OECD-Dutch Seminar on Preventing and Combating the Employment of Foreigners in an Irregular Situation. The Hague, April 22, 1999.*

For advanced economies, the last two decades of this century have been a period of profound and widespread industrial change (Lane 1995). While the indicators of change have been subdued in some sectors and glaring in others, all segments of these economies have experienced some degree of transformation in response to the new economic conditions that have emerged on the world stage. The most influential of these pressures are those associated with globalization and the integration of markets. As economies in Europe and North America have struggled with new market realities that in the last twenty years have changed in status from passing specters to permanent features of the economic landscape, firms and the governments that stand behind them have made flexibility their new mantra. In an effort to escape the quagmire of sluggish economic performance and recession that spread throughout all these economies after the oil shocks of the 1970's, firms have attempted to shed some of the bulky structures of Fordist manufacturing styles, and to reinvent themselves as svelte and dexterous production operations. (Lane 1995, Howell 1992a, Wilson 1991, Heckscher 1996)

A requisite component of that process for firms has been to make their employees more contingent (Howell 1992, 1992a). Businesses in virtually all sectors have adopted a wide range of strategies to provide the latitude necessary to match their labor more precisely to rapidly changing product and market needs. They have worked to make labor at every phase of production a more flexible and malleable input. For workers, however, these business practices have translated into more precarious employment arrangements. Increasingly, workers in these economies face a labor market where temporary and part-time work is on the rise, where employment is insecure, and where they are asked to bear more and more of the costs of the variable production systems that

are become the norm in sectors ranging from heavy industry to service. (Lane 1995; Heckscher 1996)

While workers throughout the labor market have experienced the ramifications this move toward greater flexibility, the impact has not been felt equally by all workers. The costs of firms' restructuring to workers have not been directly proportional to their position on some supposedly impartial economic scale, like that of skill or efficiency. Rather, the nature and severity of the consequences of "flexibilization" that workers confront are mediated by their status in the polity. That is to say that workers on the political margins have endured the ramifications of economic change differently than those in the political center.

To explore the interface between political status and economic opportunity, I chose, in this thesis, to look at the position of undocumented immigrants in the French labor market. This group of workers was compelling to me because the economic, political, and legal factors that mediate the participation of all workers in the labor market are particularly visible in their case. They are workers who are often poorly skilled and who have a financial cushion that is extremely thin, if not non-existent; they are the target of the xenophobic rhetoric that has surfaced in France as it copes with the dark economic cloud that has hung over the nation for over a decade now; and they are workers who are divested of the legal right to work and who break the law by laboring.

In this endeavor, I began by documenting how the role of immigrants in the industrial structure of advanced economies has changed over the past two decades. Whereas immigrants once served as an easily dispensable external layer of a firm's workforce and thus provided them with a buffer against flux – what I have called a kind

of “add-on” flexibility – their usefulness to firms has waned as these have sought a brand of flexibility that is built into every aspect of their operations. As a result, immigrants no longer serve a clear distinct function in the industrial structure. I then took my analysis to a greater level of detail and demonstrated that many of the workforms that firms have adopted to achieve this structural flexibility have pushed undocumented immigrants to the periphery of the labor market. I explained that firms have complemented their increasing reliance on part-time and temporary labor with hybridized work arrangements that display characteristics of both formal and informal employment. For firms, especially those in industries where a high degree of flexibility is truly a matter of economic survival, these semi-formal set-ups present a number of irresistible advantages - they enable them to obtain high skill levels and standards of performance and without providing the associated job-security, employment guarantees, and compensation once associated with them – and consequently, these arrangements have propagated quickly. For undocumented immigrants, however, the impact has been devastating. More importantly, these hybridized employment arrangements have excluded undocumented immigrants from swaths of the labor market that grow ever wider as these arrangements become more common. Because these workforms are gilded with the appearance of formality and are partially declared, they require that the workers who labor under their terms hold legal work permits – papers that undocumented immigrants, by definition, do not have.

I then used the example of the garment industry in Paris to show what this economic exclusion, based, as it is, on a legal distinction, has meant for workers in concrete terms. I showed the troubling ramifications it had for workers’ opportunities for

skill acquisition and for the conditions under which they labored. Lastly, I showed that it had produced a split among undocumented immigrant workers, with those who were highly skilled on the fortunate side of the chasm, and the rest on the other, in dead-end jobs working under sweatshop conditions. The only way across this divide, I explained, was to get the papers required to work under the semi-formal work arrangements. And that is where the *sans-papiers* protests that have shaken France for the past three years come in.

As I argued in the last chapter, these *sans-papiers* protests represent an attempt by undocumented immigrants to change the legal and political circumstances that proscribe their economic opportunities. They are a mobilization geared to force the government to re-draw the legal boundary that excludes them, and to change their status from illegal to legal. And through the use of rhetoric and tactics that are extremely compelling (and through the development of organization structures robust enough to pull those protests off), they have managed to wrest significant concessions from the government, including a major legalization program. They have successfully inserted themselves into the debate over where that legal boundary should be located.

Although the French government has legalized tens of thousands of people in the last year or so, its response can still be likened to that of a jealous guard cracking open the door of his house just enough to let a few people in before quickly shutting it again. To continue with this metaphor, the house in this case can be thought of as the labor market. Being on the inside of the labor market walls brings with it the legal right to work and the entitlement to the social protections granted to all workers (health care,

unemployment insurance, minimum wage etc.). However, only a limited number of people are allowed in from the cold because resources are limited.

I use this metaphor here to illustrate the prevailing understanding of the labor market that informs the immigration policy of the French government, and the governments of most other advanced industrialized nations. The labor market is seen as an institution with clear boundaries that can, in fact, be policed effectively. Within the scope of this model, the policing can be accomplished through two main interventions. First, government can restrict who physically enters the geographical territory under its jurisdiction, and this has translated into the militarization of national borders, either directly, in the case of the US border with Mexico, or indirectly, as in the case of EU transfers to Italy to subsidize its border control efforts. Second, government can, with the collaboration of employers (be it enthusiastic, or, as is more often true, reluctant), prevent people without the legal permission to work from doing so. Governments have experimented with a variety of different sanctions, some that penalize the employer and some that penalize the employee. Although these measures have, until recently, been relatively diverse, their efficacy (not to mention their fairness) has been uniformly questionable.

In instituting these controls, governments, often at the behest of labor institutions, have sought to protect national labor markets. Building on the concept that migration is the product of inverse capital and labor flows, with cheap labor moving toward high-wage, capital-rich areas, they have attempted to erect legal and physical barriers formidable enough to prevent the saturation of their labor markets with added labor. Government attempts to keep labor markets tight are based on the notion that, in

accordance with laws of supply and demand, a limited supply of labor will maintain wages and working conditions at acceptable levels, and will prevent unemployment from rising beyond a politically manageable threshold. In a sense, these controls at labor market borders represent governments' best effort to keep increasingly flexible and contingent workforms from becoming too precarious. They are a symbolic attempt to put the breaks on "a race to the bottom" that seems to have its own momentum.

The *sans-papiers* activism and the economic changes that have given rise to it show that these government efforts are doomed. They suggest that governments, with their border control policies, have turned their attention in the wrong direction. They have focused their energies on boundaries that, if they are real at all, are immensely permeable, so as to be almost, but not completely, irrelevant. As my case study of the garment industry shows, the line that delimits the legally recognized labor force does not keep workers from entering the market; it only informs the *way* they participate in it. By their very existence, the *sans-papiers* protestors have shown that border crossings are incessant. Furthermore, the *sans-papiers* protests and the French government's response to the mobilization have revealed how flimsy the boundary around the labor market really is. These borders are in constant need of reinforcement and political discourse is perpetually being deployed to reify them. The French government is continually designing new policy measures and amending old ones to fortify that legal line. Moreover, the immigrants' success in wresting concessions from the government demonstrates clearly that the line can, in fact, be moved. Repeatedly. To return to the metaphor developed above, the house that government seeks to protect from intruders is surrounded by imaginary walls.

Government efforts to protect workers and the conditions under which they labor by bolstering and policing fictitious barriers around the labor market are also destined to failure because the pressures that they are striving to control are not purely exogenous. Firms are turning to more contingent labor arrangements because of masses of cheap labor available just beyond French borders give them the economic and political latitude to do so. The premium firms have placed on flexibility and the new workforms they have developed to attain that goal are a consequences of the newly intense competition and the production requirements associated with increasingly integrated markets. Firms have sought to make their labor force more flexible and malleable not because they can but because they must, and the pressures that have changed the profile of the labor market, making work more precarious, come from the needs of firms within the industrial structure. To return again to the metaphor of the labor market as a house, the government looks out the window anxious to protect it from some external danger while a fire burns in the living room.

Because governments and labor interests both have considered labor markets as discrete institutions whose profile could be shaped with the proper calibration of supply in relation to demand, they have failed to address adequately the changes in the nature of work that have accompanied globalization and the move toward flexible production systems. Neither of these sets of actors has succeeded in coming up with sufficient protections for workers who labor under the precarious arrangements that have become so widespread. Faced with the fact that stable long-term, and even full-time, employment is a thing of the past for increasing numbers of workers, neither group has effectively risen to the challenge of developing protection for workers that are not associated with a

job, but instead are associated with employment. They have, for the most part, cleaved to an understanding of labor guarantees that grows directly out of the semi-skilled, steady employment in large-scale industrial firms that these measure

In all fairness, certain policy makers, labor representatives, and intellectuals have advanced some suggestions to protect workers laboring new flexible workforms. These have included portable pensions, the use of law suits as a means to extract fair employment practices from business, forums to increase worker input in the design of production operations and work schedules, trade-based lobbying associations, among others (Heckscher 1996, Howell 1993, Wilson 1991). Unfortunately, these innovations have only amounted to tinkering on the margins, and have not fundamentally revamped the basic models of how people participate in and navigate the labor market. They have not truly addressed the changing nature of work. Additionally, as shown in Wilson's study on the French move toward a 35 hour flexible work week (1991), these interventions are often co-opted by management and used as a means to wrest concessions from workers.

The changing labor market profile of the industries featured in this thesis, and exemplified through the case of the garment industry, suggest that the need for a new model for the protection of workers – all workers, documented or not – is pressing. The transformations happening in these industries, and what may appear as their extreme flexibilization, are not anomalous. Instead, I would argue that, in the future, we may very well see the trends that are clearly visible in these industries in sector that are considered to be more stable. There is ample reason to believe that, in the more stodgy sectors, these changes are nascent if they are not yet entirely explicit. Ma-Mung's study of Chinese

immigrants in Paris's restaurant industry (1991), for example, shows that in this sector generally defined by straightforward employment relationships, more flexible production arrangements are beginning to emerge. He explains that restaurants are increasingly subcontracting the production of labor-intensive items to homeworkers, outsourcing according to variations in demand and passing by individual homes to collect the goods in the late afternoon.

Turning our attention to the industries described in this thesis is valuable not only for the sake of the workers who labor in them but also because they bring to light the practices and situations that make workers vulnerable. They provide information about the changing nature of work that is essential as new worker protections are devised. The situation of undocumented immigrants in these industries also illustrates the perverse effects that measures designed to protect some workers at the expense of others can have on the working conditions and opportunity of those who are excluded.

Finally, I want to conclude this thesis by saying that just as the legal boundary that delimits the officially recognized labor force is the product of a national discussion, so too should labor protections and standards. However, for these national discussions to generate labor standards for all workers, they must address the political, historical, and social dynamics that oppress specific groups of workers and push them to the periphery of the polity. Furthermore, for these debates to generate labor standards that are effective, they must be inclusive and stretch to encompass the voices of all workers, especially workers whose experience at the workplace is not generally captured by conventional labor interests- those whose worklife is refracted through the prism of other

identities, like that of race, legal status, or gender. Workers whose voices are excluded or silenced are workers who will remain unprotected and exploited.

## BIBLIOGRAPHY

- “Les salaires a temps partiel: Combien gagnent-ils?” Institut National de la Statistique et des Etudes Economiques. No 549 – October 1997.
- “Immigration: vingt ans d’erreurs.” *Alternatives Economiques*. December 1995, No. 132.
- 3ème collectif*. Unpublished mimeos. Paris, France: 1998
- Abwood, John and Richard Freeman. *Immigration, Trade, and the Labor Market*. Chicago: University of Chicago Press and the National Bureau of Economic Research, 1991.
- Baglioni, Guido and Crouch, Colin eds. *European Industrial Relations: The Challenge of Flexibility*. London: Sage Publication, 1990.
- Ben Jelloun, Tahar. *Hospitalité Française*. Paris: Editions du Seuil, 1997.
- Benton, Lauren. *Invisible Factories: The Informal Economy and Industrial Development in Spain*. Albany: State University of New York, 1990.
- Berger, Suzanne and Michael Piore. “Dualism as a Response to Flux and Uncertainty.” In *Dualism and Discontinuity in Industrial Society*. Cambridge: Cambridge University Press, 1980.
- Bernard, Philippe & Nathaniel Herzberg. “La nouvelle question des sans-papiers.” *Le Monde*, May 31-June 1, 1998.
- Bernard, Philippe. “Le gouvernement va régulariser, sur critères, les sans papiers.” *Le Monde*, June 11, 1997. Pp. 8.
- Bernard, Philippe. “Les refus de régularisation relancent les mouvement des sans-papiers.” *Le Monde*. March 18, 1998.
- Bernard, Philippe. “Le gouvernement veut lier l’immigration et aide au developpement.” *Le Monde*, November 20, 1997. Pp. 10.
- Borjas, George and Richard Freeman. *Immigration and the Work Force: Economic Consequences for the United States and Source Areas*. Chicago: University of Chicago Press, 1992
- Borjas, George, Richard Freeman, and Lawrence Katz. “On the Labor Market Effects of Immigration and Trade.” In *Immigration and the Work Force: Economic Consequences for the United States and Source Areas*. Eds. George Borjas and Richard Freeman. Chicago: University of Chicago Press, 1992
- Borjas, George. “The Economic Progress of Immigrants.” Working Paper Series. Cambridge Ma: National Bureau of Economic Research, 1998.

- Borjas, George. "National Origin and the Skills of Immigrants in the Postwar Period." In *Immigration and the Work Force: Economic Consequences for the United States and Source Areas*. Eds. George Borjas and Richard Freeman. Chicago: University of Chicago Press, 1992
- Borjas, George. "The Economic Benefits from Immigration." Working Paper Series. Cambridge Ma: National Bureau of Economic Research, 1994.
- Borjas, George. "Economic Research on the Determinants of Immigration: Lessons for the European Union." Unpublished manuscripts, 1999.
- Bourdieu, Pierre and Loic Wacquant. *An Invitation to Reflexive Sociology*. Chicago: University of Chicago Press, 1992
- Brochman, Grete. *European Integration and Immigration from Third World Countries*. Oslo: Scandinavia University Press, 1996.
- Carré, Françoise Jacqueline. *Temporary, Short-Term and Part-Time Employment in French Banks and Insurance Companies in the 1980's: An Institutional Approach. Unpublished Dissertation*. Massachusetts Institute of Technology, 1992
- Carré, Françoise. Temporary and Contracted Work: Policy Issues and Innovative Responses. Radcliffe Public Policy Institute. Task Force Working Paper #WP02, June, 1998.
- Castells, Manuel. *The Informational City: Information Technology, Economic Restructuring and the Urban-Regional Process*. Oxford: Basil Blackwell, 1989.
- Castles, Stephen & Godula Kosack. *Immigrant Workers and Class Structure in Western Europe*. London: Oxford University Press, 1985.
- Chafer, Tony and Brian Jenkins eds. *France: From the Cold War to the New World Order*. New York: St. Martin's Press, 1996.
- Chiswick, Barry. *Illegal Aliens: Their Employment and Employers*. Kalamazoo, Michigan: The W.E. Upjohn Institute for Employment Research, 1988.
- Chiswick, Barry. "The Economics of Illegal Migration." OECD Room Document for the Seminar on Preventing and Combating the Employment of Foreigners in an Irregular Situation. The Hague, April 22-23, 1999. DEELSA/ELSA/MI(99)3.
- Collinson, Sarah. *Beyond Borders: West European Migration Policy Towards the 21<sup>st</sup> Century*. London: Royal Institute of International Affairs, 1993.
- Condamines, Charles. "Les illusions d'un codeveloppement sans moyens." *Le Monde Diplomatique*, April 1998. Pp. 18-19.
- Cornelius, Wayne. "Appearances and Realities: Controlling Illegal Immigration in the United States." In *Temporary Workers or Future Citizens?* Eds. Myron Weiner and Tadashi Hanami. New York: New York University Press, 1998.

- Diop, Ababacar. "Réalités et perspectives de la lutte des sans-papiers." *Sociétés Africaines*. Paris: L'Harmattan, 1997.
- Dupuy, Georges and Stein, Sylvaine. "La France des clandestins." *L'Express*. December 10, 1995
- Gilroy, Paul. *'There Ain't No Black in the Union Jack': The Cultural Politics of Race and Nation*. Chicago: University of Chicago, Illinois, 1991.
- Gordon, Jennifer. "The Campaign for the Unpaid Wages Prohibition Act: Latino Immigrants Change New York Wage Law: The Impact of Non-Voters on Politics and the Impact of Political Participation on Non-Voters." Unpublished Manuscript, October 1998.
- Granotier, Bernard. *Les travailleurs immigrés en France*. Paris: Maspero 1970.
- Gisti. *Entrée et Séjour des Étrangers: La Nouvelle Loi Pasqua*. Paris: Gisti, December 1994.
- Gisti. "Cinquante ans de législation sur les étrangers." *Plein Droit: La Revue Du Gisti*. Paris: Gisti, November 1995, No. 29-30.
- Gisti. "A la sueur de leur front." *Plein Droit: La Revue Du Gisti*. Paris: Gisti, April 1996, No. 31.
- Hammar, Tomas. *European Immigration Policy*. Cambridge: Cambridge University Press, 1985.
- Harris, Nigel. *The New Untouchables: Immigration and the New World Worker*. New York, NY: I.B. Taurus and Co., 1995
- Hargreaves, Alec. "Immigration, Ethnicity and Political Orientation in France." In *France: From the Cold War to the New World Order*. London: Macmillan Press, 1996.
- Heckscher, Charles. *The New Unionism: Employee Involvement in the Changing Corporation*. Ithica: Cornell University Press, 1996.
- Hollifield, James. "Immigration and Republicanism in France: The Hidden Consensus." In *Controlling Immigration: A Global Perspective*. Eds. James Hollifield, Philip Martin, & Wayne Cornelius. Stanford, California: Stanford University Press, 1994.
- Hollifield, James. *Immigrants, Markets and States: The Political Economy in Post-War Europe*. Cambridge: Harvard University Press, 1992.
- Horowitz, Donald and Gérard Noriel. *Immigrants in Two Democracies: French and American Experience*. New York: New York University Press, 1992.
- Howell, Chris. *Regulating Labor: The State and Industrial Relations Reform in Post-War France*. Princeton, NJ: Princeton University Press, 1992.
- Howell, Chris. "The Dilemmas of Post-Fordism: Socialists, Flexibility, and Labor Market Deregulation in France." *Politics and Society*. 20 (1) 1992.

- Hyman, Richard & Anthony Ferner Eds. *New Frontiers in European Industrial Relations*. Oxford: Blackwell Publishers, 1991.
- Institut National de la Statistique et des Études Économiques (INSEE). *Les Immigrés en France: Contours et Caractères*. Paris: INSEE 1997
- Katz, E. & Oded Stark. "Labor Migration and Risk Aversion in Less Developed Countries." *Journal of Labor Economics*, 1991: 4.
- Keeler, John and Martin Schain eds. *Chirac's Challenge: Liberalization, Europeanization, and Malaise in France*. New York: St. Martin's Press, 1996.
- Kesselman, Mark ed. *The French Workers' Movement: Economic Crisis and Political Change*. London: George Allen & Unwin Ltd, 1984.
- Knorringa, Peter. "Operationalisation of Flexible Specialisation: Agra's Footwear Industry." *Economic and Political Weekly*. December 28, 1996.
- LaLonde, Robert and Robert Topel. "The Assimilation of Immigrants into the US Labor Market." In *Immigration and the Work Force: Economic Consequences for the United States and Source Areas*. Eds. George Borjas and Richard Freeman. Chicago: University of Chicago Press, 1992
- Lane, Christel. *Industry and Society in Europe: Stability and Change in Britain, Germany and France*. Hants, United Kingdom: Edward Elgar Publishing Limited, 1995.
- Lane, Christel. *Management and Labour in Europe*. Hants, United Kingdom: Edward Elgar Publishing Limited, 1989.
- Lazzarato, M., Y. Boulier-Boutang, A. Negri, & G. Santilli. *Des Entreprises Pas Comme les Autres: Bennetton en Italie, Le Sentier à Paris*. Paris: Publisud, 1993.
- Le Cour Grandmaison, Olivier & Catherine Wihtol de Wenden. *Les Étrangers dans la Cité*. Paris: Editions La Découverte, 1993.
- Lebon, André. *Immigration et présence étrangère en France, 1995-1996*. Paris: Direction de la Population et des Migrations, 1996.
- Lebon, André. *Migration et nationalité en France en 1996*. Paris: Ministère de l'emploi et de la solidarité, 1996.
- Lebon, André. *Situation de l'immigration et présence étrangère en France, 1993-1994*. Paris: Ministère des Affaires Sociales de la Santé et de la Ville, Direction de la Population et des Migrations, 1994.
- Le Monde*. Paris, France. Various articles: March 1996-March 1999.
- Levitt, Peggy. *The transnationalization of civil and political change : the effect of migration on institutional ties between the U.S. and the Dominican Republic*. Cambridge, MA: Massachusetts Institute of Technology, 1995. Unpublished Dissertation.

- Libération*. Paris, France. Various articles: March 1996 – August 1998.
- Lochak, Daniele. “Bons ‘étrangers’ et mauvais ‘clandestins’.” *Le Monde Diplomatique*, November 1997. Pp. 18.
- Lorwin, Val. *The French Labor Movement*. Cambridge: Harvard University Press, 1966.
- Ma-Mung, Emmanuel. “Logiques du Travail Clandestins des Chinois.” In *Espaces et travail clandestins*. Ed. Solange Montagné-Villette. Paris: Masson Press, 1991.
- Massey, Douglas et al. “Theories of International Migration: A Review and Appraisal.” *Population and Development Review*. Vol. 19, No. 3, September 1993.
- Marie, Claude-Valentin. “From the Campaign against Illegal Migration to the Campaign against Illegal Work.” *ANNALS, AAPSS*, 534, July 1994.
- Marie, Claude-Valentin. “Les étrangers non-salariés en France symbole de la mutation économique des années 80.” *Revue Européenne des Migrations Internationales*, Volume 8- No. 1, 1992.
- Marie, Claude-Valentin. *Travail clandestin, trafics de main d’oeuvre et formes illégales d’emploi*. Paris: Conseil National des Populations Immigrées, 1992.
- Marie, Claude-Valentin. “En première ligne dans l’élasticité de l’emploi.” *Plein Droit: La Revue du Gisti*. No. 31, April 1996.
- Marie, Claude-Valentin. *La verbalisation du travail illégal: Les chiffres de l’année 1995*. Délégation interministérielle à la lutte contre le travail illégal (DILTI). Ministère del’emploi et de la solidarité. Paris, 1997.
- Marie, Claude-Valentin. “À quoi sert l’emploi des étrangers?” In *Les lois de l’inhospitalité: Les politiques de l’immigration à l’épreuve des sans-papiers*. Eds. Alain Morice et al. Paris: Editions La Découverte, 1997.
- Marie, Claude-Valentin. “Measures Taken to Combat the Employment of Undocumented Foreign Workers in France. The Place of These Measures in the Campaign Against Illegal Employment and Their Results.” OECD Room Document for the Seminar on Preventing and Combating the Employment of Foreigners in an Irregular Situation. The Hague, April 22-23, 1999. DEELSA/ELSA/MI(99)6.
- Martin, Philip. “U.S. Immigration and Policy Responses: The Limits of Legislation.” In *Controlling Immigration: A Global Perspective*. Eds. Wayne A. Cornelius, Philip Martin, and James Hollifield. Stanford, CA: Stanford University Press, 1994.
- McArthur, John and Bruce Scott. *Industrial Planning in France*. Cambridge: Harvard University Press, 1969.
- Mines, Richard. “Network Migration and Mexican Rural Development: A Case Study.” *Patterns of Undocumented Migration: Mexico and the United States*. Ed. Richard Jones. New Jersey: Rowman & Allanheld Press, 1984.

- Ministère de l'emploi et de la solidarité. *35h: Mode d'emploi: Les idées nettes pour négocier*. 1998.
- Ministère de l'économie, des finances, et de l'industrie. L'industrie française: chiffres clés. Editions 1997/1998. Paris: Ministère de l'économie, des finances, et de l'industrie, July 1, 1997.
- Montagné-Villette, Solange ed. *Espaces et travail clandestins*. Paris: Masson Press, 1991.
- Morice, Alain. "Les travailleurs étrangers aux avant-postes de la précarité." *Le Monde Diplomatique*, January 1997. Pp. 18-19.
- Morice, Alain. "Les travailleurs étrangers aux avant-postes de la précarité." *Le Monde Diplomatique*, January 1997. Pp. 18-19.
- Moulier-Boutang, Yann, Jean-Pierre Garson, & Roxanne Silberman. *Économie Politique des Migrations Clandestines de Main-d'Oeuvre*. Paris: Publisud, 1987.
- Muller, Thomas and Thomas Espenshade. *The Fourth Wave: California's Newest Immigrants*. Washington, D.C.: The Urban Institute Press, 1985.
- Muller, Thomas. *Immigrants and the American City*. New York: New York University Press and the Twentieth Century Fund, 1993.
- Nugent, Neill and Lowe, David. *The Left in France*. New York: St. Martin's Press, 1982.
- OECD Secretariat. "Some Lessons from Recent Regularization Programmes." OECD Room Document for the Seminar on Preventing and Combating the Employment of Foreigners in an Irregular Situation. The Hague, April 22-23, 1999. DEELSA/ELSA/MI(99)2.
- Tenreiro, P. Parish of the Temple of the Batignolles. Unpublished mimeos. Paris: June-September 1998.
- Piore, Michael. *Birds of Passage*. New York, NY: Cambridge University Press, 1979.
- Piore, Michael and Charles Sable. *The Second Industrial Divide*. New York: Basic Books, 1984.
- Porquet, Jean-Luc. *Les Clandestins: Enquete en France, en Chine et au Mali*. Paris: Flammarion, 1997.
- Posta Europe*. Paris: June – September, 1998.
- Portes, Alejandro. "The Paradoxes of Informality" 1994.
- Portes, Alejandro and Rumbaut, Ruben. *Immigrant America*. Second Edition. Berkeley, California: University of California Press, 1996.
- Presbyterian Council of Paris. Unpublished mimeos. Paris: June –September 1998
- Sabel, Charles. *Work and Politics*. Cambridge: Cambridge University Press, 1982.

- Schain, Martin. "The Immigration Debate and the National Front." *Chirac's Challenge: Liberalization, Europeanization, and the Malaise in France*. Eds. John Keeler and Martin Schain. New York: St. Martin's Press, 1996.
- Simon, Julian. *The Economic Consequences of Immigration*. Oxford: Basil Blackwell Ltd., 1989.
- Solow, Robert. *Output, employment and wages in the short run*. New Haven, Cowles Foundation for Research in Economics, Yale University, 1969.
- Sorenson, Elaine, Frank Bean, Leighton Ku, and Wendy Zimmermann. *Immigrant Categories and the U.S. Job Market: Do They Make a Difference?* Washington, D.C.: The Urban Institute Press, 1992.
- Tribalat, Michèle. *Cent ans d'immigration, étrangers d'hier, français d'aujourd'hui*. Paris: Presses Universitaires de France, 1991.
- Vaillant, Emmanuel. "De l'usage des régularisations." *Le Monde Diplomatique*, November 1997. Pp. 19.
- Van Ruysseveldt, Joris and Jelle Visser eds. *Industrial Relations in Europe*. London: Sage Publications, 1996.
- Videlier, Philippe. "L'honneur de désobéir." *Le Monde Diplomatique*, May 1997. Pp. 17.
- Weil, Patrick. "L'Europe a-t-elle une politique d'immigration?" Working Paper number 105, 1995. Institut de Ciències Polítiques i Socials, Barcelona, 1995.
- Weil, Patrick. *La France et ses étrangers*. Paris: Gallimard, 1991.
- Weiner, Myron. *The Global Migration Crisis: Challenge to States and to Human Rights*. New York: HarperCollins Publishers, 1995.
- Weiner, Myron and Tashi Hanami eds. *Temporary Workers or Future Citizens?* New York: New York University Press, 1998.
- Wilson, Frank. "Democracy in the Workplace: The French Experience." *Politics and Society*. 19 (4) 1991.
- Wright, Peter. *The Coloured Worker in British Industry*. London: Oxford University Press, 1968.
- [zpajol@rosa.bok.net](mailto:zpajol@rosa.bok.net); email list on immigration issues in France and Europe. June 1998-May 1999.