Migration Processes
in Central and Eastern Europe:
Unpacking the Diversity

Alice Szczepaniková, Marek Čaněk and Jan Grill (Eds.)

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Unpacking the Diversity

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To all those who spend their lives in queues because they are always seen as potential immigrants

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Introduction

Alice Szczepaniková, Marek Čaněk and Jan Grill

In Europe, the fall of state socialism marked the shift from controlling emigration to regulating immigration. Importantly, capitalism has been introduced across Central and Eastern Europe (CEE) as the dominant way of organising people's lives. Labour migrants have begun to play a more important role in some sectors of Central and Eastern European economies whilst at the same time these countries have started to receive asylum seekers as they entered the international regime of refugee protection. The institutional and policy developments in the field of migration and asylum have been shaped by the expansion of the European Union towards the East as well as by the dynamics of migration and refugee flows, including their perceptions, in respective nation-states. Diverse strategies and practices both on the part of migrants and local populations have emerged in response to the efforts to control and organise migration in the region. This edited volume aims at unpacking some of the complexities of migration phenomena in CEE. It originated from a series of papers presented at the Workshop on Developments and Patterns of Migration Processes in Central and Eastern Europe organised in Prague in August 2005. The main emphasis is on discussing migrations within CEE while also including migration movements crossing the boundaries of the region.

This publication brings together various, previously unexplored aspects of migration processes in the context of CEE and makes them available to an English-reading audience. It is composed of four sections. The first section addresses topics of (re)construction of socio-political borders in the context of the expanding EU, internal and international labour migration and crystallising forms of semi-formal organisation of migrant labour. The second section introduces three studies which examine how categories of gender, age and class play out in different migration contexts. The contributions in the third section shed light on various aspects of reception of refugees in CEE and discuss the role of nongovernmental organisations (NGOs) in this field. In the fourth section, two articles combine normative political theory and philosophy when looking at questions of citizenship laws and more general principles behind the construction of migration and asylum policies in the EU. The last article addresses methodological pitfalls in qualitative studies of migrant communities in the Czech Republic.

CONSTRUCTION OF BORDERS AND PRACTICES OF LABOUR MIGRATION

The new EU Member States are expected to fully enter the Schengen system in 2007. This will certify that the required degree of standardisation and modernisation of external borders has been reached. The dynamic processes of closing, opening, or even dissolving borders will, however, continue. It must also be noted that after the latest EU enlargement in 2004, some countries at the EU's borders have little prospect of joining the club. What will be the policies towards the entry of citizens of these countries? The articles in this section are concerned with visa and border regimes within and at the margins of the EU and focus especially on changing hierarchies and the role of state institutions, networks and migrants themselves. Moreover, some of the articles make links with the developments before 1989 and correctly point out that migration within and into the CEE region did not start with the fall of the Berlin wall and as such is not an entirely new phenomenon.

Alexandra Schwell tells a story of how an Eastern European country, formerly seen as unpredictable and unreliable, is gradually building trust with its Western neighbour. The context of German-Polish asymmetry is crucial in her article; it may be assumed that it is even more pronounced when it comes to migration and border security issues, which are of extreme importance to the German side. Although equality has not always been achieved, partly due to the divergent economic, social and political conditions, the German and Polish border guards have at points become close colleagues who work successfully together in a fight for a common cause. However, the questions the author raises about European integration and identity are much wider, "The European community is probably not a cultural but a security community, held together in the face of an external, and maybe already internal, threat" (Schwell: 13). The article flows smoothly back and forth between different levels of analysis that include policemen, organisations, nation-states and the EU and thus offers a vivid picture of the situation at the Oder River.

The nature of borders is also changing at the margins of the EU. In his article Cosmin Radu notes the irony of Romania's requirement, following pressure from the EU, that from 2004 Serbian citizens must have visas. In attempting to protect the future EU borders from outside intruders, travelling from Romania to Serbia (and vice versa) has been restricted, causing problems for those involved in the long-existing border economy. While at the formal level the regulations are becoming increasingly regulated as the Romanian state attempts to meet the EU accession requirements, Radu demonstrates that the stability and density of social networks created and sustained across the Serbian border has facilitated

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continued cross-border mobility in spite of the visas. Indeed, Radu's account of the Eastern European border region indicates that the so called "sealing of the eastern borders" (Lavenex, 2001: 30) which has accompanied the expansion of the European Union is not happening in an uncontested and a straightforward manner.

Neda Deneva's article focuses on the four migratory pathways of the Bulgarian Muslim population of the village of Ribnovo. Through the comparison of internal and international migration she questions the taken-for-granted significance, and analytical usefulness, that is often attached to crossing of national borders. She shows how social networks sustain the (re)production of the ethnic, religious and other ties of belonging and imaging of community when living and working outside the village. The author concludes that the specific situations in which migrants find themselves can be better analysed when focusing on intersections between the type of work and living conditions rather than attaching the crucial importance to the national borders which migrants may or may not have crossed. Deneva focuses on a category of "Bulgarian Muslims" originating from a rural area rather than on "Bulgarians" which helps us to analytically move beyond the assumptions of "methodological nationalism" (see Glick-Schiller and Wimmer 2002).

Jan Černík, in turn, looks at the role of intermediaries ("clients") and other actors in the so called client system, the dominant mode of organisation of temporary labour migration from Ukraine, Moldova and other post-Soviet countries to the Czech Republic. At a time of heightened political concern about this issue in the Czech Republic, he argues that a policy response needs to be based on the understanding of both its local and external causes. By decomposing the client system into its constituent elements, Černík provides a convincing analysis of the rise of a particular type of organisation of labour relations describing how the restrictions that came with the 1999 Foreigners' Act and the new visa policy introduced by the Czech Republic towards some Eastern European countries, did not result in a rational and orderly regulation of migration. Conversely, he argues that the regulations led to the institutionalisation of exploitation and pushed migrants to the spheres of organised crime.

The diverse three and a half borders around and within Moldova itself are at the centre of analysis of Daniela Guțu. She demonstrates their differing impacts on people's mobility at the margins of the European Union. Not only is it difficult for Moldovans to obtain a Schengen visa as their country is on the EU's "black list", but also many of the embassies are not even situated in Chisinau, Moldova's capital. Therefore, a Moldovan citizen may need to first receive a visa to enter one country so they could then apply for the visa of the desired country of destination. In the future, the Moldovan-Romanian border will be a border of the EU, which has only added to the concerns about border control as well as political and economic stability in Moldova and especially regarding the self-proclaimed republic of Transnistria. The author points out how vital it is for the development of Moldova that the borders with the EU countries do not become "sealed".

MIGRATION THROUGH GENDER, AGE AND CLASS PERSPECTIVES

Articles in this section originated in one panel of the workshop. It was organised around the idea that gender, together with class, ethnicity and age, intervene in migrants' social networks and practices in ways that can both facilitate and constrain their migration opportunities and effect the way they construct their lives while abroad. The authors of the articles fitted well into the overall framework of the panel. What is more, they broadened it and added new perspectives from which this theme can be examined. Each of the articles studies migration and the impact on societies of both departure and arrival from a different perspective.

Ramona Lenz analyses discursive representations of Eastern European female sex workers in Cyprus within the framework of nationalism and its gendered nature. The perspective of the "receiving society" is crucial for her argument about the role of migrant women within the Cyprian construction of the nation, family and the idea of "useful" citizens. In her conceptually and empirically rich study, she demonstrates that migrant women who work in the sex industry are imagined and treated as a threat to the purity and honour of the nation/family on the one hand, and as vulnerable and in need of protection on the other. Lenz aptly argues that this seemingly paradoxical construction of migrant women well suits the needs of a particular type of national discourse: one which stabilises "boundaries of conventional gender roles in times of change" (34) and which confirms, if not reinforces, notions of protective masculinity and dependent, vulnerable femininity.

Olha Yarova offers a perspective which is rather rare in migration studies: she looks at those who are "left behind" - families of Ukrainian women who left Ukraine to work in Italy mainly as carers and cleaners. She discusses to what extent a more or less successful taking over of parental roles by "lonely" fathers left with their children in Ukraine represents a real shift in gender responsibilities and to what extent the traditional gender division of labour is reiterated once women return back. Due to the relatively limited scope of the research, further investigation would be needed in order to draw more general conclusions about the relations between migration of women and the transformations of family life and gender roles in Ukraine. It remains dependent and contingent upon a number of

other socio-economic factors (although a high level of emigration from Ukraine is definitely one of the important elements). Moreover, Yarova's analysis points to an interesting and highly ambivalent shift in migrant women's social status. On the one hand, her interviewees were doing work deeply under their professional qualification whilst, on the other hand, they were gaining more money and were able to provide for their families and improve the material situation of their children. To describe and understand impacts of these social changes on both family life and gender ideologies in Ukrainian society represents an interesting challenge for future research. Yarova's text offers a good starting point and an important contribution to such a discussion.

Alexandra Szőke presents a relatively new topic in migration research – migration of retired people from more affluent societies to areas where the living conditions are more affordable and consequently more enjoyable. What is also innovative about her contribution is that she investigates views of the migrants – German retirees moving to live in Hungary – and at the same time explains how they are received and perceived by Hungarian locals. Her analysis is well settled in the context of EU enlargement and changing roles of European welfare states. The author's description of these increasingly popular movements uncovers the opportunities of the citizens of wealthier parts of Europe to exploit the economic disparities among EU Member States. It also points to potentially difficult consequences for those migrants whose mobility is becoming limited, not only because of their age, but also because of the very fact of these disparities – once they moved to Hungary (whose language the majority of them do not speak), it seems impossible to move back and retain similar living standards. Thus, Szőke's insightful analysis highlights age and social status as characteristics combined into particular patterns and practices of mobility.

REFUGEES IN CENTRAL AND EASTERN EUROPE

The third section offers various genres of texts. First, a comprehensive study by Rozita Dimova about the situation of Bosnian refugees in Berlin; second, a summary of the Information and Cooperation Forum (ICF) report accompanied by a short interview with an NGO representative Anny Knapp describing the state of affairs with regard to the "harmonising" of the reception of asylum seekers in selected EU countries. The report is particularly important in the context of increasing efforts to create a set of common EU asylum policies. Third, a text by Daniel Topinka which is a relatively more abstract discussion about the image of "a refugee" and an analysis of the numerous strategies that asylum seekers employ in search of better life. It is particularly interesting because the author has extensive experiences of working (as a social worker and later also a director) in

several refugee facilities in the Czech Republic. Finally, there are two interviews with NGO workers from the Czech Republic (Vladislav Günter) and Slovakia (Kajo Zbořil). They offer their views on policies and identify the main issues of concern with regard to refugees and other groups of migrants in the respective countries.

Instead of examining each contribution separately, two themes which seem to cut through the texts of this section – the process of Europeanisation of asylum policies and the significance of NGOs in the field of refugee issues – will be discussed.

Already by 1999, four main spheres of the EU asylum system were identified in the Tampere declaration: determination of the state responsible for the examination of an asylum application; conditions for the reception of asylum-seekers; minimum standards of asylum procedures; and qualification and content of refugee and subsidiary protection status (Geddes, 2005: 795). The abridged ICF report clearly shows that the third objective – conditions for the reception of asylum-seekers – can hardly be considered as unified. The report concludes that individual Member States still have too much scope to shape the standards of their reception conditions. It points to a worrying fact that even refugees who manage to reach the EU do not always receive the protection to which they are entitled. Limited access to employment and increasing use of detention are particularly troubling tendencies which persist and are not effectively addressed by EU policies.

Moreover, as we see from the table included in the report (54), there are huge differences in the recognition rates of refugees in the selected countries. Therefore, despite the efforts to "harmonise" asylum policies throughout the EU, the fact that the outcome of refugees' application for asylum still largely depends on the country in which their claim is processed, will push them to look for other, often illegal and dangerous, ways to reach their country of destination and succeed in getting recognised. Here, Topinka's account of refugees' strategies and the reasons why they approach the host countries in "prospector" fashion helps us to understand social processes behind the dry language of the EU directives.

Dimova's analysis of the situation of Bosnian refugees in Berlin points to another problem – qualification and content of refugee and subsidiary protection status remain unclear and can easily keep refugees trapped in uncertainty as the example of Bosnians living under Duldung in Germany illuminates. The author shows that even those who have managed to reach Europe and get (although tentatively) accepted by one of the Member States, are not secure in their position. Their situation reflects a more general tendency of European states to move away from granting refugees permanent protection qualifying them for citizenship and full civic and political

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rights. Dimova's complex analysis exposes some of the outcomes of such policy.

The second theme emerging from the texts in this section is the implications of the important role of NGOs in the field of refugee issues. As Anny Knapp indicates in the interview attached to the ICF report, there are possibilities to form a network of NGOs which will cooperate to jointly observe and critique the process of "harmonisation" of the EU asylum policies; the ICF report is the proof that positive development is taking place in the context of Central and Eastern Europe. However, the actual influence and power these networks can exercise when attempting to effectively change refugee reception conditions remains unclear. No matter how strongly they advocate for the rights of refugees and asylum seekers embedded in international legislation, in the last instance it is the state that has to enforce them. As David Harvey (2005) argues: "Rights are...derivative of and conditional upon citizenship. The territoriality of jurisdiction then becomes an issue" (180).

When discussing roles of Czech NGOs in the process of migrant integration, Günter has a clear idea of what it should be: "implementing, consulting, and proposing new measures according to their practice" (63). Zbořil compares the striking inactivity of the Slovak state resulting in the ongoing neglect of integration of recognised refugees with the extensive work of the NGOs. Clearly, a new space has opened up for non-governmental bodies to take over various roles in the process of refugee reception and integration. Often, NGOs have to substitute services commonly provided by the state. This is not by definition a positive development. If we see the core of the NGO work in advocacy, initiating of change, or just simply being rabble-rousers exposing problems with state policies, there can be a danger of them becoming "mere" providers of services and subcontractors of the state (especially in the environment of permanent financial insecurity). It is important to take into account that NGOs are not exposed to the same control mechanisms which are applied to the state sector; they cannot always sustain the same level of stability in their actions, transfer of experiences and knowledge (Tazreiter, 2004). This is a theme which certainly deserves further investigation.

NORMATIVE AND METHODOLOGICAL DISCUSSION OF MIGRATION AND INTEGRATION

Articles in this section complement the case studies and other more empirically based articles in the publication. The first two articles are explicitly normative accounts inspired by political theory and philosophy. One concerns Central European developments in the field of naturalisation while the other deals with EU migration and asylum policies. The third article discusses some of the questions related to qualitative methodology and the presentation of migration research.

Petr Kafka concentrates on citizenship laws in four Central European countries: the Czech Republic, Hungary, Poland and Slovakia. Arguing eloquently in favour of a policy of integration which does not exclude non-citizens from society in the long run, he criticises the overly long periods required for naturalisation.

An Verlinden draws on thoughts of some modern Jewish philosophers and offers a more general pro-immigration argument. In her account of the developments in EU asylum and migration policies, the author exposes contradictory forces behind the current politics of mobility. The dialogism she presents as an alternative to the current migration control paradigm is refreshing in that it frames the question of "international migration as an inter-human encounter" (Verlinden: 75). This, as Verlinden suggests, could happen both on an individual level and between communities in a country of origin and a country of destination.

In the final article, Petra Klvačová deals with the credibility of a researcher using qualitative methods of socio-anthropological research. In her analysis of selected studies of immigrant communities in the Czech Republic that were commissioned by the government, she emphasises the responsibility of the researcher's findings and their potential political impacts. Klvačová proposes an ideal model of presentation of qualitative research findings and critically compares it with the ways the analysed studies dealt with methodological issues.

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01

Construction of Borders and Practices of Labour Migration

Why Cooperate? German and Polish Incentives for a Common Border Security Policy[1]

Alexandra Schwell

Border guards are the first representatives of the nation state a traveller meets when he or she enters a country. They embody the legitimate state order, and they are the living symbol that one sovereign territory ends and another one begins. From the point of view of the nation state the national border is a sensitive area. It serves as a filter to prevent the influx of crime into the state's territory. In earlier times European border security served not only to beat back criminal subjects but also to protect the national territory from violation and observation by the potentially hostile neighbouring country. The latter function especially has changed in meaning due to the process of European integration and the creation of a new "security field" (cf. Bigo, 2000), since "cross-border crimes" have come to be perceived not as only a national, but as a common problem for the European "Area of Freedom, Security and Justice". In the following, I will ask what conditions have to be met for nation states to engage in police cooperation. Subsequently, I will apply these theses to the German-Polish border police cooperation of *Bundespolizei* (BPOL)[2] and *Straż Graniczna* (SG) and will show the specificity and problematic nature of this kind of cooperation, where Germany and the Schengen countries face the "junior partner" Poland. Their relationship is marked by dependency and asymmetry[3].

GERMAN-POLISH COOPERATION AT THE ODRA

The German-Polish cooperation has taken on a role as a trailblazer for European border police cooperation. Already in 1998 German-Polish border patrols were introduced. Since at the time the border was the last obstacle

for illegal migrants from the East to enter the European Union, the patrols were held to be an adequate means to prevent that migration. Likewise in 1998 the German-Polish contact point (Kota) at the city bridge in Frankfurt (Oder) was created. Here, German and Polish border police coordinate joint actions and shortcut official channels. The last important step towards closer cooperation occurred with Poland's admission to the European Union. Since 1st May 2004, the border policemen have no longer been the sole masters of their control boxes. In the course of a more efficient fight against crime and traffic jams the "One-Stop-Check" was introduced. Poles and Germans no longer stand separately from each other but work together in one control box and jointly check travellers. However, in the beginning the border guards showed very little enthusiasm for the new idea. They felt helpless and literally speechless without adequate language skills. Poles expressed dislike of the arrogant and boring Germans. Germans, on the other hand, would never work with Poles, because "one's bike had been stolen already thrice this year" – by Poles, of course.

CONDITIONS AND MOTIVES FOR COOPERATION

Successful police cooperation needs more than goodwill and a political resolution. Mathieu Deflem (2000) has provided a detailed account of the historic origins of international police cooperation. With a reference to Max Weber's theory on bureaucracy, he designs a model of international police cooperation which differentiates between structural conditions and operational motives (cf. Weber, 2005 [1921]).

(1) Structural conditions enable national police forces to become active outside the borders of their national legislation. Therefore they must be specialised bureaucracies that have reached a sufficient degree of independence from their respective governments. This allows them to act semi-autonomously (cf. Anderson et al., 1995: 4). Moreover, only similar structural positions inside the state between police forces of different countries create the basis for cooperation, "as the police recognise one another as fellow professionals, rather than as diverse nationals" (Deflem, 2002: 457). As Deflem points out, local experts from the respective institutions have always initiated successful police cooperation before it was legally fixed.

Only the fall of the Iron Curtain and the prospect of Poland's accession to the European Union provided the framework for German-Polish border police cooperation to emerge. On the basis of favourable structural conditions (relative independence, Poland's EU integration) local experts from inside the organisations on the meso level of BPOL-*Ämter* and SG-*Oddziałe* had initiated the cooperation. As semi-autonomous institutions, the border police organisations remain untouched by any tensions in German-Polish relations; hence political differences between governments

are subordinate to police-professional forms and derived concepts (Busch, 1995: 258).

(2) International police cooperation, however, can only function properly when additional motives come into play, and when police institutions share a "system of knowledge" about international crime. Professional interest in the control and the fight of international crime is needed on the part of all sides involved. Here Deflem refers to Meyer and Rowan (1977), who perceive operational rules in bureaucratic organisations as "myths" that define problems and accompanying solutions in concepts framed for and by the bureaucracy. Together with the efficiency of the organisation these myths influence the organisation's legitimacy, activity and resources while minimising external insight and control (cf. Douglas, 1986).

German-Polish cooperation is motivated by the joint interest to prevent cross-border crime. The common myth, or enemy, is trafficking in human beings, illegal entry, theft and forgery of documents. The institutions involved share a "system of knowledge" on these crimes and are aware that these can be fought much more efficiently through teamwork than soley in the national frame.

OPERATIONAL MOTIVES – GERMANY AND THE SCHENGEN COUNTRIES

The foremost interest in the fight against crime can be differentiated for the nation states involved. The national factor should not be disregarded, since police activity on an international level has to be connected to the national context to gain legitimacy (cf. Deflem, 2004: 94).

The fight against cross-border crime in general does not only serve the purpose of internal protection but embodies the national idea, the concept of a community of people who share a feeling of belonging, and who understand the "rules of the game" (Heyman, 1999: 619); they understand laws, and abide by them. Contemporary discourse does not only refer to the nation state, but also extends to the member states of the European Union, especially to those part of the Schengen Agreements. While on one hand, the discussion on the desperate search for a European identity focuses mostly on the democratic deficit of the EU and the alienation of citizens from the EU, on the other hand, a clear connection between the discourse on European identity, home security and increased cooperation in the realm of justice and home affairs can be observed (cf. Walker, 1998).

The search for European commonalities revolves around ideal constructions of a presumed common ground of values for all European nations ("Core Values"): Jewish-Christian heritage, the Enlightenment, the French Revolution; in short, a list that could be arbitrarily contin-ued and that recurs to some alleged superiority of the "West" (cf. Davies, 1996; Hedetoft, 1997). On the other hand, the concept of Europe has always been most concise

where it was not defined out of itself, but in contrast to something else. It is much easier to define what Europe is not. It is not Asia, and it is not the Islamic world. Above all, it is not the poor neighbours who come to the West for happiness and welfare, and whose intrusion has to be pre-vented in order to preserve economic prosperity. Illegality in this sense is an external phenomenon, and its intrusion into the community has to be prevented: "Interdiction is the quintessential expression of the national idea; drawing a strict limit around the body politic, it characterises goods and people arriving at the border as potential contaminants to be kept out or inspected and allowed in under certain conditions" (Heyman, 1999: 621). Migrants and asylum-seekers are redefined as security problems for the European nation states. Severe border controls to keep out unwanted intruders become the condition *sine qua non* for the preser-vation of an imagined European community: "For its part, the politics of border controls are located precisely at the point of intersection between issues of security and identity" (Walker, 1998: 170).

The European community is probably not a cultural but a security community, weld together in the face of an external, and maybe already internal, threat. Europe as a security community has a much more tangible meaning and finds much larger support than the so far anaemic concept of a cultural identity.

OPERATIONAL MOTIVES – POLAND

With EU membership, Poland has taken the first step towards full integration. In the case of the German-Polish border, Poland fears rather the flow of crime through its territory than the influx. Poland's status is that of a "gate-keeper". The successful accomplishment of this assignment will be decisive for full membership among the Schengen countries. Thus Poland is anxious to meet the demands until the expected date in 2007. The Polish Eastern border, the new external border of the EU, is decisive here as it is rated by the EU as a particularly sensitive area (cf. Kommission der Europäischen Gemeinschaften, 2002; Vitorino, 2002: 13). Polish border police emphasise their increased responsibility as it is no longer limited to Polish home security but with EU accession has extended to the whole of Europe (cf. Straż Graniczna n.d.). Poland is not lacking in self-confidence and is not willing to be reduced to an enthusiastic junior partner; its claim to a leading role among the Eastern European states is strongly connected to this.

In order to be prepared for the full implementation of the Schengen *acquis*, adjustment processes between the organisations are required. Processes like the standardisation of European security measures have far-reaching homogenising effects that likewise influence organisational practices on the actors' level (cf. DiMaggio und Powell, 1983).

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The progress of Poland's integration into Europe, however, demands much more effort from the Polish than from the German side, since Poland has to equal a European standard that Germany, albeit with some exceptions, like digital radio, has already achieved. The construction and adjustment of Polish border police buildings and equipment are to a large degree financed by the European Union. At the same time, exchange and further vocational training measures take place under the overall control of Western Europe and the USA (cf. Schmitt, 2003; Deflem, 2004).

From the viewpoint of the Schengen members, Poland has to prove its capability to be a "good European". The Polish efforts to meet these expectations are less derived from a desire to please the West and more from the claim to become a full member in the Schengen area, to bear full responsibility and to operate at eye level with the "old" member states.

PROBLEMATIC ISSUES

The nationally differentiated motives that surpass the overarching motive of the fight against cross-border crime and the securing of the European borders do not contradict but supplement each other. The positions of the border police organisations inside their nation states as well as the EU as a framework have created the structural conditions for cooperation. Moreover, organisational myth binding for both organisations has been developed and acts as a motivating basis around which cooperation crystallises. Thus the above-mentioned conditions for successful international cooperation are met.

However, successful cooperation on the level of the nation states and organisations does not automatically entail success on the level of personal interaction. If such different countries cooperate, then differences come into sight which cannot be simply reduced to equipment, but which are expressed in the organisational hierarchical structure, the institutional legacies, social and income cleavages and in communication problems. Such a combination of circumstances can also reinforce prejudices and asymmetries.

German and Polish senior officers report that it was not easy to make the border policemen cooperate. The relationship was marked by mistrust and prejudices (for German-Polish stereotyping cf. Dąbrowska, 1999). It seemed to the German border guards as if Poland tried to sneak from the "out-group" of the poor neighbours into the "in-group"; into the exclusive club of the EU. Polish border policemen, on the other hand, found themselves bluntly confronted with the Polish-German prosperity gap. Mistrust and prejudices however, to a certain degree could be reduced by personal contact, the common identification by professional identity and the binding myth of the fight against crime. With the introduction of the joint control

Germans and Poles together prevent the influx of crime; after all, the "poor neighbour" has moved farther eastwards and now comes from Russia or Ukraine to the German-Polish border.

But a "common enemy" is not sufficient for successful cooperation. Poland's starting-point is decisively disadvantageous. Adjustments and structural reforms are necessary from both sides in anticipation of the full implementation of the Schengen *acquis*, but the course is longer for Poland than for Germany. Financial and technical imbalances are as much determining factors for interaction as the prevailing social, cultural and work-ethic differences. The cooperation is characterised by dependency and inequality as almost all important impulses, financial means and instructions emanate from the Schengen countries. The efforts to achieve the required standard are decisive for the interaction of border police from both countries. Even if both sides show good will, social, cultural, institutional and economic differences can impede understanding and revive supposedly overcome prejudices as "political and economic hierarchies also go hand in hand with continuing cultural asymmetries of superiority feelings and inferiority complexes and related ethno-national stereotypes" (Spohn, 2002: 2). On the micro level, social differences have to be diminished and the development of mutual trust has to be fostered in the first place. Stable and institutionalised cooperation can only occur if the cooperation takes place on the same level. Both sides may share a common myth about crime and European integration, but the structural conditions are not yet as favourable as they seem.

1   This paper is an abridged translation of Schwell, Alexandra: *Europa an der Oder. Die Umsetzung politischer Vorgaben in der deutsch-polnischen Grenzschutzkooperation*, In Kutter, Amelie und Vera Trappmann (Eds.), *Das Erbe des Beitritts*. Baden-Baden: Nomos, forthcoming.

2   The German Bundesgrenzschutz (BGS) was renamed Bundespolizei (Federal Police) on July 1st 2005 in order to express the extended field of activity. "Bundesgrenzschutz" in this text refers explicitly to events before the renaming. For current developments and scope of duties see Möllers et al., 2003.

3   This article is based on fieldwork conducted at the German-Polish border in 2004/2005. It is a part of my PhD project and therefore it is work in progress; comments are of course welcome.

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Coping with Visas: Notes on the Recent Changes in Mobility Regime at the Romania-Serbia Border[1]

Cosmin Radu

Focusing on the border between Romania and Serbia, this paper aims to compare the different border crossing regimes. The border is characterised by increased territorial mobility of persons and goods. Even before 1989, when cross-border economic exchanges were formally prohibited for most of the citizens of the socialist state and the circulation was reduced to a minimum, the contacts between border communities on each side of the Romania – Serbia border were extremely intense. Under socialism, people used border crossings between these two countries as a way to cope with the system's shortcomings, such as shortages of consumer goods. Travelling for short periods to Serbia or Romania, formally allowed by the issuing of special permits for small-scale cross-border traffic (locally named *pas de mic trafic*), became a central feature of the household economy. Even if the trips to Serbia were usually very short, they were still able to provide access to various rare goods, whilst linking the communities in each country through various social relations that continued to be very useful after 1989.

After 1989, the border was successively opened and regularised. Almost immediately after the opening, and to an even larger extent after the drop in industrial employment opportunities (especially at the hydropower cascades on the Danube Iron Gates I and II), people relied on crossing the border to find better seasonal jobs, mostly in the villages and towns just inside Serbia. In 2004, the European Union applied pressure in an attempt to formalise and modernise the border controls. On 1st of July 2004 a restrictive regime of visas came into force. Along with the compulsory visas for each border crossing, no matter how short the stay, Europeanisation demanded the professionalisation

of border police and customs officers. It was said that the transformation of the many aspects of border crossing would greatly affect the border economy, as well as the lives of several thousand border inhabitants.

This study is based on approximately 40 interviews undertaken during field trips in January 2002 and July 2004, to two border villages in Romania (Balta Verde and Gogosu), as well as two further trips in August 2004 and April-May 2005 at the Embassy of Serbia and Montenegro in Bucharest. The findings cover a large range of the aspects relating to the border economy. Two different dynamics have been documented: a formal one, imposed by policies from "above", and the informal one, namely that of the networks of employers and employees from "below". While at the formal level the border became increasingly restrictive, the stability and density of social networks allowed further developments in cross-border mobility.

This paper aims to describe how the Romanian-Serbian border appears today and also how it has been challenged by the intervention in visa regulations, which came into effect on 1st July 2004. The recent administrative changes were expected to increase the state control over the people and goods circulating between the two countries and to establish a "safe" frontier. During the summer of 2004, the public and the media became very pessimistic about the demise of the border economy that had developed from the end of socialism onwards. It had included seasonal migration, small-scale trading, cross-border marriages and common industrial activity. However, I will argue that the implications of the new visa regime were far from expectations and that cross border mobility does still exist, but it has gone underground.

After the fall of the communist regimes during the 1990s, the borders in Europe were successively opened and closed according to political imperatives. The changes that occurred in the area of border regulation created a space for innovation and for diverse categories of people. In this context, the citizens of the former socialist countries were agents of innovation. Along with political factors there were many social and economic aspects that assured continuity in migration in spite of the restrictive visa regimes.

The fall of state socialism in Eastern Europe led many to predict a mass exodus to the West, however, the consequent migration forms were extremely diverse. The destinations and preferences of Eastern Europeans were not only Western Europe's industrialised countries. These processes are reflected in growing literature on migration to Central European countries.[2]

Romania's standing as a candidate country for the European Union forced it to implement a series of security measures at it's eastern and southern frontiers. Today, Romania is seen as a buffer zone, with a strategic role in stopping trafficking from the East or from non-EU associate

countries. The irony came from the fact that by "closing" or securing the gates for Serbians, thousands of Romanian villagers, especially in the immediate aftermath, had their stable livelihoods, namely working in Serbian villages, removed. The side effects of changes in border regulation are clear to see. Rather than succeeding in limiting territorial mobility of undesirable citizens, the state policies severely impacted less informal transnational structures. As Claire Wallace (2002: 621) comments, 'closing borders is likely to increase the possibility of permanent or long-term commuting by making migration more difficult. It would also be likely to drive migration underground.'

It is suggested here that borders can develop different kinds of "resistance" against state control, resulting in a strange mix of cooperation between formal and informal structures. It is especially expected to be the case for Eastern Europe's border areas, where the stories about corrupt customs officers, the lack of rule of law and smuggling, amongst other illegal practices, are relatively well reflected and even exaggerated in the local, regional or international media. Thus, rather than losing their own social or ethnic identities, such border communities build new meanings into their local autonomy and sovereignty. These constructions are often realised through economic/labour contacts, informal social networking (Berg, 2000) and cultural transactions between communities on both sides of the border.

CROSS-BORDER SEASONAL LABOUR AND TRADING: PATTERNS OF EMBEDDEDNESS, INFORMALITY AND HOUSEHOLD ECONOMIES

Three occupational patterns can be distinguished among temporary migrants in Serbia: 1) workers who are employed on a permanent basis in the same household, 2) day labourers commuting seasonally, who, especially in the summer, travel to jobs in different households and even different villages, and 3) small-scale traders. The formation of each pattern has a different history. Here I am especially interested to introduce some ideas about the embeddedness within the border economy.[3] My argument is that cross-border labour and trading are not just occasional activities, but rather structural characteristics of the border; dynamic parts of a transnational social field.

There are different reward systems attached to each pattern, especially in terms of money and social capital. For instance, a domestic servant has the security of a certain amount of money per month, a kind of "salary" while the day labourer's earnings are uncertain. On the other hand, the day labourer exercises the freedom of movement from an employer to another, from a village to another. Typically, the domestic servants are bound to a household to which they must show total loyalty, as they can become equal to other members of the family.

The Romanians within the Serbian informal labour market are visibly ranked in the eyes of their employers according to their area of origin. Therefore, being a border resident is much more advantageous than coming from Moldavia, for example. The best pay and working conditions are granted to the border inhabitants, on the basis of the privileges they enjoy as neighbours, friends and even relatives of the Serbs. The Romanians from the Romanian side and Vlachs from the Serbian side of the border have some common local history, interrupted only by the opening of the Serbian economy to the West at the beginning of the 1960s. Reciprocal visits, mixed marriages and other opportunities for encounters between the two populations have always been present to one degree or another. Furthermore, the socialist past has preserved common experiences of shortage, alleviated by border crossings with material symbolic consumption that certainly contributes towards the close relationships between Romanians and Vlachs. Even the "Rudars" (Roma), who would otherwise be clearly differentiated from Romanians, are very well integrated in the Serbian border economy and highly appreciated by the Serbs for their working skills. This was not the case with Moldavians or other migrant groups from Dobrogea or Eastern Oltenia. Thus, borders create classificatory practices and identities that are well suited to the class relations they encompass.

The narratives of my informants indicated that the economic transactions between Serbs as employers and Romanians as employees are very much based on neighbourhood relations, friendship and proximity, having little in common with the contractual agreements encountered in the more regular labour markets. A standard definition of an informal economy (as tax evasion), mainly produced by evidence from developed capitalist countries, is irrelevant in the Serbian case, because payment is, in certain circumstances, in kind; most of the employers are Serbian householders, not enterprises, and the results of the production process are rarely capitalised. The boundaries between informal and formal, employer and employee are blurred; the labour agreements are generated by symmetry and symbiosis. Especially in cases where there is a long lasting relationship, for example a woman working in a Serbian household for more than five years, the roles of employer and employee lose their significance. A woman from Gogoşu explained that besides her regular work, she is permitted to do everything she wants in the household, she hires the day labourers on the land of her host and often takes over the tasks of "the Serb" in talking to village neighbours and even to distant kin. Interestingly, the permanent (domestic) workers tend to refer to their employers as "hosts", while the day labourers name their employers "patrons". The two types of relationship ("patron"-day labourer and "host"-permanent/domestic worker) are very

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different and lead to contrasting levels of embeddedness in the local economy. To sum up, the Romanian – Serbian border economy appears to be a "household economy" based on the mingling of formal and informal types, linked by social networks and households (Neef, 2002).

Another way to earn money and establish relationships is cross-border small-scale trading. The impressive quantities of rare goods carried through customs facilitated the view that, before 1989, unlike other impoverished regions, the Romanian-Serbian border was a good place to gain access to Western goods, and a certain degree of welfare otherwise impossible to attain. It was the traders using their special border crossing permits who contributed to the formation of subsequent flows of temporary labour migrants. Furthermore, the border-trade gave an opportunity to purchase rare goods and a way to cope with the socialist shortage.

Trader-tourism continued in the early 1990s as a means of developing small enterprises at home, and as an opportunity to rapidly advance in the local social hierarchy (Konstantinov, Kressel, Thuen, 1998). The trader-tourists became intermediaries, actively facilitating the initiation of commodity chains between various regions in the two countries. At present, the Romanian trader-tourists buy cheap Chinese merchandise from Timișoara, Drobeta-Turnu Severin or from more distant locations such as Suceava (Northeastern Romania) and supply the small shops or stalls in the open-air marketplaces in Serbia. These goods are often taken far from the border appearing in the central part of the country often as far a field as Belgrade. The important border marketplaces such as Negotin, Kladovo, Pancevo etc. are usually supplied with cheap merchandise from Romanian traders carrying big luggage by train. The continuity in this practice could be explained by the deficiencies in the taxation system relating to the border enterprises, and of "Eastern Europe" in general. Therefore, the traders can easily guarantee their earnings and at the same time secure low prices for their commodities. The only "taxes" they pay are the daily rents for the stalls, or other retailing spaces.

CHANGING THE RULES OF THE GAME

By the beginning of July 2004, the Romanian Government made it compulsory for the citizens of Serbia and Montenegro who entered Romania to apply for visas. Given the reciprocal nature of the agreement, the same conditions were imposed on Romanians who travel to Serbia. People working regularly in Serbia for one or two months were accustomed to arranging their trips without any bureaucratic intervention. They now need a visa on their passport that takes time to obtain. However, the flow of visas was incredibly high. For example, the Embassy of Serbia and Montenegro in Timișoara issued around 8,500 visas in the first four weeks.

The high number indicates the relative importance Romanians attach to crossing the border and seeking employment in Serbian villages. The extended networks of employees and employers, as well as both supply and demand for labour, increased the circulation of letters for visas, which are needed in order to travel to Serbia. For example, immediately after closing the border on 1 July 2004, the payment for day labour in agriculture and construction rose from 10 up to 15, sometimes even to 20 Euros due to the sudden shortage of labour. The drivers, who cross the border regularly in order to supply their shops with goods, are the ones who usually apply for the visas. Otherwise, the employer himself comes to hand in the letter for his or her employee. A few days after the reciprocal regime of visas had been introduced, the returning workers themselves were carrying out this mailing service. They were getting three or four letters for the visas from the employer and distributing them to different recipients in the village.

Important changes did occur in the available means of transportation as well. After the introduction of visas in July 2004, the business of tour operators suddenly declined as the border became virtually closed. As most of the former tour operators were lacking transportation licenses, they were replaced by "taxi drivers", who began transporting small groups of up to four persons through the customs area. The migrants, even coming from distant places such as Eastern Oltenia or Moldova, realise all the details of this new opportunity. The names and phone numbers of the "taxi drivers" circulate widely around the Embassies, in small communities and in border towns.

CONCLUSIONS

I tried to show how the socialist regime initiated an active exchange of people disguised as tourists and how it initiated the development of an informal system of practices in the form of border crossing. Even in the conditions of post-socialism, the border inhabitants continue to live on the opportunities created under socialism. Moreover, the informality of the practices have expanded and generated a regional system of temporary migration at the margins of the European Union.

The introduction of visas on 1st July 2004 transformed the occupational patterns, the informal structures that support commuting and even the economic relations between the nation states involved. Above all, the most dynamic and the most flexible change was regarding the re-orientation of social networks. This can be seen in the exemplar formation of the visa letter system, the new transportation arrangements and the continuation of cross border trading.

A variable degree in household dependency, stimulated by the shortage of money on the Romanian side and the shortage of labour, accompanied by the development of "post-industrial lifestyles" among the former Serbian guest workers who came back from Germany, should be noted. Finally, the stories of my informants are very useful in illustrating the relations of dependence between different expanding informal labour markets: the Austrian and Serbian on one hand, Serbian and Romanian, on the other. To put it simply, I will use the words of a day labourer: "We live on the Serbs, and the Serbs do the same from the Austrians".

1   This paper is an abridged and revised version of Radu, Cosmin: "We are all tourists". Informal Labour Markets and Socioeconomic Practices on Romania-Serbia border in different mobility regimes, in: Bacas, J.L. and W. Kavanagh (Eds.), Asymmetry and Proximity in Border Encounters. Oxford: Berghahn Books (forthcoming in 2006).

2   Wallace and Stola (2000) offer an analysis of Central Europe as a buffer zone and of East-Central-West migration processes. They introduce concepts such as "temporary", "incomplete" or "transnational migration".

3   By embeddedness I understand "the extent to which an actor is 'anchored' in a particular territory or place. Economic actors become embedded there in the sense that they absorb, and in some cases become constrained by, the economic activities and social dynamics that already exist in those places" (Hess 2004: 177). According to Martin Hess the applications of the concept of "embeddedness" need to be scaled geographically, following the economic geographical research tradition.

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The Role of Ethnicity in the Re-construction of the Community: Internal and International Migration in a Bulgarian Muslim Village

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Neda Deneva

The research presented here focuses on the similarities and differences in the networks of mobilisation in the labour migration processes in Ribnovo, a Bulgarian Muslim village situated in the western part of the Rhodopi Mountain. More specifically, in this paper I discuss how different levels of social networks sustain the reproduction of the ethnic, religious and village community when living and working outside the village. I have identified four types of labour migration classified according to the destination: Greece, Spain, Dupnitsa (a town around 100 kilometres away from Ribnovo) and Sofia. In the different destinations, different types of work are undertaken and different configurations of groups exist. I will argue that the differences between the four types, in terms of levels of reproducing the community and the significance of network mobilisation, are not subordinated to the border-crossing factor, but rather depend on the specifics of the different contexts and structural conditions, of the type of work undertaken and of the migrating group.

The conclusions are based on fieldwork in the village of Ribnovo, Bulgaria, in April 2005.[1] I found the village suitable for my research because firstly, most of the villagers migrate, secondly, there is both domestic and international

migration (thus it is convenient for a comparative perspective), and thirdly, the population is Bulgarian Muslim, which gives the opportunity to observe any connections between ethnic identity and migratory behaviour.

My research aims to assess to what extent the border-crossing factor is crucial for explaining the differences and similarities between migration practices. In addition, it diverts from the assimilation/integration focus of many migration theories and looks at short-term, pendular labour migration. In order to explain the migration dynamics and the mechanisms of the migration process, the research has been placed within the more general framework of network theories which deal with migration.[2] I have looked at different moments in the migration process: choosing a destination, organising transportation, searching for a workplace, finding accommodation and everyday practices. I have used the prism of social networks as an explanatory tool at the different stages of the process. In this paper I have focused on the moment of settling in the destination, the everyday practices which the migrants adopt and the ways they reconstruct their identities and their "home".[3]

THE VILLAGE AND ITS INHABITANTS

The village of Ribnovo is situated in the Western part of the Rhodopi Mountain, near the Greek border. The population of the village is exclusively Bulgarian Muslim (or as they are often referred to as "Pomak").[4] At present, the main part of the Bulgarian Muslim population lives in villages in the Rhodopi Mountain region. The main source of making a living is agriculture and construction, most of which takes the form of seasonal labour migration (or the so called gurbet). In terms of ethno-religious identification, Bulgarian Muslims have a "shifting identity" (Karagiannis, 1997). They present and consider themselves as possessing many different identities: as Bulgarian Muslims, as Turks and as Bulgarian Christians. These are the basic identities according to the context and the group in which they live and work. The main reason for shifting identities is the position of *double marginalisation*. They are, on one hand, marginalised by the Bulgarian majority, whilst on the other hand sometimes marginalised by the Turkish minority, who in turn do not recognise the Bulgarian Muslims as "true Muslims" (because they speak Bulgarian and have slightly different customs).

Ribnovo has 2,800 inhabitants with around seven hundred houses. The village is geographically isolated. Most of the inhabitants consider themselves highly religious in keeping with the practices of Islam. In addition, the women wear quite distinguishable clothes, which identify them as Bulgarian Muslims.[5] The village is in a mountainous region with forests covering much of the area; there is no mass livestock breeding and in general the land remains

uncultivated. Most people make a living through either domestic or international labour migration.[6] The reasons for the extremely high level of labour migration in the village can be explained on three intertwined levels: 1. the specific labour context of the village (the economic context presupposes a high migration rate); 2. the "culture of migration" and the marginalised position of the Bulgarian Muslims; 3. the position of Bulgaria in the world labour market as a semi-peripheral country.

MIGRATION PRACTICES AND DESTINATIONS – THE FOUR TYPES

For the purposes of this paper I will delineate four types of migration according to the destination.[7] Thus, the types to be presented are *Greece, Spain, Dupnitsa* and *Sofia* (both in Bulgaria).

•• Greece

Family labour migration to Greece is seasonal, legal and partly employer-regulated. It started approximately seven years ago. Usually whole families go to Greece to take up seasonal work, spending up to six months there.[8] They work on tobacco fields, legally with working visas, for Greek employers in small villages in the northern part of Greece. Greek employers have been coming to the village to recruit workers for the last five years. Groups of families from one kin tend to work for the same employer, with one employer typically coming from each small Greek village. As a result, there are *kin clusters* in the different Greek villages and consequently there is almost no interaction between the different groups from Ribnovo, whilst in Greece.

The choice of destination is based mainly on social networks. Employers ask new workers for recommendations from old ones. At the same time the recommendation process flows in the opposite direction, with the migrants asking for advice from their relatives; thus the process of mutual selection and recommendation leads to kin clusters in particular villages working for particular employers. When away, in the cases of family agricultural work, there is a tendency to try and keep the same social milieu. People who are closely related in the village tend to migrate together. Thus a group of ten to twenty families, most of which have a kin relationship, reproduces to a great extent the direct social environment in which these families live when in the Bulgarian village. This in turn creates not only the re-production of the family atmosphere, but also of the family power structure.

•• Spain

Spain is a traditional migration destination for people from the Western Rhodopi region, and specifically for the Bulgarian Muslims living there (Troeva and Grigorov, 2003). At present, between 60 and 100 people from Ribnovo work in Spain.[9] The usual period for staying in Spain varies from five to eight months. The migrants, mainly young men, travel as tourists but work illegally and overstay the legal period of three months. Migrants from Ribnovo head mainly to the small towns and villages in the southern part of Spain near the coast. This type of migration is completely unregulated and the migrants rely entirely on their social networks for all the stages of the process. They usually travel either alone or in groups of two or three. In most of the cases the respondents begin by contacting a relative member (of varying degrees of closeness: an uncle, cousin, or the husband of the respondent's sister is the most usual connection) who have already settled in Spain. The relative usually finds work and a place to live in advance. He will also lend some money, if necessary. Thus, in the case of Spain, the mobilisation of social networks is more apparent than in Greece. The whole process from the initial choice of destination to returning back to Bulgaria is arranged by the migrant themselves and is mainly based on the use of contacts and help from relatives.

•• Dupnitsa

It is traditional for villagers from Ribnovo and other Bulgarian Muslim villages to migrate to work on tobacco fields (Decheva, 2003: 124-140). At present, the most popular destination is Dupnitsa and the surrounding villages. It is a town about 100 kilometres away from Ribnovo on the main road from Sofia heading towards the Greek border checkpoint. In 2005 more than 300 families went to work on tobacco fields in the region of Dupnitsa. The families usually go with their children, unlike in the case of the migrants to Greece. Contracts to rent land are usually drawn up in advance. In most of the places, all the families from Ribnovo live together in renovated cattle sheds, which were previously used by the agricultural cooperatives. A specific feature of this migration type is the transporting of the family's domestic belongings, such as beds, ovens, silverware etc. People who have stock take that as well. This has further implications for the construction of the material side of the "home".

Unlike in the case of the migrants to Greece, the choice of place depends entirely upon the migrating family. The specific clusterings of relatives in a village play a significant role when choosing the place of work. There is a channelisation of the migration flows to particular small villages, as is the case with the migration to Greece.

•• Sofia

Since the beginning of the last century, it has been traditional for labour migrants from the mountain villages to work in the field of construction. Some men work in construction during the whole year as a permanent occupation, others do it in between other jobs.

The intensity of the mobilised networks is even stronger than in the case of Spain. Men who work on construction sites in Sofia travel, work and live in groups of five or six people. They are mostly from the same kin: father, son and uncle, cousins, or brothers. They often travel in one car, live in the same place, and work for the same employer. The mechanism of finding work does not differ much from the other types of migration. It is mainly sought through networks, especially now, when many men originally from the mountain villages have established themselves over a few years and consequently have useful connections with construction employers.

THE REPRODUCTION OF THE ETHNIC, RELIGIOUS AND VILLAGE COMMUNITY

The reproduction of the community on different levels will now be discussed, with focus on the everyday practices when away from the village. The respondents' accounts of their life outside of the village demonstrates a tendency toward a re-production of the community at several levels: the dense networks-based groups of immediate family and kin, the village community, the ethnic Bulgarian Muslim community, and finally the broader Muslim religious community. The possible explanations for this tendency will be looked for in the cultural, historical and religious characteristics of the community as well as in the context of the particular migration type.

I will look at the 'everyday practices' of the migrants when away from the village.[10] The common pattern in all types of migration is that, wherever they go, people from Ribnovo communicate first with the immediate group with whom they have travelled, which is a kin-based group. A second level of communication and sharing of everyday practices is with the co-villagers who have migrated to the same area. If there are no co-villagers the next level is communication with other Bulgarian Muslims. Finally, the shared religion is also a basis for establishing ties and for support (this happens in Spain and in Sofia through the mosques). Hence it might be more appropriate to speak of tighter and wider circles rather than of levels. Returning again to the differences between internal and international migration, I will argue that the border-crossing factor is less influential for the community reproduction when compared to the specifics of the particular place and context.

The four types of migration lead to different circles of ties being activated. A basic difference can be observed along the lines of family versus male-only migration on the one hand, and of domestic versus international migration on the other. In the case of family migration there is a strong tendency toward delimiting all kinds of communication to the immediate group. While with male-only migration the circles are wider, surpassing the immediate kin ties either to the community of the people from Ribnovo or to the wider community of Bulgarian Muslims.

Family migration both in Greece and in the region of Dupnitsa is characterised by a noticeable kin clustering. This is directly related to the narrower circle of re-production of the community. The kin clustering reflects a re-construction of the 'home' both in the social and in the material meaning. In the case of migration to Greece, the lack of language knowledge leads to a higher level of isolation, whereas in the case of the migrants in Dupnitsa this is because of the high level of discrimination which the Bulgarian Muslims are conscious of.

In the case of Greece, the men spend their free time having a cup of coffee in or simply hanging around the centre of the village. The people with whom they communicate are usually the men from the other kin families with whom they work and live together. The women either gather in their gardens and chat for an hour in the evening or take a walk in the village centre. This is to a great extent similar to what they do in terms of everyday practices when they are in Ribnovo. Since there are no other Bulgarian Muslims or other Muslims in general in the villages, it could be argued that the re-construction of the community in this way is partly contributed to by the lack of other people with whom to share common cultural, religious, or linguistic features.

The pattern amongst the migrants to Greece is similar to that formed in the Dupnista area. One of the differences is that both men and women go out once a week, on Fridays when the whole family goes into Dupnitsa. Some of the men gather in a house where one of the respondent's brothers organises the prayers. In the meantime the women take a walk in the city. Again, there is almost no communication between the migrants and the local people in the villages, which are mainly inhabited by small numbers of elderly people. Whereas the lack of communication with the people in the nearby bigger city (Dupnitsa) could be explained through the feeling of marginalisation and could also be linked to the threatened ethno-religious identity which is felt by many Bulgarian Muslims.[11]

The other type of network mobilisation is within the men-only migratory groups. Here the circle of communication and the sharing of everyday practices are wider. In Sofia, the whole Ribnovo community and the other Bulgarian Muslims gather in the mosque. Migrants to Spain have developed the widest circle of networks, where not only the Bulgarian Muslims but also the other Muslims, from Northern Africa for example, meet in the mosques and so form part of the established community in which everyday practices take place.

Since the community of people from Ribnovo is quite big in Sofia – about 100 men – there are three circles of contacts: 1. with the immediate small group with whom one works, travels and lives; 2. with the village community

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from Ribnovo, whom they meet on nearby construction spots or if they work for the same company; 3. with the ethno-religious based wider group of people in the mosque. The meetings with the people from the working group are daily, during working breaks, and after work for a cup of coffee in the neighbourhood. The meetings with the more distant people from Ribnovo are once per week, either for a cup of coffee, or in the mosque.

The case of Spain is different due to the fact that the men who work in a particular village or town tend to communicate with all the people from Ribnovo who are there at present and with other Bulgarian Muslims. Thus the communication is not narrowed mainly to the family and kin members. The communication with Spanish or other non-Muslim people is moderate. The types of everyday spare time activities are either going to the beach with other Bulgarian Muslims and some other colleagues during the long lunch breaks or going out after work with the Bulgarian Muslims in the evening for a cup of coffee.

There is also a tendency to communicate with the broader Muslim community through the mosques. There was one specific case of a man who went to Spain alone with no previous contacts, and who went to the mosque to meet with other Muslims. He knew some Arabic, and through the contacts established in the mosque he found his first job and some accommodation. When the situation and the context requires it, the web of possible ties can be widened to the broadest circle of the religious community. The relationship with Bulgarians, who are not Muslims, is narrow. The respondents' explanation is that they cannot trust Bulgarians in Spain because they would be cheated by them. Therefore there is no communication with the Bulgarians who happen to be in the same village. Thus the ethnic and the religious affiliation plays a much more important role than shared nationality.

To conclude, in terms of social networks established in the area to where people migrate, there is no significant difference between internal and international migration. I have argued that the border-crossing factor and the foreign social milieu do not lead necessarily to considerably different types of network mobilisation. What is important for delineating the differences and similarities between the types networks are the specific environments, as well as the configuration of the people who are migrating together. It may be concluded that the type of community reproduced, through the different circles of networks, is not dependent on whether or not a border is crossed, but is determined by the different types of work undertaken and the particularities of the places migrated to.

1   I have used qualitative research methods such as in-depth interviews, life histories, and informal conversations in the village of Ribnovo. I have chosen my respondents according to the four types of migration and have talked to almost an equal number of people for each type. This article is based on research undertaken for my MA Thesis at the Central European University, Budapest.

2   See e.g. Boyd, M. (1989). Family and personal networks in international migration: Recent developments and new agendas. International Migration Review 23:638-670; Brettell, C. (2000). Theorizing migration in anthropology. The social construction of identities, communities, and globalscapes, 97-136. In C.B. Brettell and J.F. Hollifeld (Eds.), Migration theory, New York: Routledge; Dahinden, J. (2005). Contesting transnationalism? Lessons from the study of Albanian migration networks from former Yugoslavia. Global Networks 5(2).191-208; Massey, D. S., Arango, J., Graeme H., Kouaouci, A., Pellegrino, A. and Taylor, J. E. (1993). Theories of international migration: A review and appraisal. Population and Development Review 19:431-466; Poros, M. V. (2001). The role of migrant networks in linking local labour markets: The case of Asian Indian migration to New York and London." Global Networks 1(3):243-259; Portes, A. (1995). "Economic sociology and the sociology of immigration: A conceptual overview, 1-41, In The economic sociology of immigration. Essays on networks, ethnicity and entrepreneurship. New York: Russel Sage Foundation; Tilly, Ch. (1978). Migration in modern European history, 48-72, In W. McNeil and R. Adams (Eds.), Human migration: Patterns and policies. Bloomington, In Indiana University Press; Tilly, Ch. (1990). Transplanted networks, 79-95, In V. Yans-McLaughlin (Ed.) Immigration reconsidered. New York-Oxford: Oxford University Press; Wilson, T. D. (1994). What determines where transnational labour migrants go? Modifications in migration theories. Human Organization Volume 53(3):269-278.

3   I will use "home" to refer to the social milieu and the power relationships which are in place in the village.

4   Although many studies have been done on this topic, there is no final agreement in the academic community on what term should be used when referring to Bulgarian Muslims. Among the different names Pomaks, Bulgarian Muslim and Bulgaro-mohamedans are the most commonly used. The term Bulgarian Muslim has been established lately in the Bulgarian academic literature as not only the most appropriate in terms of theoretical explanation of their origins, but also as most politically correct. In non-Bulgarian literature, though, the commonly used term is Pomaks. I will use Bulgarian Muslims, because I think that Pomaks is a limiting term as it does not include all people from the community and also because Pomak can be construed as insulting. Thus I will try to escape from imposing an identity from outside. These problems are discussed in detail in Brunnbauer, U. (1998). Histories and identities: Nation-state and minority discourse. In and out of the collective. Papers on former Soviet rural communities. 1:1-10; Konstantinov, Y. (1997). Strategies for sustaining a vulnerable identity: The case of the Bulgarian Pomaks, 33-53, In H. Poulton and S. Taji-Farouki

(Eds.), *Muslim identity and the Balkan State*. London: C. Hurst; Mihaylova, D. (2003). *Between rock and a hard place: Pomaks identities at the border between Bulgaria and Greece. Focal. European Journal of Anthropology*. 41:45-57; Todorova, M. (1997). *Identity (trans)formation among Pomaks in Bulgaria*, 63-82. In L. Korti and J. Langman (Eds.) *Beyond borders*. Boulder, Co: Westview Press.

5   For comparison, young Turkish women in Bulgaria do not wear Muslim clothes. Only the older women do and even this is not the case in all the villages.

6   In addition there is one sewing factory, which employs 80 women; work for teachers and auxiliary personnel in the school; administrative positions in the mayor's office and in the municipality; small cafés and shops, which are family enterprises; woodcutting, which has been declining in the last years due to stricter legislation; and fruit, mushroom and herb gathering in the summer.

7   However, in terms of typologisation a different division could be set with overlapping types of practice: internal and international migration; male-only and family migration; agricultural work and construction work migration; urban and rural migration.

8   A family is defined as a husband and wife, without the children. According to Greek law only individuals above 21 (and after military service for the boys) are allowed to go to Greece with a working visa.

9   Migration to Spain from the village of Ribnovo increased significantly after 2001 when the regulations changed allowing free tourist stay visas lasting three months.

10 I am using "everyday practices" here to refer to the ways migrants spend their spare time, with whom they communicate, and what kind of relationships they establish with the people with whom they interact.

11 This is especially the case with women, many of whom keep wearing their traditional clothes which distinguish them from the majority when they go to the cities or to the centre of the villages in which they work.

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Of Clients and Chereps

The Organisational Structures of Ukrainian Labour Migration

Jan Černík

Due to solid economic growth, the Czech economy faces increasing labour shortages. The gap between labour supply and demand is partly filled with migrant workers from Ukraine and other former Soviet Republics. Usually paid much less than Czech workers, Ukrainians and Moldovans help to maintain the Czech economy's growth. Despite this economic benefit, citizens of countries of the Commonwealth of Independent States (CIS) have only limited opportunities to work legally in the Czech Republic. In most cases, would-be migrants depend on the services of intermediaries, or so-called *clients*, to organise their stay.

The client services are not provided free of charge; the common exploitation of migrant workers and the connections between clients and organised crime have recently become the topic of several studies (Černík, 2005a, 2005b; Červinka, 2004; INTERMUNDIA, 2005) which indicates the growing political concern. How can the rise of the "client system" be explained? In this paper, I will, after a brief outline of methodology and terminology, present and discuss three mutually complementing approaches to examine the phenomenon: historical, functionalist and post-structural. The first two approaches summarise the research discourse in the Czech Republic whilst the last point of view goes beyond these "traditional" perspectives on the client system. Using studies by leading experts on social organisation in the post-Soviet hemisphere and deploying some of the models developed by these authors, I will attempt to "decompose" the client system into some of its constituent elements such as the principle of master-ship, *reket* technique and *krysha* concept.

My contribution is based on preliminary research (non-standardised interviews) with respondents who have experienced the so called client system. Additional information was taken from the mentioned ethnographic studies dealing with the informal economy in post-socialist countries.

DEFINITION OF TERMS

The term *cherep* refers to the lowest rank in the hierarchical system within the criminal subculture. It originated in former USSR. The term may also be used to describe a Ukrainian (temporary) irregular labour migrant. The whole societal life of these people is concentrated in micro-communities, which are headed by a client. The client could be more accurately described as a master of irregular migrants, but he is a real *client* in the context of organised crime.

Even though living in socially closed groups, labour workers do experience a state of permanent uncertainty (Uherek et al., 2005). They do not know if, or where, they will work tomorrow.[1] From the migrants' point of view, the client is defined as the person who knows the rules of the destination country and who is able (owing to their specialist knowledge) to guarantee protection for the whole collective. Due to his/her position as the master of the group, the client has the possibility to punish workers who disobey their commands. They can also strengthen their dependence by keeping them in an illegal position. However, these constraints do not produce particularly stable micro-communities. Quite frequently the community disintegrates due to external impacts or because individual group members manage to emancipate themselves.[2]

The client and the working community are within the reach of the "protection" of organised crime. The client must be a good organiser; their job is to monitor simultaneously several processes: look for work, check the workers, receive payments, and provide for the necessary administrative work.

HISTORICAL APPROACH

How can the emergence of the client system be explained? The first approach, which I would like to discuss here, is historical. Several studies by Czech authors are useful in that sense, especially the comprehensive study by Zdeněk Uherek et al. (2005). Even though today's structures reflect the current political and economic environment, they cannot be fully explained without considering older regional patterns of labour organisation.

The majority of authors agree with the assumption that the current mode of organising labour migration in the Czech Republic originated from rural environments in Western Ukraine or Transcarpathia (Bedzir, 2001; Uherek et al., 2005). Examples of historical migration patterns from these regions are numerous: labourers from the regions of

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Galicia were working in the industrial sector around Ostrava at the end of the 19th century; in the interwar period, labourers from the Transcarpathian region were recruited to build railways in Slovakia and border fortifications in Bohemia (Uherek et al., 2005). Another stream of temporary migrants from West Ukraine, which can be seen as a predecessor to the pattern which has emerged since the mid 1990s, was the temporary work stays of Ukrainians in Russia during the 1980s and 1990s.

Specific forms of migrant work organisation characterise the long tradition of labour migration from Western Ukraine. Some of these patterns could be seen as "proto-client systems". One example of such a tradition is "leaving for *shabash*". *Shabash* was the pattern of short-term labour migration in the environment of Soviet socialism. Semi-national business companies, kolkhozes and cooperatives or individuals hired *shabashniky* as mobile groups of labourers for short-term construction work. These migrant workers were on the edge of the shadow economy; the group (brigade) was headed by a *brigadyr* who would procure work, pay the wages to other labourers, and if needed, also ensured the formal legal personality of the group (for example, as a unit of a cooperative). In the 1980s, the tradition of *shabash* became part of the cooperative movement within *perestroika*, the unsuccessful economic reconstruction of the Soviet economy. This was the moment when the *shabash* tradition became part of the domain of organised crime.

Labour migration of Ukrainians and citizens of other countries from the European part of the CIS, to the territory of the Czech Republic went through a relatively short, however, rather turbulent development, which can be divided in three phases.

•• Unrestrained period – from the beginning of the nineties to 1996

Up to the year 1996, the Czech Republic was the preferred destination of labour migration from Ukraine. This period was characterised by the chaos that accompanied the changes in the political and economic environment (Drbohlav, 2004). During those years the economic activities of Eastern Europeans in Czech territory were organised spontaneously. The prevailing pattern of organisation was relatively risky for the Ukrainians, who offered their own workforce to potential employers on "open-air" labour markets, such as the Prague fairground in Holešovice (Bedzir, 2001).

Informal networks were, at that time, taking care of migrant labour organisation almost without any transaction costs. At the end of the first half of the 1990s, the entities informally organising labour migration – future clients – started to consolidate their business. The lack of restraints during this period provoked a reaction from the Czech institutions in an effort to regulate the influx of labour

migrants. At the same time, there were efforts to economically exploit labour migration by formations of organised crime (Uherek et al., 2005).

•• Transformation period – the second half of the 1990s – 2000

This was a crucial phase in the formation of the manners of organised labour migration. The emergence of today's client system was preceded by a period when migrating labourers were increasingly robbed and blackmailed by gangsters both in the Czech Republic and the CIS. The markets, then benefiting from cheap foreign labour, started to be influenced by the implementation of the Czech Republic's new, more restrictive, Foreigners' Law.

The clients, until then acting in lesser structured context (for example, as informal representatives of groups of workers), started to transform their position into both formal and informal institutions. The organisational mode known as the client system gradually started to dominate the market with cheap labour from the former USSR in the Czech Republic.

•• Stabilisation period – the first years of the 21st century:

The concept currently known as the client system went through a major consolidation. Up to this point, it was possible to view the phenomenon as part of the institutionalisation process. Consolidation of the set of informal rules and manners organising the community of temporary labour migrants from the former USSR was completed simultaneously with the development of institutional change, with, for instance, the implementation of the visa regime by the Czech Republic for citizens from countries of the former USSR. The new status of affairs was most visible around the Czech embassy in Kiev, which was crowded everyday with several hundred visa applicants, who sometimes had to wait several weeks. Such a situation logically became a "marketplace" for migration services. The clients expanded on trade with migration services and improved techniques of recruitment. These circumstances led to the zenith of the client system.

FUNCTIONALIST APPROACH

The preceding section explained the emergence of the client system as the gradual evolution of historical patterns, which go back as far as the 19th century. An alternative explanatory model could be labelled the functionalist approach. From this perspective, the client system appears as the most effective organisation of labour import under particular economic and political conditions. The client system can be described as the result of interactions between state regulations, employers, migrants and informal networks, which benefit all key actors, though not always the migrants.

The functionalist approach is a useful tool for the examination of interactions between organised crime (informal networks) and formal institutions (Pejovich, 1997). It is also useful to reflect on studies of organised crime in countries of the former USSR (Volkov, 1999). Informal networks emerge and informal rules are applied in reaction to the inefficiency of the state. Effectiveness of the informal structures is " ... centred around enforcement of contracts they are responsible for." (Pejovich, 1997). As long as the state is unable to enforce the economic interactions of the population, it gives room (profit) to private enforcers of the rules (mafia).

Unfortunately, the phenomenon of the client system demonstrates that this is the case in the Czech Republic. The establishment of this particular system of labour organisation may be viewed as complementing certain developments in the criminal underworld. Relating factors were measures restricting legal access of foreigners to the labour market and new, restrictive foreigners' laws. The result was a gradual shift of a significant number of labour migrants to the shadow economy (Drbohlav, 2004; Uherek et al., 2005). These steps resulted in the growth of transaction costs to all actors involved in labour migration.

Employers have a key role in organising cheap labour under informal rules, since the client system leads to a decline in transaction costs. The reduced costs of an informal system include: the non-payment of social security levies, the non-payment of health insurance and the avoidance of demanding administrative procedures, which would otherwise be necessary to legalise the stay of a foreigner. Furthermore, the Czech employer does not have to comply with the duties imposed by the Labour Code. The employer involved in the client system rather accepts a set of informal rules imposed by private enforcers.[3] Via the client system, the employers enter the world governed by informal rules generated in the environment of the black economy in the former USSR, together with all the techniques and the relevant criminal practices.

I demonstrated that, to a certain extent, the organisational patterns of Ukrainian labour migration to the Czech Republic have their origins in the traditions of Western Ukraine. The functionalist approach demonstrates how the Czech employers benefit from the reduction in costs brought about by the client system. The original informal rules are a "Soviet import", but the Czech Republic's economic and legal environment has, to a large extent, influenced their practical application.

POST-STRUCTURAL APPROACH

The last approach presented in this paper is not an entirely new approach, yet rather a kind of synthesis. It is an attempt to deconstruct the client system by identifying some of its governing principles. In attempting to address the central issue of control, I will make use of models developed by Caroline Humphrey and Katherine Verdery, social anthropologists who work on the transition of post-communist economies. Additional inspiration was provided by the writings of Vadim Volkov, professor of sociology at the European University St. Petersburg.

•• Principle of mastership

Humphrey discovers mastership as a mode of organisation of production in rural areas in her brilliant essay on the everyday economy in post-socialist Russia. A strong principle of authority exists within the collective economic activities of ordinary people functioning as 'socially compendious groups'. The working collective is directly controlled by a master, who holds specific knowledge and connections for the maintenance of resources (Humphrey, 2002).

The Soviet economy was not established on capital but on collective work. This caused a politicisation of working collectives. They have been both economic and political units.[4] Verdery (1996) classified the transient status of post-socialist economies in Eastern Europe as a shift from socialism to feudalism. From such a perspective, the irregular labour migrant *(cherep)* can be seen as a voluntary serf. He or she works under a small feudalist (client), who protects his subjects against external influence, supervises internal rules of the community, and ensures earnings for all members. The client provides knowledge of the rules; this concerns the rules of both the Czech society and of the underworld. They link the individuals to the external world, while isolating them at the same time. The relationship between the client and the worker is based on responsibility and confidence. "The serf" has to pay for the protection and services in form of a "tax" (usually 30 to 50 percent), which the client deducts of each worker's wage. This exploitation notwithstanding, the client system is a safe haven for the labourer. It is a sphere where they are protected from the inscrutable and often hostile foreign environment (Černík, 2005a).

•• Reket

The term reket is very often used in the context of the shadow economy in the CIS countries. How does this term relate to the concept of "mastership"? Mastership is a certain social structure, while "reket", the regular collecting of fees in exchange for protection provided by a person or a group, is a social practice. Practice and structure are mutually complementing. Offering protection and asking for *reket* is possible only because of the mastership structure; in the same time this practice reinforces the structure. The essence of *reket* technique is the payment for political protection of economic resources. Volkov (1999) generally defines these practices of protection in his study on "violent entrepreneurship as enforced partnership" *(silovoe partnerstvo)*.

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The technique of the *reket* and its practices are basically the most primitive form of police work. Its aim is the enforcement of informal rules, which control the behaviour of individuals and groups due to the absence (or non-enforcement) of formal rules (Humphrey 1999). Labour migration is an excellent example of the case where the principle of *reket* leads to economic interconnections between the criminal world and the world of common economic behaviour.

We noted before that part of the *chereps'* salary remains with the client, who is in this way compensated for his protection. However, not all of this money remains with the client. The client must regularly pay upwards to protect his economic resource, the workers' collective. If they failed to pay the requested "tax", they would expose themselves to serious risks within the organised crime world. Despite of this, their business remains very profitable.

•• Krysha

In Soviet times, the word *krysha* (Russian: roof) was used as a generic term for private transactions within socialist state economy (Humphrey, 1999). The term changed its meaning in the early 1990s, when it began to be associated with organised crime. Volkov (1999) attributes this shift to the entry of the former Soviet security forces into the trade with *rekets*.

Today, the principle of *krysha* is used to describe interconnections between the legal businesses sphere and the criminal underworld. Humphrey (1999) describes *krysha* as the social context, in which *reket* is used. Various formations of organised crime and different kinds of activities (*reket*, corruption, "money cleaning", etc.) find their place under the *krysha*.

The client system in the Czech Republic bears a striking resemblance to *krysha* in former Soviet countries. Like the *krysha* described by Humphrey, the client system links the regular economy of the Czech Republic with the world of organised crime. The client system is the *krysha* which ensures "law and order" in the shadow economy and allows the provision of *reket*. To support my thesis, I want to draw the reader's attention to the etymology of the term "client system". As noticed in the beginning, the term originated in the environment of organised crime and refers to the "consumers" of their protection / *reket* services. Being the masters of the individual migrant workers, the clients fulfil the role of intermediaries between legal businesses and the world of organised crime. Due to this function, they are crucial in maintaining the client system.

CONCLUSION

The client system has become the object of increased interest in the Czech Republic's scientific community as well as of political concern at the level of central administration. Alarmed both by the interconnections between organised crime and labour migration and by the exploitation of the Eastern European labourers, which are documented in a number of publications, there have been calls for a reform of the country's migration policy. The purpose of this article was not to recommend better policy solutions, yet to better understand the origins of the current situation. Are the set of rules known as the client system imported from the migrant workers' countries of origin, or are they the product of certain aspects of the Czech Republic's legal and economic environment? It is important to understand the answers to these questions if there is to be any improvement of public policy.

I attempted to show in my text that it was helpful to combine several approaches to better understand the client system's nature and origins. The first line of argumentation explains the client system in its current form as the outcome of a long evolutionary process. In the course of this process, traditional patterns of labour organisation have changed, reflecting the varying conditions both in the Czech Republic and in the migrants' home countries. The second approach presented explains the current pattern as an inexplicit convention between different stakeholders (employers, the clients, organised crime and state institutions) to benefit from the economic exploitation of foreign labourers. In my understanding, it is useful to conceptualise the client system's genesis as a combination of historical and functional factors. On the basis of this assumption, I presented concepts developed by Humphrey, Verdery and Volkov in the third section of the text. Originally invented to describe common structures in the post-Soviet economies, practices such as *reket* (protection), the payment of "taxes", or the principle of mastership can also be used to aptly describe the relationships within the client system. I demonstrated that what is known in the Czech Republic as the client system is in fact a regional modification of the *krysha*, a roof that links legal and criminal economic activities.

One reason for the success of the client system is the economic profit, which is shared among clients, criminal structures, and legal Czech businesses. A second reason is the Czech Republic's restrictive regulatory framework on migration, which made it difficult for would-be migrants to access the Czech labour market without the help of intermediaries. Once established, it is very difficult or even impossible to rid our economy from the structures of the client system. Since there has always been a tendency within the underworld to assimilate to the habits of the regular economy, it might be a promising approach to encourage clients and other intermediaries to operate fully within the legal system. However, this will not be reached by a policy that attempts to tackle the client system through the criminalisation of migrants, who are indispensable for the Czech economy.

1   We can conceive uncertainty and flexibility as two sides of one coin. The client offers the flexible workforce of his collective to various employers. It is his/her main commodity on the Czech labour market.

2   Social mobility within the frame of irregular labour migration from Ukraine and other CIS countries is underesearched domain in the Czech Republic. The key questions are whether processes of stratification are connected with the ir/regularity of the stay and work or if they depend on permanent immigration.

3   Finally, the employers release themselves from any liability for Ukrainian workers because of the demand for cheap labour it started to be supplied on a certain kind of contractual basis by clients' companies.

4   Belonging to some of client's collectives has a high political value in the uncertain zone of the shadow economy. Chereps are required to demonstrate their belonging to a certain client on different ocassions (Černík 2005a).

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Migration, Visas and Borders in the Context of EU Enlargement: the Case of the Republic of Moldova

Daniela Guțu

Throughout history, borders have separated nations, states and empires. At the same time the course and character of a border can determine the power and vitality of those around it. This is especially true in the case of Central and Eastern Europe and the Commonwealth of Independent States, which have experienced dramatic changes in their political geography since 1990.

The Republic of Moldova is a prime example in illustrating how borders can affect the very nature and condition of a state. After obtaining independence in 1991, the new state had to regulate its borders with the neighbouring countries of Romania and Ukraine. The task was not simple at all since an armed conflict burst out on the left bank of the Nistru River in 1992, which led to the separation of Transnistria.

Due to the separation of Transnistria, the Republic of Moldova has today three and a half types of borders. The first type of border is between Moldova and Romania, the second type of border is between Moldova and Ukraine. The third type is the Transnistrian sector of the Moldovan-Ukrainian border, which is beyond the control of Moldovan authorities. The last type of border is the line along the Nistru River that separates Moldova from the self-proclaimed republic of Transnistria. This border is called a "half a border" since it is neither formal nor external and the region of Transnistria is *de jure* part of Moldova, but *de facto* independent as the Government has no control over it.

MOLDOVA'S BORDERS

The western border with Romania is an important one, not just for Moldova, but also for the entire region. Formerly part of the Soviet Union's western border, this is the only border of the Republic of Moldova, which used to be an international border before 1991. Despite the border's fifteen-year-long existence, Moldova and Romania have not yet signed a border treaty.

•• Moldovan-Romanian border

Being part of the demarcation line between Central and Eastern Europe and the Commonwealth of Independent States (CIS), the Moldovan-Romanian border is increasingly seen as an important barrier against irregular migration, smuggling and trafficking by the European Union (EU). Assisted by the EU, Romania has invested a lot in the modernisation of the Border Crossing Points (BCPs). In the second half of the 2004, the two governments started to develop concrete measures on establishing joint border crossing points. However, the EU reports on border status show that a lot of cooperation issues need to be improved, such as the harmonisation of practices and a better exchange of information between the border authorities of these two countries. Despite the efforts to improve the efficiency of the Moldovan-Romanian border, cases of smuggling and illegal border crossings still occur.

Alongside these measures, tough visa policy and regimes were introduced, in order to secure the future external border of the EU. Thus, the Republic of Moldova has been added to the European Union's "black list", as a high-risk emigration country; following this it became truly difficult to get Schengen visas and to enter the territory of the EU.

The situation is even more difficult since not all European countries have embassies placed in the capital Chisinau. Currently, there are seventy six embassies accredited in Moldova, of which only eleven are located in Chisinau itself. Another problem is that Schengen visas have in practice remained national visas that can only be obtained at the embassy of the respective country. The German and the French Embassies in Chisinau issue schengen visas only if the destination is Germany or France, making these visas unavailable for the rest of the Schengen territorry. Therefore, to obtain "Schengen" visas for other countries, one would have to travel to Bucharest, Kiev, Budapest, Sophia, or Athens. To enter some of these countries (Hungary, Bulgaria, Greece), a Moldovan citizen also needs a standard visa. In cases like these, the mechanism of obtaining visas could be described as a "visa for a visa".

Since 1993, a lot of travel agencies and intermediaries providing visa services for certain countries appeared. In exchange for a certain amount of money, depending upon destination, they procure the "visa" and all the necessary documents for the future migrants. A migrant spends on average 658 USD for migration (CBS-AXA, 2005:13).

Usually the visa is issued for tourist purposes and therefore, after its expiry, the migrant's stay in the destination country becomes illegal. There are cases when migrants are provided with false visas or passports. Almost 40,000 persons of Moldovan citizenship are apprehended each year whilst illegally either attempting to cross an international border or residing inside a European country (ICMPD, 2004: 6). Illegal (irregular) migrants apprehended by border police are usually detained in special centres until a sentence of conviction is issued by the court, usually for illegal crossing of the state borders or/and forging of official documents. The ludicrous thing about this situation is that people pay thousands of Euros to get into "Fortress Europe" and then they truly do end up in prison.

Mass emigration and its consequences have become a serious problem and challenge for Moldova. The preliminary results of the 2004 National Census showed that 259,554 people left the country. Another recent study, *Migration and Remittances in Moldova*, estimated on the base of remittances that the number of migrants is 567,000. The same study shows that 31.8 percent of migrants are within the EU (CBS-AXA, 2005). Unofficial sources indicate a range from 600,000 to 1 million migrants.

It is argued that criminal organised groups have taken advantage of poor migration management and developed extensive networks of trafficking and smuggling. The trafficking of human beings from Moldova to Balkan countries started in the beginning of the 1990s, but the problem only appeared on the political agenda at the end of the decade after pressure from the international community. The latest cases show that trafficking from Moldova has changed its direction towards Russia, United Arabian Emirates, Israel, Turkey, Cyprus, Poland and to a smaller extent towards Western European countries.

When discussing Moldovan border issues, dual Moldovan-Romanian citizenship cannot be ignored. Moldovans can acquire Romanian passports if they can prove that their parents have lived on Romanian soil. With the future accession of Romania to the EU, the acquisition of Romanian passport has become much more desirable; at least 500,000 Moldovans currently have dual citizenship (UNDP, 2005: 127). The consequences of this process are hard to predict, but if there is mass emigration of Moldovans, it will not be possible to differentiate between Romanians on one side of the river Put and on the other.

•• Moldovan-Ukrainian border

The second type of border is the Moldovan-Ukrainian border, which is less managed than the one between Moldova and Romania. This is in part due to the fact that it used to be an internal border during Soviet times. A border treaty was signed in 1999 but it was as late as 2001 when it entered into force, proclaiming the border between Moldova and Ukraine as an international border. This border regime is more unorganised than the one between Moldova and Romania. Besides the legally established BCPs, there are secondary pathways that are not controlled by competent bodies. Thus, the border provides only a limited obstacle to people who intend to cross the border illegally. Taking into consideration that the Ukrainian borders with Russia and Belarus are also porous, people and goods from the CIS may cross the eastern border of Moldova practically without control.

•• "One and a half" borders with Transnistria

The major problems, however, exist on the Transnistrian sector of the Moldovan-Ukrainian border. For almost fifteen years this stripe of land, that covers 421 km in length (other sources indicate 470 km) with eleven important crossing points along the border have been out of access for Moldovan border guards and customs. The lack of government control within this region has made it the "black hole of Europe" and a safe haven for all kinds of illegal activities (CESS, 2004). The territory's dubious stage can be demonstrated using a number of facts: according to a recent Moldovan publication, one third of firearms confiscated in Ukraine and 83 percent of the total volume of narcotic raw material delivered to Ukraine come from Transnistria (IPP, 2002). In the territory controlled by the separatists there is a massive contraband of cigarettes, alcoholic beverages and oil products. Transnistria is also an important station for the business of trafficking women. A large number of women from Russia, Belarus and Ukraine are trafficked via Transnistria, Moldova, Romania, and Cyprus to Western Europe. The half border between Moldova and Transnistria is controlled by the so-called Transnistrian authorities; Moldova did not establish any checkpoints since this stripe of land is viewed as part of the country. No visa is required for Moldovans from the right bank of Nistru when entering Transnistria, but an entry fee of 50 US cents has to be paid to the Transnistrian border guards.

BORDER ENFORCING PROJECTS AND MEASURES

The pro-European turn of events in Ukraine signalled by the new leadership represents a possibility for strengthened cooperation between the two countries, especially on Transnistrian and border issues. One of the measures to be undertaken is the creation of joint border crossing points.

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As Moldova gets closer to the EU, it is of upmost interest for the EU to import stability and security in the region. The strengthening of the borders is seen as a priority matter. The issue is addressed in the EU Neighbourhood Policy and the EU-Moldova action plan which aims to install sophisticated tracking systems to improve the border infrastructure and to increase the cooperation between agencies. The Government of Moldova has also stated that joining the EU is a priority for the country. However, if this intention is to be realised then the desire has to be translated into concrete action plans that need to contain reforms of border management and harmonisation of practices to EU standards.

The donors' support of strengthened border management has increased during the last years via the TACIS programme (including the BUMAD project implemented by the UNDP), through the 'Monitoring and Control of Borders' project and through the 'Trade and Transport Facilitation in South East Europe' scheme. The Customs Service and the Border Guards Service benefit from most of the assistance.

In March 2004, The International Organization for Migration (IOM), the EU (through TACIS programme), the U.S. Government and the Government of Moldova have announced a 1.1 million Euro project that includes training, equipment and infrastructure. It also aims to develop recommendations for legislative improvements, border guard training, expert visits, translation of key documents and study tours.

PERSPECTIVES AND SCENARIOS

After the EU accession of Romania, scheduled for 2007, the EU will have a common border with Moldova. Although Moldova aspires to join the EU, the assumption behind the EU policy is that this country is not going to join the club. The EU interest in Moldova is shaped by the threat this country may pose to the security of the Union's future South-Eastern periphery. This is because of its instability and also because of the frozen Transnistrian conflict that favours various illegal businesses, such as smuggling, and the trafficking of drugs, weapons and humans (IPP, 2002).

Depending on the different perspectives and scenarios it is expected that the direct border with the EU will have advantages and/or disadvantages for Moldova. On the negative side is the feeling of being isolated from the rest of the continent that the populations of the states left outside the EU may experience. A secured border, it is argued, would create a new wall in the middle of the European continent. As a consequence the new EU border between Romania and Moldova could direct the migration flows, drugs and armament trafficking towards Ukraine and would thus represent a threat for Ukrainian national

security. Another scenario could be that illegal migrants from South-East Asia, who could not cross the EU border on their way to Western Europe, would remain in Moldova, also representing a threat to Moldovan national security.

Some consider that a border with the EU would be an advantage for Moldova, especially in coping with economic and social problems as there could be an increase of trade between Moldova and the EU countries. The reinforced border would also result in the decrease of smuggling and illegal migrant flows; however the situation will depend mostly on the evolution of the Transnistrian issue.

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02

Migration through Gender, Age and Class Perspectives

'Fake' Marriages as a Threat for the Nation – Migrant Sex Workers in Cyprus

Ramona Lenz

Against the backdrop of constructed analogies between women and nation that many feminist theorists have elaborately analysed, women migrants may in a special way be considered dangerous for national projects, which may result in concrete racist and sexist discrimination against them. This is especially true for Cyprus where debates about nationality dominate public discourse in the consequence of the Turkish invasion in 1974 that resulted in the division of the island into a Turkish-Cypriot part and a Greek-Cypriot part. Based on field research conducted in 2001 in the Greek-Cypriot Republic of Cyprus, this paper explores how the discourse about nationality in Cyprus is connected to attitudes and practices of exclusion of woman migrants – mostly from Eastern Europe – working in the local sex industry. One example of these attitudes and practices is the high importance attached to the prosecution of marriages of convenience between Cypriot men and migrant sex workers and its connection to the increasing divorce rate in Cyprus. Underlying these issues is the concept that family has to be protected against external threat and at the same time guarantee the defence of the nation.

This paper will show how migrant sex workers with their precarious residence and work permits may serve to confirm this concept of family and nation, and how this is accompanied by the intention to control women's sexuality – that of migrant women as well as that of national women. It will explore the ambivalent but not necessarily contradictory representation of migrant sex workers as a threat to national borders and family ties on the one hand, and as victims who need protection on the other hand, while at the same time they serve to stabilise boundaries of conventional gender roles in times of change.

The Republic of Cyprus has a total population of around 700,000 people. Labour migration to Cyprus is a relatively recent phenomenon. It increased significantly in the '80s and more so during the '90s. An important factor that contributed to the increase in labour migration was the breakdown of the Soviet Union. In its aftermath many Eastern European women migrated to Western and Southern European countries (Trimikliniotis and Pantelides, 2003; Anthias, 2000). In Cyprus quite a few of them enter with three-month working visas as "artistes" or "barmaids" and work in so-called cabarets and bars that unofficially, or rather semi-officially, offer sexual services. Officially around 2,600 foreign women work as "artistes" or "barmaids" in Cyprus (Cyprus Mail November 28, 2004), but it is estimated that many more migrant women live or work illegally in the country and likewise provide sexual services.

In the following paper I am going to look into the discourse on migrant sex workers and their so-called "fake" or "passport" marriages in Cyprus and how this discourse resonates with nationalist ways of thinking. My research is based on interviews with various actors who in one way or another are part of the personnel that constitutes the sex industry in the Republic of Cyprus. Among my interviewees were sex workers from Eastern Europe, one bar and one nightclub owner, two impresarios, a customer, officials from police agency, immigration office and the bureau of the Ombudswoman, a counselling officer for communicable venereal diseases, NGO-representatives and lawyers. Moreover, I analysed Greek-Cypriot newspapers written in English.

My fieldwork was conducted in 2001, 27 years after the division of the island and two and a half years before the Republic of Cyprus became a member of the European Union. When Cyprus gained its independence from British colonial rule in 1960 the two largest communities on the island, the Greek-Cypriot majority and the Turkish-Cypriot minority, were left hostile to each other. In the '60s the tension rose to inter-communal riots to which Turkey responded in 1974 with the occupation of one third of the island. The result was the division of Cyprus into a Turkish-Cypriot part and a Greek-Cypriot part. Whereas the Greek-Cypriots consider Greece to be their motherland, the Turkish-Cypriots are committed to Turkey. Despite heightened efforts of reunification in the run-up to the EU-accession, the Greek-Cypriots voted against a reunion, so that only the Greek-Cypriot part of Cyprus became member of the European Union last year. Nationalist ways of thinking are still rather prevalent in Cyprus. A discourse of victimhood and constant external threat dominates the public debate in Greek-Cypriot society and has effects on the way women and migrants, and especially woman migrants, are perceived.

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There is a long-standing feminist debate on the various roles adhered to women in nationalist discourses. According to Nira Yuval Davis and Floya Anthias (1989, 7) women are implicated in nationalism:

1. as biological reproducers of members of ethnic collectivities;

2. as reproducers of the boundaries of ethnic and national groups;

3. as participating centrally in the ideological reproduction of the collectivity and as transmitters of its culture;

4. as signifiers of ethnic or national differences, as a focus and symbol in ideological discourses [...];

5. as participants in national, economic, political and military struggles.

This construction of women in nationalist discourse produces a differentiation between women who belong to the national majority and women who belong to ethnic minorities or are migrants. Migrant women are positioned outside of the national community and are considered unable to reproduce or symbolise the nation.

In recent years I have come across newspaper reports on so-called "fake" marriages between Cypriot men and Eastern European women. In accordance with EU legislation a marriage is considered "fake" when its main target is to obtain a long-term residence permit and finally citizenship rights for one of the spouses. There seems to be a widespread consensus in Greek-Cypriot society that such "fake" marriages have to be forcefully prosecuted. It is, however, conspicuous that almost exclusively certain female Eastern European spouses are suspected of "fake" marriages (Cyprus Mail, October 20, 2000). While the motives for getting married are actually a contested issue in contemporary Greek-Cypriot society there seem to be no doubts about the motives that differentiate a "fake" marriage from a "real" one when it comes to marriages of foreign sex workers. The cultural anthropologist Stefan Beck (2001: 44) has shown that the concept of romantic love that is increasingly prevalent among Cypriots in their twenties and thirties is considered by the generation of their parents as a threatening or at least irritating import of Western irrationality. Until the '70s, Cypriot marriages used to be arranged by the parents to a large extent, sometimes without knowledge or consent of the couple. Economic wealth of the families involved, career options of the groom as well as reproductive health of the bride were decisive criteria for selecting suitable spouses for one's children – not love. When it comes to

marriages between Eastern European "artistes" and Cypriot citizens, however, rational considerations like the acquisition of citizenship by marriage are regarded as despicable and romantic love is demanded as proof of the authenticity of the marriage.

The prominent role that the argument of love plays in the prosecution of "fake" marriages seems to be closely connected to a national way of thinking that considers the family as core of the nation – a relationship between unequal members which is based on love, not on contract. According to Annie McClintock (1997, 91), the family trope is important for nationalism because it offers a "natural" model for a social hierarchy within a putative organic community of interests. This model is unsettled by migrant women marrying into the community.

One divorce lawyer who makes a significant part of his living from divorces of so-called "fake" marriages holds a pretty nationalist view. Concerning Eastern European "artistes" who marry Cypriot men, he said, "All they want is to stay in the country. Okay, but why do they do this by hurting me as a country and destroying a family that I already have and it works for me?" The equation of family and nation, both threatened by Eastern European sex workers, is even more apparent when the lawyer explains why he has no problem with divorces in general, "I don't mind that the Cypriots fall in love with a Cypriot girl, a young Cypriot girl, as long as they are both Cypriots and they are going to have a child who is going to grow up and be a useful citizen."

This distinction between an Eastern European "artiste" and a young Cypriot woman is explainable when we take into account the nationalist meaning of the family as the site of reproduction of the nation. In this logic only Cypriot women are able to give birth to "useful citizens". But what is a "useful citizen"? According to the lawyer, a "useful citizen" is someone who is ready to hold the fort in times of war or more specifically in the event of a Turkish attack. He says, "We want the society to be strong because we cannot take up arms and fight Turkey. What are our weapons? Our economy and our families. [...] A Russian girl who is married to a Cypriot guy, in case of conflict she is going to leave."

This perception and representation of migrant sex workers seems to be connected on the one hand with the sexualised and body-related services they offer, and on the other hand with their precarious work and residence status which subjects them to various forms of dependency. Their status of dependence allows employers and authorities to exploit the women or tolerate their exploitation while at the same time presenting themselves as protectors. Both on the part of the employers and on the part of the authorities the argument of "protection" is used in order to legitimise large-scale measures of control. On the one hand it is argued that the "artistes" need protection because they are

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too naïve to make their living without it, and on the other hand the Cypriot family, specifically the Cypriot woman is declared to be in need of protection. In the first case the "artistes" are threatened; in the second they are the threat. This contradictory representation of "artistes" seems to be based on the nationalist idea that the control of female sexuality is the precondition of the protection of the nation. Jan Jindy Pettman (1996: 192) writes, "Sex is often seen as the vulnerable link in maintaining raced and nationalized boundaries. So it becomes especially important for nationalist men to control their own group of women's sexual behaviour and domestic lives. Sex, gender and women's bodies become part of the material for the construction of group boundaries."

The control of female sexuality, however, does not only include the sexual behaviour of the national woman, but also that of the migrant woman; thus in Cyprus the attention is particularly directed towards migrant women in the sex industry. While the sexuality of the national woman is constrained to the realm of marriage, the sexuality of migrant sex workers is not allowed to leave the realm of government-controlled nightclubs and bars-neither in terms of getting married nor in terms of self-employment. Hence, sexuality geared to the reproduction of the nation can be clearly separated from mere sexuality which does not aim at reproduction. Transgressions on the part of the national women as well as on the part of the migrant women defy patriarchal control and endanger the reproduction of the nation. Therefore, they are morally discredited. According to polls around half of all Cypriots disapprove of women having sex before engagement or marriage (Cyprus Weekly, March 24, 2000).

Conversely, migrant sex workers are accused of immoral behaviour when they seek marriage. Since their sexuality cannot be put into service for the reproduction of the nation, it is not transferable into the framework of marriage, the legitimate realm of national reproduction. It is taken for granted that a marriage between an Eastern European "artiste" and a Cypriot male always means that either an existing Cypriot family is destroyed or a Cypriot male is removed from the marriage market of Cypriot society. The latter consideration is also connected to the fact that marriage constitutes an important means of property transfer, mainly by way of the dowry that the bride's father finances, but also through wedding gifts that redistribute wealth within a community in a reciprocal fashion, a pattern that is broken when a penniless foreigner without local family ties marries a local man (Argyrou, 1996; Sant Cassia, 1982; Loizos, 1975).

Thus the restriction of the "artistes' " freedom of movement that is enforced by their employers and tolerated by the authorities is justified as "protection" of the Greek-Cypriot family. These restrictions, however, can also be understood as measures to fix conventional gender relations in times of change. The explanation frequently stressed in interviews and polls (e.g. Cyprus Weekly, March 24, 2000) that the presence of foreign women in Cyprus is responsible for the increasing divorce rate seems to serve the avoidance of further occupation with the changes of gender roles in contemporary Greek-Cypriot society. Or as Julie Scott (1995: 400) puts it with respect to Eastern European women in the North, "Although Russian and Romanian women in Northern Cyprus are seen as a source of disorder and danger, they actually have a more complex role in helping to define community boundaries at a time of change in gender roles and expectations."

As a result of their precarious work and residence status Eastern European sex workers are ideal for the construction and reconstruction of what is conventionally considered to be male and female. Their status as "artistes", which obscures their actual occupation as sex workers, effectively prevents them from suing for their rights, thus keeping them in a passive role that seems to necessitate the "protection" by employers and police. At the same time they are regarded as a threat to the nation and also in that role they help to construct male protectors. In that case it is their task to defend the nation. Due to Cypriot history, which is told as a history of invasions and occupations, the nation in Cyprus is represented frequently as a woman – either a mother or a virgin (Peristiany, 1966: 182; Bryant, 2004: 514) – who is permanently threatened by the danger of rape (Anthias, 1989). Therefore, it is regarded as an obligation of male citizens to defend the nation regardless of their own inviolacy.

The dominant representation of the migrant women as potential wives of local men and thus as a threat for existing Cypriot families that endangers the reproduction of the nation also supports the nationalist view, which is based on the construction of vulnerable women and a vulnerable nation on the one hand and male protectors on the other hand. In this case it is, however, the national woman who has to be protected from being abandoned by her husband. Thus, the Cypriot family which is substantial for the nationalist discourse can be constructed as actually intact and only endangered because of the influx of foreign women. Eastern European "artistes", as both sex workers and potential wives, seem to have become central to the gendered nationalist discourse in Greek-Cypriot society. Their role in that discourse, however, is essentially based on their precarious work and residence permit. Hence, improvements of their living and working conditions are obviously not in the interest of the national project.

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The Migration of Ukrainian Women to Italy and the Impact on Their Family in Ukraine

Olha Yarova

During the last ten to fifteen years the topics of migration and work abroad have become very relevant for Ukrainians. Because of lower paying and unstable jobs at home, a lot of women took on the responsibility to provide for their families and went abroad to work. As Italy became more developed, it experienced an increase in the demand for domestic workers, which encouraged many Ukrainian women to travel and work there illegally as domestics.

According to the Western Ukrainian Centre "Women's Perspectives", which interrogated 441 Ukrainian labor migrants in Italy in 2003, most female migrants were 36 to 45 years old, and many were highly educated. 37 percent of their informants had university degrees, 36 percent college degrees and 22 percent had completed secondary education. Before going to Italy, 56 percent of women worked as specialists, 21 percent worked as regular workers, 9 percent were unemployed and 3 percent were students, housewives or entrepreneurs (Women's Perspectives, 2003b). 94 percent of women interviewed left behind their children in Ukraine. Usually they stay with their fathers. In cases where both parents leave Ukraine, 66 percent of children stay with their grandparents and 33 percent stay alone (Women's Perspectives, 2003b)

The key question of my paper is: What is the impact of the migration of Ukrainian women to Italy on their family life in Ukraine? I have conducted qualitative research of families where fathers take care of children, documenting the changes in the Ukrainian families, caused by female migration abroad. Very often women become alienated from their own families and their transnational family may go through certain processes of transformation, as mothers no longer fit within the traditionally constructed gender roles. Therefore, I argue that migration of Ukrainian women to Italy changes family arrangements, challenges the images of

mothers and fathers, and reveals the constructed gender roles within the family. Specifically, it reveals the invisible emotional work, which is a major part of the construction of women as mothers and wives.

In order to answer this question, I went to Ukraine and conducted interviews with eight women who used to work as domestics in Italy for several years, as well as three men and two children whose wives and mothers currently work as domestics in Italy. I also held two interviews with the project manager and lawyer for the NGO "Women's Perspectives" that deals with the problems of Ukrainian female migrants (see Annex). Most of my female interviewees were highly educated and worked as teachers, engineers or military employees before the migration. Working as domestic workers in Italy, these women experienced "contradictory class mobility" (Parrenas, 2001: 180). On the one hand, their financial situation improved and they could provide for their families much better then before their migration to Italy. On the other hand, the women's social status decreased, as they had to work as domestics and do psychologically and physically difficult jobs, mainly looking after elderly people and cleaning.

On the basis of my interviews I will first look at the dynamic of gender roles in the family before migration, during the time of the women's absence and after the women's return from Italy. Secondly, I will discuss the emotional reaction of mothers and children to separation. And finally, I will focus on the impact of the mother's migration on the children left behind.

GENDER ROLES IN THE TRANSNATIONAL FAMILY

Female migration often changes family roles in transnational households. Since women go to work abroad and become the main breadwinners, their husbands often have to do all of the housework. The results of my research did not support Parrenas' argument regarding husbands' failure in performing 'women's duties' (Parrenas, 2001: 147). My three informants Stepan, Roman and Dmytro did a good job taking care of children, cleaning and cooking. And although all of them traditionally consider housework to be naturally a female job, it becomes obvious from their stories that men can learn how to do this very well.

For example, I came to interview Roman in his house, warning him about my visit just fifteen minutes before the interview. I was surprised to see how clean and comfortable it was in his house. Before I told him about the subject of my thesis, he went out to give his nine-year-old daughter a sweater so she would not get cold. After she came back, Roman heated the food for her and asked her to wash her hands and eat. It seems that Roman successfully took over his wife's responsibilities in caring for children and doing the household chores, although he rarely did them before. As he told me:

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Before my wife's journey I only earned money and did the male jobs – repairing and so on. My wife did all the 'women's work' as she did not go to work. It was very hard for me especially during the first three months after she left, I could not do several things at the same time like women do. You know.... Women can cook something in the kitchen, vacuum the carpet in the living room and wash clothes in the bathroom at the same time. And they do everything fine. Now I can do it as well

(Roman, fifteen-year-old son, and six-year-old daughter).

This example might indicate that even though men take over women's responsibilities, the stereotype about the female nature of such jobs prevails. Despite such stereotypes, some of the interviewed husbands left behind started to understand and perform women's duties quite successfully. This was true even in regard to nuances, which are often not considered to be work at all. Yet such successful changes in gender roles do not preclude the emergence of psychological problems. In cases, when a wife becomes the main breadwinner and a husband has to sit at home and do the housework, men's dignity, self-respect and masculinity can be threatened (Gamburd, 2000: 175).

In order to reaffirm their masculinity, men develop different patterns of behavior as well as ways to justify this to themselves and others. According to Gamburd, men preserve their masculinity through "employment, wealth, political authority, marriage, and alcohol consumption" (2000: 176). From the interviews I had with both the men and women, I identified such strategies as: preserving financial independence from the wife, searching for a job that will provide almost the same income as the wife has in Italy, and having relationships with other women.

I agree with Gamburd that migration challenges and changes gender roles and images (Gamburd, 2000: 175). However, my interviews seemed to indicate that this change is just a temporary one, or at least in some cases they wished this was so. All three men told me that after their wives come back they will again become the main breadwinners and their wives will stay at home and do the housework. Such a shift had already happened in the family of Galyna, who after returning from Italy, took over all the responsibilities of a housewife whilst her husband earned money. She is satisfied with this situation, however, my other informant, Lena, was quite disappointed after coming back:

My husband and fourteen-year-old son did not suffer because I earned more money... You know...money spoils people. They started to go often to restaurants, wasted money. After I came back they passed back all my responsibilities to me, and were ready 'to sit on my head'

(Lena, married, fourteen-year-old son).

Another set of important issues comes out here – the appreciation of mother's sacrifice and mothering from abroad, which I will focus on in the next section.

TRANSNATIONAL MOTHERING

The American gender specialists Evelyn Nakano Glenn, Grace Chang, and Linda Rennie Forcey describe the idealised model of mothering as something that is presented to be "natural, universal and unchanging". According to the popular belief, the biological mother would be the only person who can and has to perform the responsibility of caring for children (Glenn et al., 1994: 3). In Ukraine, the image of the mother is one of the key images in the folk songs and fairy tales. Analysis of elementary school textbooks revealed the image of the mother as a wise woman, the keeper of the family hearth and moral values, who raises her children, feeds them and embroiders their shirts (Gaidenko, 2004). By contrast, the father is usually absent from such romantic pictures. Thus, Parrenas claims that such traditional gender ideology, which presents mothers as the only care-givers, fuels the stress children and mothers experience as the result of separation (Parrenas, 2001: 143).

However, not all scholars think that separation must have a negative impact on children and mothers' emotional states. There are debates over this issue in the related literature. On one hand, Erel states that most of her informants did not have negative feelings regarding the separation from their mothers (2002: 134). She refers to Tizard, who also argues that separation does not have to be traumatic for children (Tizard, 1991 cited by Erel, 2002: 136). On the other hand, most authors claim that both children and mothers experience distress because of the distance (Lan, 2003, Raijman et al., 2003, Parrenas, 2001).

It is interesting that in my research all the women with children told me that it was hard for them and for their children to live without each other while all three men I interviewed stated that their children are doing fine without their mothers. However, when I asked Roman if I could talk with his daughter he refused and explained that he does not want to traumatise her by reminding her about her mother. From my interview with Stepan, I came to know that his two daughters missed their mother's love and attention as well and expressed this in their telephone conversations with her:

My wife calls home two times per week. And my girls say to her: "Mamma, we do not remember how you look any more. Please, come back home. We do not want bananas and chocolate. We want you to be with us". But they never cry because of the absence of my wife, as she told them that they are big girls now and they have to behave like big girls

(Stepan, three and six-year-old daughters).

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I assume that even if fathers fulfill the responsibilities of material care for children, making sure that they are not hungry and that they have clean clothes etc., they are not socialised to give enough intimacy and emotional care for their children. It appears that, especially during the first months after their mother's move, children may experience psychological distress, which can later transform into a feeling that something is missing from their life.

CHILDREN LEFT BEHIND

On the basis of my interviews I have discovered that most children of my interviewees became more independent and mature after their mother's migration to Italy. First of all, they become involved in household activities, sharing, along with their fathers, some of their mother's previous responsibilities, or taking them over completely if they were left alone.

Children left behind, especially those without the support of their fathers and other members of the extended family, often start to understand that they can rely only on themselves, begin making decisions and become more self-reliant. At the same time some of my interviewees indicated that their children also became more sensitive, and got aggrieved and started to cry in reaction to the slightest comments or remarks. In addition, some of my interviewees said that their children needed to be controlled and because of the lack of control started to have problems at school.

During my absence my son got spoiled and did much worse in school. After I came back from Italy his teachers complained that he did not respect anybody, came unprepared for the classes and frequently had conflicts with teachers and other pupils.
(Lena, married, thirteen-year-old son)

Although children usually become more independent, there seems to be the threat that children can become too relaxed and not interested in studying or 'investing' in the future. Instead, they prefer to rely on the mother, who is always ready to support them financially. According to one of my interviewees, who worked for forty years as a schoolteacher, in some cases the children left behind start to use alcohol and drugs. In addition, it seems that problems with studying can be connected, not only with the lack of parental control, but also with the lack of praise, encouragement and support from the father.

CONCLUSION

The main question of this paper was: How does the domestic work of Ukrainian women in Italy affect their family life in Ukraine? I argued that the fact that Ukrainian women work as domestics abroad rearranges family life,

challenges the images of fathers and mothers in Ukrainian families and reveals gender roles in the family, especially the invisible emotional work, usually done by women.

In Ukraine, it is most often the fathers who take over household responsibilities. I argue that there is a shift in family roles within the Ukrainian transnational families. Whilst working in Italy as domestics, women become the main breadwinners and their husbands take over household responsibilities and caring for children. In contrast to the popular argument about husbands' failure in performing women's work in the household, in the cases of my interviewees, men performed women's previous responsibilities quite successfully.

At the same time, it seems that fathers failed to perform all the invisible emotional work that women usually do, and in many cases did not give enough love and intimacy to their children. This can be explained in relation to the social construction of motherhood in Ukraine, where the biological mother is seen as the only caregiver and the keeper of the family hearth. Fathers are socialised in a way that excludes them from the process of caring for their children and, as a result, fathers left behind may lack the necessary skills for personal communication with them. Therefore children may experience emotional distress, lack of encouragement, praise, love and warmth. Such findings also support the argument that separation from a mother who goes to work abroad, often has a negative impact on children's emotional state.

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ANNEX

Table 1. The profile of respondents – migrant women.

Name	Age, when went to Italy	Duration of stay in Italy	Marital Status	Children and age	Education	Occupation at home	Occupation in Italy
Nadia	25	3 years	Married	–	Higher	Teacher	Live-in domestic work, care for elderly
Vira	31	3 years	Single	–	Higher	Secretary	Live-in domestic work, care for elderly, children
Galyna	56	2 years	Married	Son, 18	Higher	Teacher, school director	Live-in domestic work, care for elderly
Lena	35	3 years	Married	Son, 13	Higher	Accountant	Live-in domestic work, care for children, live-out kitchen staff
Tanya	45	6 years	Divorced	Sons, 15, 18, Daughter 20	Higher	Engineer	Live-in domestic work, care for elderly, live-out domestic work
Maria	36	6 years	Widow	Daughters, 15, 17	Technical	Military	Live-in domestic work, care for elderly
Kateryna	50	1 year	Married	Daughters, 17, 23	Higher	Teacher	Live-in domestic work, care for elderly
Valentyna	50	3 years	Divorced	Son, 30	Higher	Pensioner	Live-in domestic work, care for elderly

Table 2. The profile of respondents – husbands, left behind

Name	Age, when the wife went to Italy	Duration of wife's absence	Children's age	Occupation before the wife left	Occupation when the wife left
Stepan	35	3 years	Daughters 3,6	Self-employed	Part-time job
Roman	37	3 years	Son-14, Daughter-6	Entrepreneur Unemployed	Part-time job
Dmytro	40	6 years	Son -5, Daughter -17	Unemployed	Unemployed

Table 3. The profile of respondents – children left behind

Name	Age, when the mother went to Italy	Duration of mother's absence	Occupation before the mother left	Present occupation
Natalia	15	6 years	Student	Unemployed
Mariana	17	6 years	Student	Part-time school psychologist

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New Forms of Mobility among Western European Retirees: German Migrants in South-Western Hungary

Alexandra Szőke

Carolin[1] buried her spouse a year ago. She chose to bury him in a small remote village of a few hundred inhabitants in the south-western part of Hungary, where she now lives. The couple arrived from Munich six years ago and bought a broken down peasant house in the village after their retirement in Germany. They arrived without knowing much about the place, and without speaking any Hungarian at all. They gave up nearly everything connected to their previous life in Germany and have only visited Germany a few times since, to see their children or to resolve administrative issues. The old peasant house they bought is still not entirely renovated. Nevertheless, Carolin has chosen to stay in Hungary. Like her husband, she also wishes to be buried in the village. She explained: "This is my home now. I still follow what is happening in Germany, because my children live there, but I consider Hungary my home. I have my house here, I live here, this has become my home."

The situation of Carolin and the problems and choices she faces are not unique. In the last ten to fifteen years a number of foreigners – among whom Germans constitute the largest group – have bought houses in Hungary. The new property owners initially visited their Hungarian homes only for holidays. However, in the last few years an increasing number of house-buyers have decided to settle down permanently in Hungary, whilst retaining links with their former place of residence through family ties, along with administrative and financial matters. There are no direct statistics about the number of these migrants, but it could be estimated as being between 4,000 and 7,000 on the basis of *Stammtisch* participants. *Stammtische* are informal clubs regularly organised for Germans in several of the larger towns in the region. These clubs serve as sites for casual meetings among German migrants living in Hungary, while they also fulfil an important role in helping the German residents with administrative and official matters.

The age structure of the migrants and their social status make this migratory form particularly interesting. The majority are retirees, with a smaller group of self-employed middle-aged workers; they are mostly lower middle class people arriving from a Western welfare state. The experiences, practices and problems seem to diverge remarkably from other, more widely discussed forms of migration, such as labour migration. Here I will examine some of the specific features of this migratory form by outlining the main factors that have contributed to its recent development and by discussing the practices of the migrants along such vectors as the difference in age and social status.

GERMAN SETTLERS IN HUNGARY

The most popular destination region for German migrants is the south-western part of Hungary, where Lake Balaton and the numerous thermal baths unquestionably constitute the foremost attractions. In this area, Somogy is the most popular county, gauged on the number of houses sold to Germans. Somogy has a hilly landscape that is scattered with small towns and villages. Apart from the three main cities (Kaposvár, Fonyód, Siófok), most of the towns and villages have only a few hundred inhabitants and no through traffic. Moreover, these villages often face serious problems such as insufficient infrastructure, a shortage of medical and social services, and unemployment. While their original inhabitants choose to escape to larger towns, the Western European holidaymakers and settlers enjoy the calm and picturesque environment.

I conducted fieldwork in several towns and villages of Somogy County in the summer of 2004 and spring of 2005. Altogether, I conducted fifty-one in-depth interviews with Germans who settled in this particular region and who met the criteria of: owning a house, spending at least half of the year in Hungary, and not being 'ethnic Germans' *(Svabs)*.[2] In addition, I participated in local events; those made for tourists as well as for local inhabitants. I went to village festivals in several locations and observed local happenings such as travelling jongleurs, on the rare occasions that these remote villages could afford to hold public events. I also visited several *Stammtische* in the region. I participated in the meetings, made observations, and took part in informal talks. Finally, I received forty questionnaires from Western Europeans of diverse nationalities who own Hungarian holiday homes in the region.

Most of my elderly informants are couples. Only a small number of them live alone, usually due to divorce or the death of a spouse. The middle-aged informants are mostly single and have never been married. Although there are some exceptions, my respondents tended to be middle-class or lower middle-class people. They were often house painters, nurses, public officers, or accountants. While all the middle-aged work with computers as self-employed people in Hungary, the retired elderly informants do not hold any post-retirement jobs. There are also a small number of artisans who recruit customers living in Germany, Hungary, and other nearby countries. The majority of the migrants come from large cities like Munich, and they tended to settle in smaller villages and towns of the hilly area in Somogy.

THE NEW MIGRATORY PATTERN AND THE CHANGING EUROPEAN CONTEXT

The last few decades have brought numerous significant changes in Europe, which affected recent migratory patterns between Germany and Hungary. The disintegration of the communist bloc by the beginning of the 1990s and the present integration of several Central European states (among them, Hungary) into the European Union (EU) has given rise to an altered institutional context. The political change of 1989 made it possible for foreigners to purchase homes in Hungary. The recent alignment with EU policy has further facilitated the settlement of EU citizens in the country. Within this legal framework, the new settlers are able to manage their practices between their German and Hungarian residences; it allows them to obtain medical, financial, leisure, as well as other commodities and services in both places.

While recent changes in the institutional framework have created the objective possibility for the relocation of the new settlers, economic factors appear to be similarly important. Although the German welfare system was thought of as one of the most generous during the first half of the twentieth century, economic changes of recent decades have led to a set of 'sweeping reforms'. These reforms concern retirees, the unemployed and self-employed people the most. In such a context, the relocation of practices between Germany and Hungary became, for certain groups of Germans, a strategy to maximise consumption.

Thus, they receive their proper welfare assistance from Germany, which they spend in a place where prices are relatively lower. Because of their German pension, they can afford more types of goods and commodities in Hungary than they could in Germany. They can also receive types of services (medical, recreational, leisure, etc.) that they hold to be important for retaining a certain quality of life, which have become endangered by the German welfare reforms. Moreover, they are able to obtain their own luxurious house, which they could hardly dream of in Germany. As one of the informants explained:

Look! Here I can have a huge family house, which is mine, and which I could rebuild the way I wished to. In Germany, this would have been impossible. There, I could only rent a flat. I would have never been able to afford such a house there. Also it costs much less to sustain such a house, the heating, the water, everything costs a lot cheaper here.

What makes this settlement strategy an attractive alternative for certain Germans is that the institutional and legal frameworks provide the possibility for them to acquire services and goods in both places.

Nevertheless, these economic considerations have an importance only in relation to the dominant attitudes and ideas of Western post-industrial societies, which encourage the consumption of certain goods and services as part of a particular life-style. Attitudes toward old age have changed significantly in recent decades. It is now perceived as an active 'golden age' in which one can enjoy activities and fulfil dreams that were unattainable earlier in one's life. Moreover, leisure activities such as recreation and health resorts have recently become highly valued by all generations, including the elderly. As a consequence of these changes in values and dominant attitudes that are inextricably linked to the ideas of welfare in Western societies, the regular use of health care, recreation and other leisure services have come to be seen as central for the attainment of a high standard of living. Such changes have triggered new forms of mobility, like international retirement migration or counter-urbanisation.

PRACTICES AND EXPERIENCES OF THE GERMAN MIGRANTS

The most apparent aspect regarding the age structure of the migrants is that the majority are retired elderly. They receive a monthly pension that is outstandingly high by local standards. This secure source of income coupled with their relatively good health affords them greater independence from local conditions, when compared with those enjoyed by labour migrants. Possessing an unconstrained amount of free time and a relatively high income, they are able to pursue numerous leisure and recreation activities. Most of my informants reported going to thermal baths several times a month for various types of body care and recreation. They often participate in cultural events and take trips in the region. Thus, they seem to pursue an amenity-led life that resembles tourism in many ways.

In contrast, the situation of the middle-aged migrants is somewhat different. Although they also receive some social assistance (for up to two years) from Germany, they usually spend it on the renovation of their house. They keep their self-employed status, finding it much easier to pursue work in Hungary than in their former place of living.

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Yet, because of their work and financial situation, they cannot afford to participate in local events to the degree to which the elderly Germans do and consume personal care services only rarely. On the other hand, the nature of their work makes them look for customers among either foreigners living in Hungary or other non-Hungarians living abroad. In this way, they are often more integrated with the foreign population in the region than the elderly group.

Another point of divergence between the experiences of retirees and labour migrants arises from the way that locals perceive them. Compared to many labour migrants, the retirees are not seen as a threat to the saturated labour market. On the contrary, German retirees are often welcomed as potential employers, since they usually employ local people for renovation, maintenance work or gardening. In this respect, the experiences of the middle-aged German migrants are rather similar to their elderly mates. Although the local youth face serious unemployment in the region, they usually do not perceive the middle-aged German settlers to be endangering their position. In fact, the work of the self employed Germans fills in a gap in local services (i.e. responding to the needs of the new foreign population). For example, in smaller towns or villages hardly any services or information are available in foreign languages.

Language is reported to pose the greatest difficulty in the lives of the new settlers, as none of my interviewees spoke Hungarian, and only a few people among the local Hungarians speak a foreign language. This poses difficulties especially in relation to administrative issues, as an elderly informant explained:

> It's really hard to learn about our rights, or get anything administrative arranged. One has to go after everything to learn about our rights and possibilities. But the language is the biggest problem, people do not speak German. Not even in offices. So I usually ask P. who is a Hungarian who speaks German, to come with me and help, when I need to settle some administrative matter.

Although many elderly Germans try to learn Hungarian, it proves to be difficult at their advanced age. The situation is similar for the middle-aged; their Hungarian also remains at a very basic level because they usually only have contact with other foreigners.

Another problem that arises from the specific age structure of the migrants is the possible worsening of their health or the death of a spouse. German migrants are setting up new homes a long distance away from their relatives; this makes regular care by their children hard or even impossible. Although none of my informants reported a worsening of their health condition, I have been told of several cases in which a person's spouse had died during their residence in Hungary. In each case, the widow/er remained in Hungary in spite of the obvious difficulties that accompany living alone in a foreign country at an older age, where language problems severely limit the number of people with whom one can communicate. One possible reason for this is that the large amount of money that the foreigners have invested in the renovation of their Hungarian homes, which could not be converted back to cash without a large loss of investment due to low housing prices in the small villages. As an informant whose spouse died two years ago put it:

> No, I did not think about going back. Here is this big house, fully equipped. I have friends here, my neighbours are good, and I have my husband buried here. And what would be there for me in Germany?! I could not obtain a house there from my money.

The social status of the migrants appears to be connected to the age structure. The elderly receive a constant high income, and can therefore have a more affluent lifestyle than the younger self-employed people. Due to the relocation of their practices, the German elderly migrants actually experience a considerable increase in their social status. They were previously part of an extensive lower middle class in Germany and most were unable to own a flat or a house. But in their new living environment, they appear as well-established wealthy people who can afford to buy almost anything. They own large houses, which are fully equipped and luxuriously renovated, and they consume goods and services that most locals can rarely afford.

Thus, they experience a considerable increase in status when compared with their previous situation, and this new status is quite high in comparison with most locals. Such a difference in social status is also apparent in terms of housing and lifestyle. German migrants live in luxurious houses, which stand out among the homes of the locals, which tend to be in a very bad condition. The younger locals are often unemployed and live off social assistance. The local elderly also live a much more modest life compared to their German counterparts. This can be best demonstrated by the difference in the amount of their pensions. While the minimum pension in Germany is six hundred Euros, in Hungary it is only around two hundred. This enormous difference in income often leads to a negative perception of new settlers by local inhabitants, who often perceive the foreigners as showing off and as being inconsiderate because they can afford to pay for anything. In this respect, the social status of the German self-employed people is much nearer to that of the locals. They do not have money for luxurious houses and live similar lifestyles to the local people of their age.

Finally, it is important to underline the differences in destinations, targeted by elderly German migrants. Tuscany, the coastal regions of France or Majorca have been, for some decades, the popular destinations of the more affluent among the Western elderly. However some post-communist countries seem to have emerged as preferable targets of the less well off in these societies. While the more well-to-do German elderly can choose to settle on the Mediterranean coast, the lower middle-class Germans can only afford to settle in Hungary or other countries with similar economic conditions, where the housing and living costs are still considerably lower than in Spain or Italy.

CONCLUSION

It appears that the recent settlement of Germans in south-western Hungary differs significantly from other more widely discussed migratory forms (i.e. labour migration). The factors that have contributed to its recent emergence are qualitatively different from those that induce labour flows. Moreover, the specific age structure and social status of the German migrants greatly influence their practices and experiences, which inevitably differ in comparison to labour migrants in general. Furthermore, differences of age and status result in a significant variety of situations and practices in which German migrants find themselves. I suggest that migration studies should pay more attention to these difference-producing factors, so that they can better understand new forms of mobility.

1   *Names of the informants have been changed.*
2   *This group is important because ethnic Germans used to be a significant ethnic minority before the forced displacements in 1946-47 in Hungary. Recently, many of their descendants have returned to Hungary, apparently displaying a different migratory form that can be termed 'ethnic migration'.*

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03

Refugees in Central and Eastern Europe

Duldung Trauma: Bosnian Refugees in Berlin

Rozita Dimova

The Yugoslav wars in the 1990s resulted with the largest number of victims and population transfer in Europe after World War Two. Approximately 250,000 people lost their lives and more than 2,000 000 fled either within the borders of Yugoslavia or to foreign countries. The large refugee waves found the European countries unprepared and unable to handle the crisis. On one hand, the European Union (EU) countries recognised the flight urgency and the immediate danger imposed on people by the raging war in Bosnia and Herzegovina. On the other hand, the EU governments drafted relief programs that were primarily cognisant of the necessity to protect themselves from the unwanted and unintended consequences of the refugee crisis.

The most striking humanitarian gesture was offered by Germany. The German government accepted more than 320,000 refugees who were sheltered in collective reception centres from 1992 onwards. The generous acceptance of the refugees however was followed by a constant reminder that the displaced people were not considered refugees[1] but were accepted on a basis of a so-called "tolerated" *Duldung* status.

The Yugoslav wars indeed marked an important shift in the European migration and refugee treatment. The decision to allocate temporary protection status was reached at the 1991 meeting of the EU interior ministers in Maastricht during which they introduced this new category for the impending flood of refugees from former Yugoslavia. Although the *Duldung* status had existed in Germany before 1990 and had been assigned to people primarily from African countries, this category was assigned on a mass scale only to people who fled to Germany and other EU countries during the Yugoslav wars.

The *Duldung* ordeal deserves an in-depth analysis for it reveals a fundamental paradox underlying the *modus operandi* in the domain of humanitarianism in Germany. The *de facto* but not the *de jure* refugees from former Yugoslavia effectively blurred the boundaries between migrants and refugees. Legally entangled between the two

categories, the displaced people have suffered grave consequences: the *Duldung* status has provoked new traumas related to the constant fear of detention or deportation. These new, equally powerful, traumas triggered by the uncertainty of the *Duldung* status have blended with the previous war experiences, contesting the medical definitions of trauma, healing, mental health and post-traumatic stress disorder (PTSD). Moreover, the *Duldung* trauma has become a symptom of the legal and medical deadlock of the German political system: the process of the legalisation of trauma resolves the legal status of the displaced person on humanitarian grounds. Thus, this twofold process – of medicalisation of law and legalisation of the medical discourse – became the bedrock of contemporary political landscape in Germany related to immigrants, refugees, and newcomers.

The *Duldung* status has also opened up a space for challenging the state regulations by different forces in the German civil society sector. United in their struggle to assist the *Duldung* refugees, a number of non-governmental organisations in Germany have served as forerunners in helping the refugees, and thus have crafted a valuable form of resistance against the state regulations.

This paper is based on eight months fieldwork research conducted primarily among Bosnians who fled during the war in Bosnia and Herzegovina (1992-1995) and settled in Berlin. I consider this analysis to be an archaeology of past and present traumas: an excavation of different experiences of suffering that have either entered the personal narratives of the people in a coherent form or have become competing, obstructing forces of further traumatisation. Most of the following discussion is based on intensive meetings with survivers from Srebrenica, who, in preparations for the 10th commemoration of the massacre in July 2005, shared their stories from Srebrenica, but have also revealed the intensity of the current *Duldung* trauma.

BOSNIANS IN GERMANY: STRUCTURAL PREDICAMENTS[2]

In 1990, 662,700 persons from Former Yugoslavia were living in Germany. They were primarily labour migrants. The wars at the beginning of the 1990s changed this number drastically: in 1992 only, 341,000 refugees entered Germany. While many of them resettled in other countries in the late 1990s, the number remained high throughout the 1990s. At the end of 1995 for instance, 342,500 Bosnians remained in Germany, thus this country stayed at the top of the list of EU countries that had accepted the most refugees. Berlin was a forerunner in this generosity: along with Baden-Wurttemberg, Bavaria and Hessen, Berlin admitted the largest number of refugees with its peak in December 1995 when it accepted 29,294. Since

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1995 the number began to decrease: in January 1998 it was 22,221; in December 1999 it was 13,940; in April 2000 it was 9,713. Today formally there are 3,000 people who seek regulation of their residence status on a basis of severe traumatisation and have been receiving treatment (EMZ 2002 report).

Even while the Bosnian war was in its early stage, the German government was decisive in "protecting" the country from the unintended consequences of the large influx of refugees. The government made it clear that the refugees were in Germany on a temporary basis *only*. This was a fear shared by most of the EU countries. As suggested earlier, the EU interior ministers met in Maastricht in 1991 where they introduced a new 'temporary' category for the impending flood of refugees from Former Yugoslavia. According to this Maastricht regulation, the Bosnians were never considered Convention refugees because, according to the ministers, the 1951 Geneva Convention was not adequate for the mass influx of refugees, nor were they considered refugees under Article 16a of the German Constitution which requires a proof that they suffered individual political persecution issued from the state.

The assigned temporary status *(Duldung)* paved the ground for drafting an immediate repatriation plan, which Germany developed on December 16th 1995, only one day after the signing of the Dayton Agreement. Germany claimed extreme generosity in its acceptance of refugees. Moreover, the Berlin Senator of the Interior Jurg Shernbom in a radio interview for Voice of America in 1995 stated that they were accepting of the heavy humanitarian burden because people of his city "knew what it meant to be a refugee" (EMZ 2002 report). Approximately 36,000 Bosnians arrived in Berlin, which was more than in the whole of France, the UK and Italy put together. Five hundred million German marks were allocated then for social benefits and support *(ibid.)*.

Yet, their legal status was without a federal regulation: they were not considered for asylum on the grounds that an inland flight alternative existed within the territory of the Yugoslav Federation (out of 42,863 not a single person was granted Asylum in Berlin). Most of the Bosnians (83,3 %) in Berlin were granted "tolerated residence" or *Duldung*, with their passports and identification cards taken away from them. Neither admitted as part of a program nor on the basis of formal obligation, the status of "tolerated residence" in effect was not a legal residence status. *Duldung* only means that the state agrees not to implement a deportation order although this option remains valid. Deportation is postponed under s. 54 Aliens Act and the refugee is tolerated for up to six months. In 1996, Berlin had the highest percentage of tolerated refugees on a national level, Munich had the lowest – 37.6 % (EMZ 2002 report).

VEILED TRAUMA: BEHIND THE *SREBRENICA* ANGUISH

In the face of the 10th anniversary of the Srebrenica massacre, I joined a group consisting of survivors from Srebrenica at the SüdOst Europa Kultur Centre in Berlin, a non-profit organisation situated in Kreuzberg and closely involved with people from former Yugoslavia. This centre became a base during my fieldwork research from February till September 2005. During May and June 2005, the group met every Friday to collect narratives on the events in Srebrenica for the 10th commemoration taking place on July 8th and 9th. The group consisted of seven women, and was occasionally visited by several male survivors. Other than the survivors, there was always one or two of the SüdOst Europa Centre workers and myself, whose presence and constant inquiries were patiently and generously tolerated by everyone at the centre since February 2005. We agreed that the best way to collect the stories was through casual remembrance: not by asking the survivors to write up their stories but rather to encourage them to meet regularly and talk to each other. Most of them had known each other for a long time – they were neighbours from Srebrenica, Potočari or Gradačac. My task was to record their stories and transcribe them in an appropriate format that would then be read during the weekend of commemoration.

Indira, a regular member of this group, came almost every time although she hardly ever spoke a word. I had a difficulty in determining her age: maybe early 50s or early 60s; maybe even much younger. I remembered her face prior to joining the Srebrenica group: she was also a member of another collective therapy group that I was allowed to visit a few times. I was drawn to Indira's friendly looking face: red cheeks, round chin and sad, absent-minded eyes. Her slender body made sharp contrast to her swollen feet – as I suspected, she once mentioned that she had had problems with high blood pressure and water retention and had been on hypertension medication for years.

While the other members of the Srebrenica group prolifically recalled many stories from Srebrenica from the period between 1992 to1995, Indira listened with an absent-minded expression on her face. From time to time she would repeat the last lines of what the others would say, jerking her body left and right and swinging her head while her eyes stared at an undetermined point. I heard from other people that she lost several close family members although she, herself, had never talked about it. Only after the footage of the execution of six young Bosnian men had been shown on the Serbian TV in June 2005, in an agitated manner she revealed that one of the executed boys was the son of her husband's relative. Only then she spoke vocally, asking us loudly whether it would have been better to have died in Srebrenica or having to undergo the ordeals of living afterwards.

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I was told by her acquaintances that the event that had made her so fearful took place in Germany four years ago. Namely, after being in Berlin for almost 7 years, Indira received an *Abschiebung* (a court order to leave Germany). In the period after receiving the court order and getting prepared to file an appeal, she was detained and spent two weeks in a Berlin prison. The detention had strong effects on her physical and mental well-being. Indira could not articulate the experience of the arrest, with her past or with her current life. Even during her regular individual therapy sessions, her friend told me, she was silent and unable to integrate her experiences from Srebrenica and Germany into a coherent personal history. The psychologists whom I talked to at the centre also pointed out that Indira's experience is a model case of re-traumatisation. After the release from prison her case was given to an attorney who managed to get an *Aufenthalt Erlaubnis* for two years on a basis of humanitarian grounds but Indira was still deeply affected by the imprisonment.

During the regular meetings over the two-month period preceding the tenth anniversary of the Srebrenica massacre it became evident that although not detained as Indira, almost everyone in the group had also problems with their legal status. Adela, for instance, who lost two sons and her husband in Srebrenica, qualified to remain in Germany on the basis of severe trauma, but her only surviving daughter did not receive the approval and had to appeal in court. The case has not yet been resolved.

Another member of the group from Srebrenica, after four years of suffering and struggle with hunger and death in Potočari, managed to escape and arrived to Berlin in 1995 to stay with her son who had fled Bosnia in 1992. However, after she arrived at her son's place, she was with him only for one year. From mid 1996, the intensive efforts on the side of the German government to return all those who did not qualify to remain (according to government assessment those who did not undergo severe traumatisation) resulted in her son being sent back to Bosnia. Remzada vividly described the experience when two armed police officers had knocked on her door to detain and deport her son. The son eventually returned to Bosnia voluntarily as a part of regulated voluntary repatriation.[3]

Remzada's life after her son left with his family could be described only as *preživljavanje* – mere survival. The grandchildren were the centre of her life and she felt as if she had lost her ground again. The option to go back to Bosnia was not feasible because the house had been burned down, all of her neighbours in Srebrenica have either died or left the country, and the daughter-in-law had made it clear that she must not count on any support from them because they hardly survive themselves in Sarajevo. Thus her life in Berlin today is centred around few friends and social activities at the centre where she goes regularly

not only for her psychological counselling but also to prepare food on numerous occasions at the centre: for frequent book promotions, photo or art exhibitions, meetings of the donors and the Srebrenica commemoration when she organised several other women and cooked delicious food for more than 50 people. She has also been cooking and cleaning for a German family. These have been the main social activities since her son left in 2000.

The research in Berlin has revealed the multilayered traumas inflicted on the lives of the Bosnians who fled the war. The silences surrounding the experiences of the women subjected to the "tolerated – *Duldung*" ordeal have more immediate and real effects on their contemporary lives. The evocation of the suffering during Srebrenica, albeit genuine, was purposefully targeting the need to persuade the authorities that remaining in Germany is the only option. The remembrance carried the message to the audience that Srebrenica was no longer a place to go back to. The necessity to justify their on-going presence in Germany by emphasising the endured trauma felt has been at times burdensome and humiliating for these women. I felt Adela's fury as she despaired that losing two sons and a husband was apparently not a good enough reason to want to escape the place where it had happened.

The commemoration took place on July 9th, 2005 in front of the officially invited guests in the SüdOst Europa Centre. The stories that were selected were read in Bosnian but were also translated into German given that the largest percentage of the visitors were actually Germans. There were several important political figures who have been long-standing friends of the centre. There were donors, along with the medical team of therapists, psychologists, and doctors. The reactions to the stories from the audience were emotional: tears, respect for the survivers, and anger at the UNPROFOR and the international community who were fearlessly addressed and blamed. The *Duldung* stories, however, remained untold during the ceremony. I felt that they were the underlying silent motive during the ceremony: to persuade the German audience, the politicians and the government officials, primarily, that a return is not an option.

ALLIES ACROSS FRONTLINES

A large number of public and private agencies have assisted the Bosnians in the past thirteen years since the arrival of the first displaced persons: the AWO (Workers Welfare organisations), Caritas, The German Red Cross, Treatment Centre for the Victims of Torture, and the Südost Europa Kultur (The Südost Europa Kultur e.V) which was founded in 1991 as a society for promotion of cultural relations between Germany and south-eastern Europe. Since 1992, the Berlin Senate Commissioner for Foreigners has provided financial support for the centre that has been

closely involved with providing psycho-social counselling for many of the refugees. Six hundred traumatised Bosnians mainly from Srebrenica have been supported and treated through this centre. The centre has also been a basis for 45 psychotherapists from Berlin who have worked with the refugees on a voluntary basis. Several self-help groups also operate as a part of the centre, one of them being the one that I attended regularly on Fridays, which was chaired by three psychologists and partially funded by an EU grant (EMZ 2002 report).

The space where this organisation is housed reflects the committed struggle to helping the refugees fight the cruelty of the German system: from the art work made by refugees and displayed on the walls, the everyday lunch prepared by the refugees for the employees and the guests (for a small fee), to the activities promoting work by or with the refugees. I was impressed by the energy of the team that provided legal counselling by offering advice, directing people to right institutions, helping them fill out their forms, assisting them in writing letters of appeal and helping them find representatives that would begin legal processes for the refugees. The German language classes held daily for a 7 Euro monthly fee by committed language teachers allowed refugees to have the possibility to learn the language. The bursting activities at this centre revealed that the civil society sector had been fully engaged in assisting the Bosnian people in dealing with the bureaucratic procedures imposed on them by the German state.

The churches were also actively involved in providing different services for the refugees. The Methodist church in Kreuzberg, for example had sheltered an elderly couple in their seventies who received *Abschiebung* on the church premises. They slept in an adjusted apartment in the basement for many months with the church making exceptional efforts to protect them. The church members provided daily food and the priest even went to Bosnia to check that if the authorities caught the couple and deported them, there would be a decent nursing home where they could be placed.

Many of the children of the refugees, who did not have the right to attend a university due to the *Duldung* status, managed to enter college due to the generosity of German sponsors. Prior to entry at the university, the young refugees would return to Bosnia voluntarily, and then receive a sponsorship from a German person to enter college, come back to Germany and join their parents. The son of a Bosnian family, who did precisely this, is now in his final year at the Technical University in Berlin. Because he has been such an outstanding student, he received a job offer from Bosch and as soon as he finishes in a few months time, he will move to Stuttgart to begin his new job. His parents' pride was obvious as was the gratitude for the German family that agreed to sponsor his college admission.

An interview of a Croat lady from Bosnia who returned in 1999 voluntarily because she feared forced *Abschiebung* revealed that she returned to the same town where she had lived prior to the flight only to find that the people in power were not interested in integrating the returnees. On the contrary, they viewed those who left Bosnia as traitors and thus leaving diminished possibilities for their professional integration in the society. After 27 years of experience as a psychologist and social worker, this lady has been jobless for six years, living off miserable social support that is around 80 Euros per month. She described her situation as hopeless: the people who were in power now were not interested in anything that she had to offer to the society. She came to Berlin to visit her son for two months, who managed to enrol at the Free University due to sponsorship provided by German friends. Her despair regarding the situation in Bosnia was shared by a large number of people who returned and then came to Berlin to visit friends and relatives.

The experiences of the refugees differ vastly along class, gender, ethnic and age lines.[4] Nonetheless, the *Duldung* trauma added a performative dimension to the previous suffering turning it into a commodity, objectifying it so that it could resolve the residence problems.[5] Such a commodification of trauma inevitably has led to different forms of competition among the refugees: mutual accusations on the "amounts of suffering" endured during the war; pointing fingers at each other that s/he did not actually suffer, was not raped, was not imprisoned, etc.

What remains clear however is that the German system has become a major source of traumatisation of the people who have already been subjected to war trauma. Those who left, who went to the US for instance, have also struggled with the displacement in a new environment different from the one either in Bosnia or Berlin. With the arrival in the US however, the fears surrounding their legal residence were over – the US government immediately gave them green cards and residence permits granting them rights on a par with other citizens. The ones who have stayed in Germany however have been subjected to constant renewed fear of *Abschiebung*. Even after getting an *Aufenthalt* (permit to stay), which has been granted for different time-periods, (from six months up to three years), uncertainties have not disappeared. The new Hartz IV law introduced at the beginning of 2005 could be viewed as a step further: it abolishes the *Duldung* status and makes the refugees equal with German citizens in terms of employment benefits. The renewal of the *Aufenthalt*, however, depends on getting a job which is connected to knowing the language, having previous work experience, and being competitive in the labour market. From their arrival in Germany the refugees were not allowed to obtain work permits or to get a better education. Work permits were

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issued only if no German or EU citizen was able to do the advertised job. Berlin had especially restrictive work permit policy when compared to other cities and *Laender* (EMZ report, 2002). After many years away from the job market, the Bosnians I talked to admitted that they were not at all competitive and the possibility of finding a job outside of the domain of construction for men or cleaning for women was virtually impossible.

CONCLUSION

This study, which is still a work in progress, is both a critique of and a contribution to the vast interdisciplinary body of literature on refugees. My ethnographic intervention highlights the discrepancy between the static and romantic representation of a refugee who becomes a screen for spectacular media representation in the moment of suffering, but disappears from popular and political views as soon as the receiving nation-state is faced with the problem of integration and support. The anthropological literature on refugees (Bieber, 2005; Bieber, & Daskalovski, 2003; Daniel, & Knudsen, 1995; Malkki, 1995) has highlighted the emotional, less formalised aspect of the refugee experiences. In analysing the perception of refugees, categories such as trust and fear should be central since "the refugee mistrusts and is mistrusted" (Daniel, & Knudsen, 1995: 1).

Comparisons can be drawn with what Shahrani writes on the Afghani Muhajirin Muslim refugees in Pakistan (Shahrani, 1995), because the Bosnians in Berlin struggle to adopt to their new status of a refugee but also to redefine the meaning of their ethnic identity as Muslims which, after the Bosnian war, has obtained a stronger religious meaning. The literature that has analysed the Yugoslav wars as a symptom of the post-cold war period, inextricably linked to the changing conditions of global capitalism, emphasises the political importance and the power shift caused with the regime change in Eastern Europe and the new meanings attached to being a Muslim (Goldswarthy, 1998; Hayden, 2000; Zizek, 2002).

The emotional narratives of the Bosnians in Berlin surrounding the 10th commemoration of the Srebrenica massacre revealed a striking tension: the genuine pain stemming from the events that took place during the siege and fall of Srebrenica was saturated with an equally pronounced trauma of the people's uncertain residence status in Germany. I have attempted to underline the complex situation of these people created by the German legal system and the civil society sector. I identified an unprecedented paradox: despite the generous welcome during the war in Bosnia Herzegovina (1992-1995) when Germany accepted approximately 320,000 people (more than any other Western country), the German government has never granted these people refugee status. It only offered temporary protection and *Duldung*, which required an unconditional departure

from Germany when the war in Bosnia ended. The *Duldung* ordeal has become a major source of trauma for a large number of refugees in the past thirteen years fuelling the pre-existing war traumas. The safest way of getting a residence permit in Germany was by providing evidence of severe traumatisation. Hence, these people have been torn between required (and often exaggerated) remembering of their past war experiences, and the contemporary, real, but unrecognised trauma related to fear of detainment and deportation. This trauma, however, has become a dominant structuring force in their current lives.

Vocal critics of the German system might successfully argue that although in terms of overall numbers Germany allowed the largest number of refugees to settle in, in terms of proportion per capita, Germany accepted 4 refugees per 1000 inhabitants, less than Sweden (14 per 1000), Austria (10 per 1000) or Denmark (5 per 1000). Furthermore it is only in Germany where the Bosnians have not been granted permanent residence and this situation has continued for thirteen years (EMZ 2002 report). Moreover, in Germany, refugees in general, and Bosnians in particular, have been faced with a complex situation in which Germans and the German government try to come to grips with racism, xenophobia, and the question of their own identity (Peck, 1995: 105).

In the attempt to link the Nazi past to present-day xenophobia, the political and legal discourse in Germany, strongly divided between the Left and Right, struggles to develop a politically correct attitude towards refugees and asylum-seekers. My research in Berlin supports Peck's argument that even though Germany's liberal asylum policy was based on the inequities and horrors of its past, it has been unable to cope with the influx of refugees. Moreover, the German state has dealt inadequately with the necessity to develop laws that would accommodate the complex reality in contemporary Germany by recognising the different experiences of being a foreigner, refugee, asylum seeker, guest worker, or immigrant (Peck, 1995: 105).

1   According to the 1951 Geneva Convention a refugee status entails a number of long-term responsibilities provided by the receiving state provided as social benefits.

2   Most of the data in this section derives from a report written on the Bosnian de facto refugees in Berlin by the Europäisches Migrationszentrum in 2002, hereinafter designated as EMZ 2002 report (http://www.emz-berlin.de/projekte_e/pj2/pj2_1.htm).

3   To encourage the refugees to repatriate, the Berlin Senate offered financial support. Until spring 2000, from 180,000 returnees from Germany, 12,000 were from Berlin. 7,000 have moved to other countries, or repatriated from Berlin without the programs (EMZ 2002 report).

4   Elsewhere I discuss the situation of the cosmopolitan class of younger people, mainly artists and young professionals who managed to establish personal bonds with Germans and marry them formally for obtaining resident permits or for real (Dimova, 2006).

5   There have been a number of cases of children being imprisoned along with their parents or by themselves while waiting for the Abschiebung. The most noteworthy example was the case of the eleven years' old Tatjana whose story was turned into a theater play entitled Hier Geblieben and performed by Grips Theater in Berlin.

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Reception of Asylum Seekers in the European Union: How Far Did the Harmonisation Get?[1]

The European Council Directive laid down minimum standards for the reception of asylum seekers in January 2003. They were to be transposed into national law in all 25 European Union (EU) member states by February 2005. In December 2003, the research and networking project "Information and Cooperation Forum" (ICF) was launched. Members of 13 NGOs,[2] working in the areas of legal advice and social counselling for asylum seekers in seven EU member states (Austria, Czech Republic, Germany, Hungary, Poland, Slovakia, and Slovenia), got together to analyse the current reception conditions for asylum seekers in these seven countries. The analysis aimed to discover whether or not reception conditions were changing during the process of harmonisation, and if so, how they had changed.

METHODOLOGY

The ICF findings are based on practice-oriented research. The research team visited a total of nineteen refugee facilities[3] in seven EU member states. During the visits, the delegation inspected the facility and spoke to the facility operator, officers and asylum seekers. In addition, a questionnaire was distributed amongst the asylum seekers.

OVERALL CONCLUSIONS

The member states that undertook the decision to fully transpose the Directive into their national law had not fully complied with their responsibilities. Reception conditions still vary widely in these European countries.

The Directive leaves too much scope at the level of member states. Some provisions are especially unacceptable, namely the possibility of establishing camp schools, of placing unaccompanied minors as young as sixteen in reception centres for adults, and of the withdrawal of the reception conditions standards if the asylum claim has not been made "as soon as reasonably practicable after arrival".

In some points, the Directive provides for higher standards than those currently practised by member states. This is especially apparent when considering the protection of people with special needs. For instance, the Directive states that minors who have been "victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts" shall have "access to rehabilitation services", "appropriate mental health care shall be developed and qualified counselling shall be provided when needed".

However, several of these improvements had not been implemented properly. Mental health treatment and care for victims of trauma and torture is not available in almost any of the countries participating in this project. Another serious shortcoming is the strong tendency to detain asylum seekers, including unaccompanied minors, early during the asylum procedure.

Therefore, even refugees who are successful in reaching the European Union do not always receive the protection they are entitled to under the Directive.

SELECTED ASPECTS OF RECEPTION AND ICF RECOMMENDATIONS
•• Freedom of movement

In all selected countries, freedom of movement and the right to private accommodation are linked to social benefits from the state.

In the new member states, asylum seekers are detained or placed in quarantine in closed reception centres, at the beginning of their procedure. At a later stage of the procedure, they are allowed, under certain conditions, to live in private accommodation. In such cases, they have to meet the costs for accommodation and food from their own resources. In this respect, linking benefits to state-provided accommodation is part of a control mechanism.

•• Recommendation

ICF believes that asylum seekers should have the freedom to reside in the location of their choice. Policies that encourage asylum seekers to voluntarily settle in certain environments where they may be able to access services, find employment most easily, and enjoy the support of their community, are generally preferable to compulsory dispersal policies.

The freedom to reside in any area of the country may be subject to certain restrictions in order to ensure,

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OVERVIEW OF THE SITUATION IN SELECTED MEMBER STATES

Country	Numbers of asylum seekers who arrived and variation between the two years			The most common country of origin/nationality of asylum seekers		Recognition rates based on Convention status			
	2003	2004	+/- (%)	2003	2004	2003		2004	
						%	Number	%	Number
Austria	32,359	24,676	- 23,7	Russian Federation	Russian Federation	28,4	2,084	49,8	5,136
Czech Republic	11,400	5,459	- 47,9	Russian Federation	Ukraine	2,2	208	2,9	140
Germany	50,563	35,607	- 29.6	Turkey	Turkey	3,3*	3,136	3,3*	2,067
Hungary	2,401	1,600	- 33.4	Afghanistan	Georgia	10.3	178	13.4	149
Poland	6,909	8,079	+ 16.9	Russian Federation	Russian Federation	2,7	219	4,5	305
Slovakia	10,358	11,391	+ 9.1	Russian Federation	India	2,5	11	1,1	15
Slovenia	1,066	1,173	+ 9.7	Turkey	Serbia and Montenegro	18,4**	37	9,5**	39

Source: this table was compiled by A. Szczepaniková based on data from the European Council on Refugees and Exiles Country Reports http://www.ecre.org/factfile/countryrpt.shtml.

*   *Including recognition based on the Art. 16a German Constitutional Law.*

** *Including recognition based on humanitarian status.*

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for example, an equitable sharing of the responsibility for reception throughout the country. Such restrictions should never be imposed merely as a deterrent measure, or merely to increase surveillance by the authorities. If such restrictions are required, they must be proportional to the ends to be achieved, respect the right of family unity and be applied without discrimination for a limited period. ICF does not accept that there are any circumstances in which restrictions on the freedom to travel of asylum seekers are justifiable.

•• **Access to employment and vocational training**

Since 2004, an amendment in **Austria** has given asylum seekers access to employment three months after making an application. However, the existing restrictions make access to employment almost impossible in practice. Asylum seekers are denied access to educational programmes, as they cannot be included in placement programmes of the labour market service.

In the **Czech Republic**, it is legally possible to take up employment after a period of one year. In practice, however, it is almost impossible for asylum seekers to find employment due to administrative obstacles. About 90 percent of all asylum seekers in private accommodation have taken up illegal employment, partly because they are excluded from state social benefits. Asylum seekers do not have access to vocational training.

In **Slovakia**, an amendment of the Asylum Act, effective since 1 February 2005, provides that an asylum seeker has access to the labour market if s/he has not received a valid decision in their asylum procedure within one year from the date s/he applied for asylum. Before February 2005, asylum seekers had no access at all to the labour market.

In **Hungary,** asylum seekers are legally allowed to work after a period of one year. However, according to official documents, there are no asylum seekers in legal employment. The procedure for obtaining a work permit is complicated and takes several weeks.

The possibility of taking up employment is enshrined in the **Slovenian** Asylum Act. However, it is concerning that employment relations permitted to asylum seekers contain neither a contract nor accident insurance.

In **Germany**, asylum seekers are subject to a one-year ban on work. After this has elapsed they have low-priority status regarding employment access. That means that they are only permitted to take up employment if a job in Germany cannot be filled by a German, an EU citizen or another employee enjoying preference.

In **Poland**, asylum seekers currently have no access to the labour market. However, an amendment on this matter is currently before parliament. Since asylum seekers cannot obtain a work permit during their procedure, they may not take up vocational training either.

•• **Recommendation**

Employment is a key factor in the integration process. ICF affirms that a lack of access to the labour market during the reception phase seriously hinders integration in the long term. It recommends that any restrictions on employment be lifted at the earliest possible stage and not later than six months from the time of the asylum application. ICF welcomes the condition that access to the labour market shall not be withdrawn during appeal procedures. However, we are disappointed that the Directive places no obligation on member states to provide vocational training. We recommend that the member states permit all asylum seekers to access government funded vocational training programmes.

•• **Detention centres**

Detention in the **Czech Republic** can be ordered for asylum seekers who are arrested on Czech territory without a valid passport or ID, even if they were about to apply for asylum. The common practice depends on the respective officer establishing the first contact with the refugee. It is the officer who decides whether detention is "necessary".

In **Slovenia**, asylum seekers are not detained during the asylum procedure unless they disturb public order or present a danger to other asylum seekers. In general, detention of asylum seekers has only been practised since May 2004. However, there is an obligatory "quarantine". Asylum seekers returned on the basis of the Dublin II Regulation are not detained and most of them go underground shortly after their return.

If an asylum seeker in **Hungary** makes an asylum claim from detention, the asylum procedure and the procedure under alien law are carried out simultaneously. It is a "matter of luck" whether an asylum seeker trying to reach the first reception centre without a passport and/or visa is intercepted. It is the responsibility of border guard officers or the alien policing officers to decide whether or not they impose detention. Dublin II cases are officially not detained after their return to Hungary.

Refugees applying for asylum in **Austria** are put in the category of "illegal migrants" if their asylum claim is not recognised as legitimate by the border guards. These individuals are placed in deportation custody. If they apply for asylum from detention, they remain in detention until further notice. It is not clear yet whether they are released after a positive decision in the pre-examination procedure.

In **Slovakia**, refugees are detained if they have been arrested on Slovak territory without valid travel documents and do not apply for asylum. If an asylum claim is made upon interception, the person concerned is taken to a first reception centre. In case that an asylum seeker leaves the (closed) reception centre during an ongoing procedure, s/he is taken to a detention centre. Asylum seekers will also be detained if they attempt to leave the

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Marek Čaněk: The Information and Cooperation Forum published a comprehensive and critical report on the reception of asylum seekers in selected countries of the European Union (EU). What did you aim to achieve with this report?

Anny Knapp: The first aim of the project was to make a survey of the implementation of the reception directive, to see if there is still a need for action, observe if all member states have fully implemented the directive and to look for any outstanding questions.

The second aim was to strengthen the cooperation between NGOs in neighbouring countries, including that between old member states and new member states. This is especially important because we have a new situation regarding the new member states, as they have taken over the responsibilities for the so-called Dublin cases. So, refugees who apply for asylum in Austria, for example, will not have their claim processed in Austria but will be sent back to one of the new member states if they travelled through it, for example Slovakia. Therefore, we wanted to build up a network where we could follow the clients and get as much information as possible: if these refugees have adequate reception conditions in the new member states and also if they have full access to the asylum procedure.

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M.Č.: What was the reaction to your report by the European Commission?

A.K.: We have not heard any so far.

M.Č.: Does the Information and Cooperation Forum have any plans for future cooperation?

A.K.: We were lucky to have a second follow up proposal admitted by the Commission, so we started with the follow up project in December which concerned the same countries: the Czech Republic, Poland, Slovenia, Austria and Germany. We already had our first meeting in January in Prague where we invited NGO representatives and those of other organisations, mainly form Germany. There were some participants who were very interested to get more information concerning reception conditions and procedures in the new member states and also on other items concerning articles of the Directive.

After this first follow up meeting we will now continually publish the results of our research and findings. We will have a newsletter every two months, which will be available on the website, and also distributed between different people interested in information concerning the Dublin cases, reception and so on.

Anny Knapp

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country after making a claim or wish to return to their country of origin voluntarily (in this case they will be detained until they leave the country). As of 1 January 2004, asylum seekers remain in detention even after having made their asylum claim.

In **Germany**, refugees are, in principle, not to be placed in deportation custody during the asylum procedure. However, there are exceptions to this basic rule. Asylum seekers who have lodged their asylum claim through at an airport are, in practice, held in some form of detention. Secondly, the regulations contain exceptions for cases where the application for asylum is made from custody. Thirdly, it is possible to detain asylum seekers when they are making a follow-up or second application.

In **Poland**, almost all asylum seekers are detained at the beginning of their procedure or beforehand. The only possibility for them to avoid detention of several weeks or months (maximum 12 months) is to enter the country with a valid passport and/or visa.

•• Recommendation

ICF maintains that the reception of asylum seekers in 'closed' facilities at border points amounts to detention. It should be avoided and, when resorted to in exceptional cases, covered by the same legal safeguards as other forms of deprivation of liberty in the host state.

Asylum seekers should not be detained![4]

1   Based on a report by the Information and Cooperation Forum,
    this summary was compiled by Alice Szczepaniková for the purpose
    of this publication. The ICF report was presented at the Workshop
    on Developments and Patterns of Migration Processes by Martin
    Rozumek from the Organisation for Aid (OPU) to Refugees.
    For more information about OPU see www.opu.cz.

2   Austria: Pro Asyl e.V., Asyl in Not, Asylkoordination Österreich;
    Czech Republic: Organization for Aid to Refugees; Germany:
    Bayerischer Flüchtlingsrat, Flüchtlingsrat Brandenburg,
    Flüchtlingsrat Nordrhein-Westfalen, Sächsischer Flüchtlingsrat;
    Hungary: Hungarian Helsinki Committee; Poland: Halina Niec
    Human Rights Association; Slovak Republic: Slovak Helsinki
    Committee, Slovak Humanitarian Council; Slovenia: Foundation
    Gea 2000.

3   Four first reception centres, six accommodation centres, five prisons
    for deportation custody, two airport transit area facilities and two
    special accommodation facilities (one for unaccompanied minors
    and one for women).

4   The Refugee Convention, Article 31, exempts refugees from
    punishment due to illegal entry. UNHCR Detention Guidelines
    stipulate that the detention of refugees should be neither automatic
    nor unduly prolonged. See NRC. (2005). Whose responsibility?
    Protection of Chechen internally displaced persons, asylum seekers
    and refugees. Oslo: Norwegian Refugee Council, 37.

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Social Processes in Asylum Facilities: Prospectors and their Strategies

Daniel Topinka

This paper outlines some of the strategies used by asylum seekers in the Czech Republic. It will seek to explain why asylum seekers should not be understood as passive entities, but rather as active ones. They strive to attain their goals and interact with other people. Strategies are to be understood as ways of interacting with others ensuring the acquisition of the necessary tools for achieving goals and ambitions. The strategies used by asylum seekers prove to be the result of complex decision-making processes. They select their own strategies and continuously evaluate and alter them according to the situation. The goals they set about to achieve are more or less integrated and projected onto their value system. According to Merton, the goals and ways of achieving them are culture-based (Merton, 2000: 134). Complications may arise when the ways of achieving the goals are in disagreement with rules valid in the new cultural environment. Asylum seekers may find themselves in disagreement with institutionalised practices of the host environment without being aware they are doing something inappropriate, harmful or simply bad. The strategies are connected to a variety of different social backgrounds and disclose asylum seekers as active persons wanting to understand the run of events and wishing to affect that run. The strategic means used by asylum seekers interferes with the concept of asylum and consequently has led me to describe them as "prospectors".

Asylum seekers are very often perceived as non-active receivers and passive consumers of various kinds of assistance and humanitarian aid.[1] They are often depicted as passive beings, identifiable because of their inferior position as foreigners in closed facilities as they wait for final decisions on their asylum applications. Such an image is rather sad, and the lives of asylum seekers are boring, degrading and beyond the limits of tolerance. This image is related to how the public, as well as social scientists, commonly perceive asylum facilities; visible and tangible places, where claimants wait in a situation of stagnation. We can identify some of the manifest characteristics of Goffman's total organisations in the environment of asylum facilities. At the same time, we have to acknowledge that asylum seekers are not members of a totally closed community (Goffman, 1991: 13-116). They can plan their individual roles; they are not entirely separated from the surrounding world; they are not deprived of their personal history; and they are not uniform. Many processes that indicate the possibility of a civil life can be found. There is also the homebuilding process, which occurs soon after the arrival of asylum seekers in an asylum centre, which in turn, leads onto spontaneous domestication and settlement in a new environment.

A 'strategy analysis' method has been employed for the purpose of this paper (Strauss, Corbinová, 1999: 76-78). I have combined my own observations with detailed analysis of "extraordinary events" documentation and records of social interviews with asylum seekers, which originate directly from asylum centres. "Extraordinary events" are situations recorded by the establishment as extraordinary happenings, and social notes arise from interviews with asylum seekers in respect to wider biographical contexts. Around one hundred documents have been analysed in the preparation of this paper.

REFUGEE PRODUCTION PLANTS

We must take into account the fact that the establishment of asylum facilities or so-called refugee camps are a product of modernity. Refugees have become the state authorities' controlled objects and have formed a category of more or less tolerated foreigners. The fact that refugees were placed in barracks in the beginning and so considered as an army is symbolic. Even nowadays, there are numerous military facilities that have been rebuilt partially or temporarily to serve as refugee facilities within the new refugee infrastructures in Central and Eastern Europe.[2] The goal of asylum facilities is to control masses of immigrants/foreigners by means of high concentration, identification procedures and categorisation (Malkki, 1995: 497-498).

In a metaphorical sense, the employees of asylum facilities are quite right when they call these centres 'refugee production plants'. Social control and concentration are further legitimised by the claims that the facilities increase the availability of basic and effective humanitarian or social assistance; cheaper and more accessible care; the guarantee of quality of services; provision of safety, all of which are in the interests of asylum seekers. During the initial phases of the building of infrastructures, the new democratic states in Central and Eastern Europe emphasised

a need for having control over refugees.[3] The establishment of smaller and cosier asylum facilities or alternative forms of stay outside asylum facilities were virtually ignored as options.[4] Asylum facilities also keep claimants at a distance from local populations, which can be linked to anxieties about the "early" integration of asylum seekers. They have become symbols of the concentration of foreigners. Social distance between residents and newcomers is maintained, and this enables the continuation of a stereotypical image of refugees.

THE STRATEGIES OF REFUGEES

Refugees either leave their homes with a hope to return or they choose a final destination with no prospect of coming back to their homeland, in both instances they have to choose the means of getting there (Turton, 2003: 2-4). They are permanently called on to modify their decisions and considerations of what is possible, important and beneficial. Refugees know very well that to rely on certainties is illusive and that things which seem to be sure today can disappear forever tomorrow.

An attempt to comprehend asylum seekers by means of the "ideal type" of refugee is ineffective. It would only compress the wide range of asylum immigrants into one type of refugee. Asylum seekers should not be identified with the image of a passive individual, who is detached from everyday realities, nor should we view them as someone who is degraded to a mere object of social control and is exposed to cultural shock and consequently mortified. Bauman uses the term "tourists" to define voluntary immigrants in the global world, while using "vagabonds" as a term for involuntary nomads who don't have any other options (Bauman, 1999: 110-112). I prefer the term prospectors, as the term indicates a more active element in itself. Prospectors never rest and constantly inquire whether it is time to move out or to stay put. Final decisions regarding settling down in one place are eliminated from their lives. Readiness to re-evaluate their choices at any moment makes them uprooted global travellers, with a cultivated sense for permanent research of new and hypothetical opportunities. Prospectors must know how to play the game of chess well, acting strategically in order to survive in the global world. This assertion opens up new questions about the meaning of asylum amongst the entanglement of strategies and also about which strategies are employed most frequently.

Asylum seekers are prospectors because of the way they consider particular possibilities and the available resources in the global dimension. In my professional life,[5] I have been surprised to see how skilfully asylum seekers are able to compare asylum systems and living conditions in different countries. Hovewer, refugees' strategies are often unavailable for a common observer because they

belong to their private sphere (Kabele, 1998: 278). Two kinds of strategies can be distinguished: the small and the great, and both of these are internally connected.

Great strategies are anchored in a more extended dimension, and focus on the processes of conduct in the context of wider living. The processes focus on survival, concerning: where to live, how to get there, how to survive there, with whom to travel, etc. Claiming asylum is a part of the great strategy; it can be, in some cases, instrumental in providing protection, a temporary legalisation of stay and preparation for a further journey to another country. The types of great strategies used are manifold, but they can be distinguished in the following manner: closed-door strategy, right consummation strategy, nest transfer strategy, prospect strategy, residence maintenance strategy and bridging strategy.

The great strategies point to the fact that most goals are to be found outside the sphere of asylum facilities. Asylum policy speaks rather simply about the misuses of asylum and so called "asylum shopping" (Bade, 2004: 356). Some strategies behind migration entirely circumvent the asylum system. Consequently it is often hard to know if the reasons for migration are to find work, asylum or something different.

Small strategies concern the proceedings applied in everyday life, such as the steps necessary for survival in an asylum facility. They are an inseparable part of a refugees' daily life, directed towards various short-term goals and attempts to gain minor profits or benefits.

Additionally, it is necessary to acknowledge, that all the strategies of asylum seekers have been developed in connection with the transformations of the migratory situation in the Czech Republic. Two important milestones have affected the situation: the transformation of the Czech Republic from a transit country to a destination country and various amendments in the field of asylum and alien laws.

In the rest of this paper, I will discuss only one of the great strategies: closed-door strategy, which has proven to be the most widespread. It also reflects the ongoing dissolution of social structures in the homeland of refugees.

CLOSED DOOR STRATEGY

The closed-door strategy is typical for "new era" refugees, whom I call "unsupported refugees". The cause of their departure is so dramatic that they have no possibility to return home. The most significant causes are the disintegration of a family and the influence of developing informal structures in the countries of origin. Transformation of family roles, women's resistance to traditional norms and domestic violence all expose the whole family to risk. Husbands are condemned for committing crimes, conse-

quently they hide away from members of the problematic groups with whom they have become involved, or they just disappear. A weakened family looses its source of livelihood and becomes an easy target for those elements in society who take advantage of other's misfortune. This can lead to threats, intimidation, forced labour in order to pay outstanding debts or sexual violence. It is no wonder women are usually the initiators of migration; a family incurs a debt, a customary law is breached (e.g. marriage with a foreigner), or people with different sexual orientation are stigmatised. It is important to take into consideration the circumstances under which immigrants left their homes. Disintegration of social structures effects families and forces their members, who might become a target of dangerous activities, to leave. They consider their departure as definitive because their return would have fatal consequences. The door is definitely closed and the hope that the situation would improve is negligible.

Unsupported immigrants do not perceive their strategy of settlement as a final anchorage; they know that their idea of permanent haven is false, and might change quickly. Whether they flee individually or disperse, they are exposed to that permanent risk. They labour hard to avoid such a risk. They have been thrown into the wider world and so they temporarily use the asylum welfare network to deal with the massive upheaval in their lives. This network does not provide any solutions for them, because often the life stories of the asylum seekers are so similar, consequently it is difficult to prove the validity of their stories. The network also fails to support those whose reasons to flee their homeland do not fall under any article of the Geneva Convention. The immigrants' strategies are escapist; each settlement is considered as temporary. In addition, they do not have relatives or friends in the country to help them. A bad experience with the criminal world would force them to avoid any more contact with this world, which appears as treacherous and destructive. That is why they accept temporary solutions and so initiate the asylum process.

When an entire family departs, it shrinks traditional relationships into a nuclear space. Family members choose one out of two strategies: either they dissipate to various countries and maintain the prospect of reunification while inquiring into and evaluating possibilities of reunification; or they settle within one country and come together through the asylum procedure either at the same time or one-by-one. The choice of strategy is often related to various circumstances. For instance a pregnant daughter enters first, the mother follows and the son enters last because he has been taking care of housing outside the asylum centre. In doing so, the asylum claim can have a different significance for each of them – health protection for the daughter and her infant, safety for the mother and legalisation of the stay and gaining of social contacts for the son.

Asylum proceedings also provide an escape for people with alternative sexual orientations if they are experiencing negative consequences as a result of revealing their sexuality. The great strategies are escapist, whilst the small strategies reflect day-to-day life. With regards to people with different sexual orientations, an asylum facility either provides them with a hideaway from stigmatisation or with the first opportunity to "come-out" freely. It is no wonder that camouflage practices are notable parts of escapist strategies. Their goals are to gain the protection provided by the asylum facility's employees; by diminishing contacts with other room-mates, concealing their stories and, if necessary because of health reasons, avoiding new sexual contacts. Tolerance and sympathy are expected only outside the space where potentially endangering countrymen are still to be found.

Asylum seekers devote their time of stay in facilities to inquire about the possibilities the Czech Republic has to offer. Costs and energy needed for domestication are also estimated. The behaviour of asylum officials, shop assistants or children going to school are generalised and taken as a pattern of the whole society. Asylum seekers consider what they can expect from society and to what degree the majority's behavioural traits will impact upon them. When taking into account their past experiences, it is unsurprising that asylum seekers undertake these evaluations.

CONCLUSION

It is obvious from the mentioned strategies that the image of a passive refugee is not in accordance with the complex reality. The strategies refer to a number of experiences and desires which are typical for many asylum seekers. Life goals are mostly situated outside asylum facilities, nevertheless, they influence prospectors' actions on the inside, suggesting that life goals may be of more significance than the daily reality of survival. Prospectors will undoubtedly remain set in their ways. This paper is unlikely to change the procedures prospectors carry out in order to select, explore or develop preferences. The vast and complex processes involved in claiming asylum, such as co-operation of various social partners, political influences, the minimum standards of service provided, flexibility, the extent of integration and the implementation of the Geneva Convention all understandably lead to many dilemmas with which the prospectors, as active participants in the asylum procedures, have to cope.

1   We can identify the image of passive consumers in many methodolo-
    gies and manuals from work with asylum seekers across discourses.
    The asylum seeker is presented as consumer of social,
    sanitary, psychological, leisure time activities and other forms of care.
2   In the course of time the used military facilities were considered as
    troublesome and repulsive residues because of their detached loca-
    tions and constructional improprieties. The main reason for their
    utilisation as refugee centres was their instant accessibility and
    reasonable capacity to accommodate huge numbers of strangers.
3   During the initial phases of the democratic transformation the
    public showed little tolerance for incoming foreigners whilst later
    figure have shown that the public has become more tolerant
    of immigrants.
4   In the Czech Republic the possibility of living outside a centre is
    still being presented in the state discourse in a pejorative way.
    Privacy is presented as an inimical environment where asylum
    seekers are exposed to many risks and dangers and not as an
    environment where the natural support between relatives or possibili-
    ty of simpler integration and independent existence can be found.
5   I worked in the field of asylum seekers' issues, at the Refugee
    Facilities Administration of the Ministry of Interior, as an educator,
    a social worker, a manager of residential centres and eventually
    as a manager of Vyšní Lhoty reception centre.

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"Migrants' Contributions Will Depend on the Conditions We Provide for Them..."

Alice Szczepaniková

Interview with Vladislav Günter, Centre for Integration of Foreigners (CIC), Prague, 10 January 2006

Alice Szczepaniková: In your presentation at the workshop, you talked a lot about modes of communication and miscommunication among Czech non-governmental organisations (NGOs) working in the field of refugee issues and its negative impacts on the quality of assistance provided to refugees. Could you summarise your main observations here?

Vladislav Günter: I would say that one of the main problems is that social services 'quality standards' in this sphere are still missing. There are five or six "central" NGOs – occasionally proudly calling themselves "the main ones", then some regional branches of Caritas, small associations, NGOs working – for example – with victims of trafficking, International Organization for Migration (IOM), etc. Sometimes they are cooperating, sometimes they are not, but almost always (with certain and few exceptions, so I do apologise to them) without any idea about methods of social work and rules of communication. Sometimes it is also a question of poor control mechanisms practiced by donors, whether private or governmental. Another – but dominant – reason for miscommunication is simple jealousy and excessive competitiveness among Czech NGOs operating in the sphere of what I call "refubusiness". Sometimes it seems like a farce, but unfortunately, there are victims of it

and they are the most vulnerable ones: the refugees. To be sure, I am not saying there is no communication or cooperation at all. I am just saying that there are too many troubles and too many barriers for really effective work and help for refugees. It is necessary not only to speak about it but to solve it as soon as possible. On a more concrete level, I do not think that the situation when two NGOs working with one client do not contact each other and do not even try to coordinate their activities is something to be proud of. And this is not some unique example, it happens far too often – even between partners in one project.

A.S.: Do you think that this situation is peculiar to the Czech Republic, and if yes – why? Or is it something common also in other Central European countries?

V.G.: I must say I am not so well informed about relationships among NGOs in Germany, UK, or anywhere else. But on the other hand, I have never heard from NGO representatives from the "old member states" of the EU reporting that they have had such problems or that they consider them as fundamental ones. But of course, this may be just an illusion. In my opinion, this situation in the Czech Republic is also caused by a very recent past which could be easily called "a fight for resources", when the state does not support NGOs at all or if so then very poorly. This period created some strong personalities who had abilities, connections or simple luck to keep up "their" organisations "against all adversity" from other NGOs, the state, donors, etc. and now it is quite hard for them to accept a new situation, new rules of communication, work, and cooperation. However, I am aware that some kind of competition will always be there and, to a certain extent, it can even be considered healthy.

A.S.: You also suggested that there should be a clearly defined division of responsibilities among the state institutions and NGOs in relation to the integration of foreigners. How would you define this division, or who, in your view, should do what?

V.G.: This relates to what I have said before, and also to another question: which way do we want to proceed? In other words what do we see as the desirable results from our integration policy? I can say a lot has been done during the last few years. For example, the new Governmental Concept of Integration of Foreigners in 2006 looks much better than the previous one. However, we can see a lot of confusion, especially on the regional level. NGOs often are not very happy with some activities of the state bodies in particular, and with the way the integration process looks

like for refugees and they are usually right. On the other hand, NGOs too often face a lack of self-reflection of their own work, which is not always qualified; this does not help to improve the position and the image of NGOs. Ideally, from my point of view, the state should, in cooperation with NGOs, academic institutions, and other bodies, define the goals of integration policy, the measures for their fulfilment, and create corresponding conditions, rules, and control mechanisms. The role of NGOs is clear: implementing, consulting, and proposing new measures according to their practice and so on. I would like to make one more point which I consider very important: NGOs should not be centralised and cover a whole spectrum of activities, but rather be specialised, function more or less regionally, and network in order to keep their virtually only, but fundamental, advantage over the state: flexibility, proximity to the life of their clients, and deep knowledge of the environment.

A.S.: With regard to integration policies towards migrants and recognised refugees in the Czech Republic, do you see some kind of development over the last few years, and if yes, in what direction?

V.G.: I have already mentioned the improved Concept of Integration of Foreigners, which is more concrete; for example it leaves out vague or even dangerous proclamations of "supporting the foreigners' communities" and so on. Certain positive development can be observed in communication between the state authorities and NGOs, the state's endowment policy as well as in other areas. The persisting problems are: the position of recognised refugees on the labour market, their access to rental housing, the fact that they often live in poverty, and the weak socioeconomic status of long-term residing foreigners (third country nationals), which makes them look for illegal or parallel structures rather than use legal and transparent ways. This diminishes their potential desire to integrate, especially when they decide to stay for a longer time or forever.

A.S.: Let me ask a very practical question now, can you describe how a successfully integrated migrant might look in the Czech context? Taking into account the huge diversity of migrants, is it at all possible to come up with a set of features which would indicate successful integration?

V.G.: Undoubtedly yes, even though there can be, and are, ongoing debates about what measure of each feature is sufficient. But as we speak about very idiosyncratic issues, it is necessary to simplify. My limited and very general definition would be that a successfully integrated person understands and accepts principles of the local system of values, and rules; stands on his or her own feet as an independent, original individual and is accepted as such by the receiving community (or the majority, if you want). The last point I want to stress: if we consider integration as a two-way process, then we must not forget about it. There are many examples (e.g. from the State Integration Programme) when it had not been considered whether the local community had at least some potential to receive a refugee as a fellow-citizen. This depends on many factors such as a functioning community life, job opportunities, and others.

A.S.: Many of programs and activities of CIC are focused on supporting migrants' integration into the Czech labour market, what are the key issues you deal with in this field? What are the most significant problems?

V.G.: To be brief, there are seven most significant problems. On the part of migrants, these are 1) language barriers, 2) troubles with recognising their qualification and 3) often, a loss of work habits (especially after undergoing the asylum procedure). On the other side it is: 4) discrimination, 5) lack of knowledge of foreigners' rights and duties, 6) administrative objections, and last, but not least, 7) rampant habit of the Czech employers to employ foreigners only illegally without any interest to hire them on the basis of a regular contract and to comply with their obligations as employers. But this is just a quickly picked out segment of various kinds of problems...

A.S.: And finally, the mission statement of the CIC reads: the key role of the Centre is in working towards easy and mutually rewarding relationships between people from foreign countries, coming from different cultural backgrounds, and people living in the Czech Republic. This and similar statements appear quite often in the language of Czech non-governmental organisations, could you specify what exactly you mean by the mutually rewarding relationship? How, in concrete terms, do you see migrants' contribution for Czech society?

V.G.: It may surprise you, but I will not speak about demographic reasons, cultural enrichment and others, but in my opinion somewhat debatable things. I consider migration as a natural phenomenon. I mean, it is not only good or bad, it is simply natural and we must deal with it somehow. And in such terms, it is also a challenge for us: migrants' contributions will depend on the conditions we provide for them. The question is whether we know what we want and what we need. Right now, it looks like we prefer migrants working in dirty, semi-legal or illegal conditions and structures (mostly ethnically based) rather than migrants working and

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living legally with at least a basic level of respect to our
norms and values and using their skills, qualifications,
human qualities, and experiences to the advantage of our
society as a whole. Concerning migrants it looks simple
– they just look for better life, for a good job, housing,
a sense of security and equality for themselves and their
children. The question is whether we are able to secure it.
We, in the CIC, try to contribute to such a system, which,
on the one hand, clearly and reasonably formulates its rules
and conditions and, on the other, strictly applies and
follows them – no matter whether it deals with a citizen,
or an immigrant.

Vladislav Günter

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Centre for Integration of Foreigners (CIC)
is based in Prague; it offers a variety of services
to recognised refugees and to foreigners with
long-term and permanent residency living in the
Czech Republic. CIC focuses primarily on social
counselling, helping migrants in interaction
with municipal authorities, educational and
health facilities, assisting with housing and
job placement and with securing of specialised
services; see more at
http://www.cicpraha.org/index_en.html

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Slovak Assistance for Refugees and Asylum Seekers

Radka Klvaňová and Marek Čaněk

Interview with Kajo Zbořil,
31 January 2006

Radka Klvaňová: How would you describe the current role of Slovak non-governmental organisations (NGOs) in assisting refugees in relation to the whole system of reception and integration? What is the relationship between the state and NGOs? What are the main problems those NGOs face?

Kajo Zbořil: The extremely low acceptance rate of refugees means that it is not an area of interest to the authorities. Furthermore the number of asylum seekers has fallen dramatically over the last year. In daily life, the integration-related assistance is provided mostly by NGOs funded to a large extent by the UNHCR and the European Union (EU). The Slovak state does provide some assistance, as the integration of refugees is an officially declared goal; however, the provision is formal and basic. The activities of the state body, the Migration Office, are limited to providing a six month stay in an Integration Centre, following which the newly recognised refugee is provided with a flat. During the stay in the Integration Centre, recognised refugees have an opportunity to attend a Slovak language course. It is, however, the non-governmental sector which provides the social, psychological and legal counselling, language classes (the state provided course is inadequate if integration is a serious aim), vocational training, support in education, financial help (assigned to vulnerable groups in cases of need), material support and the raising of public awareness.

Since 1996 Slovakia's integration policy has not been altered despite the fact that asylum legislation has been harmonised with the *acquis communautaire*. Nor does the current integration policy reflect the new transformation trends or the current economic and social conditions. The attitude of state entities in relation to the integration of refugees has not been changed. From our

point of view, the main elements of integration policy – language and vocational training – have been neglected for a long time. The NGOs are substituting the role of the state; the currently ineffective state integration policy could easily collapse if the numbers of recognised refugees rose any higher than fifty annually.

R.K.: What is the role and position of refugees themselves in the whole system of reception and integration in Slovakia? How do they perceive the system and how do they cope with it? What are the main problems they face?

K.Z.: Recognised refugees face tough living conditions especially in first phases of the integration process – no knowledge of Slovak, dependency on social welfare allowances, unemployment, and accommodation at the periphery of towns offered by the Ministry of Interior all serve to compound their problems. For a successful integration process, it is important that recognised refugees are provided with language courses, social assistance in the field of employment and basic financial funds in order to endow themselves with the necessities to live. Only after reaching the basic level of maintenance can recognised refugees begin to be integrated into the social and cultural spheres of society.

It is partly understandable that an effective policy of integration has not been developed due to the low numbers of recognised refuges. Still, it is important to note that there has been an increase in the socio-economical problems for those few refugees who have been recognised: lack of possibilities to succeed in the labour market, long-term dependence on state social welfare system and a consideration of refugees as a "social burden" by the wider Slovak society.

R.K.: What are the main changes in asylum and integration policy that Slovak NGOs push for nowadays?

K.Z.: Because official state integration policy is, both on paper and in practice, absent, the focus of NGOs is not only to provide "social assistance" but also to develop systematic solutions and recommendations to state authorities. I can summarise these recommendations in the following way: 1) Creation of courses in language and professional training for refugees/asylum seekers, 2) Creation of training programmes focused on providing refugees/asylum seekers with orientation, social and marketable skills, 3) Providing supporting-motivational activities, aiming to build on the independence and self-sufficiency of refugees/asylum seekers, 4) Launching programmes aimed at improving attitudes of potential employers towards target groups, 5) Raising of public awareness.

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Marek Čaněk: Labour immigration to Slovakia has been low and there are rather reserved statements about immigration in the Government Concept of Slovak Migration Policy from 2005. One can, for example, read there that the Slovak Republic is to regulate migration "with regards to the maintenance of social stability and protection of the traditional way of life whilst taking into account the economic and social possibilities of the Slovak Republic." Do you think Slovakia might become a country of immigration?

K.Z.: Issues of international migration in the Slovak Republic – despite their growing importance – are still on the periphery of social dialogue. However, international migration is part of the phenomena of globalisation and so is the Slovak Republic. Slovak society will deal with increasing numbers of migrants, mostly from economically less developed countries in the coming five to ten years. Migration of Slovaks to the more economically developed Western Europe is also a part of the current migration processes in the region. With the economic development of Slovakia, we can expect that the number of Slovaks leaving country will decrease and that the number of economic migrants to Slovakia will increase, which may create xenophobic tendencies. However, currently in Slovakia there are no signs of the extreme negative attitudes, which exist in other parts of Europe. But as I mentioned above, the area of migration and asylum needs urgent and substantial changes. Even though the Government has started to develop particular integration documents (e.g. by the Ministry of Education or the Ministry of Labour, Social Affairs and Family) in order to properly facilitate migrants' integration into Slovak society, they have to be transferred into the daily life of migrants.

Kajo Zbořil

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TABLE 1. APPLICATIONS FOR THE REFUGEE STATUS DETERMINATION (RSD) IN SLOVAKIA 2000-2005

Year	RSD applications	Positive decisions
2000	1 556	11
2001	8 151	18
2002	9 743	20
2003	10 358	11
2004	11 391	15
2005	3 549	25

Source: Official statistics of the Migration Office, Ministry of the Interior, Slovak Republic.

TABLE 2. THE MOST FREQUENT NATIONALITIES APPLYING FOR ASYLUM IN 2005

Chechnya	893
Punjabi	339
Moldova	307
China	253
Georgia	214
India	213
Bangladesh	198
Pakistan	154
Russia	126
Vietnam	98

Source: Official statistics of the Migration Office, Ministry of the Interior, Slovak Republic.

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04

Normative and Methodological Discussion of Migration and Integration

How Long Should Immigrants Wait to Become Citizens?

Petr Kafka

This work examines citizenship laws in the Czech Republic, Slovakia, Hungary and Poland. More specifically, it is a normative study of one of the most salient conditions of naturalisation: the length of required residence. There are other important issues regarding naturalisation, but I feel the discussion will be more manageable if we focus on one set of issues. The broader question behind this inquiry is what should be the naturalisation requirements in liberal democratic countries that these four Member States of the EU claim to be.[1]

In this paper, I argue that while different countries are entitled to their specific nationality laws and there is a range of morally permissible regulations, there are also limits on the restrictions and requirements of naturalisation these countries adopt. I suggest that while it may be justified to require longer residence record (three to eight years) as a pre-requisite of obtaining citizenship, it is unreasonable to demand a similar or longer period of temporary residence before granting permanent residence without counting at least some portion of this temporary stay towards the citizenship requirement.

This paper offers a normative reflection on one of the naturalisation policies in Central Europe and the implications these specific measures have for integration of immigrants.

DIVERSE POLICIES OR ONE SET OF HARMONISED NATIONALITY LAWS IN THE EU?

Before delving into a discussion of the residence requirements, let me clarify the legal context of the European legislation in which the nationality laws are set. It is common knowledge that there are at least two types of policies concerning migration. The first set of policies regulate the entry of immigrants into the receiving state. Rules concerning visas, border control, asylum, and undocumented migration

belong in such a category. These policies are usually referred to as immigration policies. The second type of policies, frequently labelled integration policies, are measures defining treatment of migrants once they are in the country. These are measures concerning the rights and duties of particular categories of immigrants and conditions of gaining different legal statuses, including citizenship. This term may also refer to measures helping immigrants settle in the new society, but this area is beyond the scope of my analysis. Following the *Treaty of Amsterdam*, immigration policies were transferred as the first pillar of the European community under the jurisdiction of the European Commission. The EC has put forward a number of regulations, directives, proposals and recommendations concerning migration that serve as standards for the Member States. However, most of these EC measures are of the first type, that is they regulate entry of immigrants. Treatment of immigrants who made it through the border control primarily remains within the jurisdiction of the individual Member States.

That does not mean that there are no European standards in the area of treatment of immigrants. There are two important directives within the framework of the Community Law, namely on the family reunification and the status of third-country nationals who are long-term residents. In addition, there is the 1999 Convention on Nationality put together by the Council of Europe, which includes many instrumental regulations concerning treatment of migrants.

However, there are three crucial things we need to say about these European standards. First, these norms do not cover the complexity of immigrants' life in the receiving country the way citizenship laws in individual countries do. Second, as we will see, these standards are often defined in rather general and ambiguous terms. Third, only 7 out of the 25 EU countries have signed and ratified the Convention on Nationality. This means that 18 EU countries are not bound by this standard-setting Convention. Consequently, there is considerable room for the Member States to define their own treatment of migrants.

Of course, the format of this paper will not allow me to touch on all the important issues related to citizenship laws. What I decided to do instead is to examine one set of controversial requirements regarding naturalisation and consider some of the challenges these residence requirements produce.

HOW LONG IS, AND HOW LONG SHOULD BE, THE STAY REQUIREMENT?

Residence requirements for naturalisation vary considerably from country to country within the European Union. Just to give you a sense of the outliers, the requirement can range from fifteen years in Austria to only four

years in Ireland (Waldrauch, 2004). Two additional things need to be mentioned, though. When we calculate the residence requirements it is not enough to look at the required number of years of permanent residency for gaining citizenship. We must also add the number of years it takes to obtain the permanent residency. For example, in the Czech Republic, it takes only five years of permanent residence to get citizenship. But if you are an immigrant non-related to a permanent resident or a Czech national, it takes additional ten years to gain this permanent residence, which is a binding prerequisite for obtaining citizenship. Hence, in the Czech Republic, the hidden total of the stay requirement for this category of immigrants is fifteen rather than five years, although this will soon change.

Second, the requirement in one country is usually different for specific categories of immigrants. For instance, spouses of nationals are often put on the fast track to obtaining permanent residence and citizenship. For the sake of simplified analysis, I will focus only on immigrants who come as complete newcomers with no family ties in the country. I am choosing this category because they belong to the most vulnerable of regular migrants and their treatment is an acid test of the openness and liberalism of the receiving society.

In the table below we can see the stay requirements for immigrants with no family ties in the country in the four states under analysis:

TABLE: RESIDENCE REQUIREMENTS FOR FOREIGNERS NON-RELATED TO CITIZENS AND PERMANENT RESIDENTS.

Country	Temporary Residence	Permanent Residence	Total
Czech Republic	10	5	15 years
Slovak Republic	10	5	15 years
Hungary	3	8	11 years
Poland	5	5	10 years

Source: Czech Republic, Act No.326/1999; Slovak Republic, Act No. 48/2002; Hungary, Act XXXIX of 2001; Poland, Act on Aliens of 13 June 2003.

From the data presented above, we can see that in two out of four discussed countries it takes fifteen years to gain citizenship and become fully legally integrated. Fifteen years!

And this is not the end of the story. For this stay to be considered and counted, **there must not be any interruption** for the entire required period. In other words, the legal stay preceding the application must be continuous. What constitutes interruption of the legal stay slightly

varies from country to country, but generally it can happen in two ways: either the temporary visa of the foreigner is not renewed, or the foreigner spends time abroad: (for a longer period than permitted, when applying for residency). This tolerated stay abroad generally ranges from two to three months per year. Of course, there are certain exceptions such as seeking medical attention, attending a court hearing etc. which can serve as grounds for granting extension of the legitimate absence.

Yet another important issue related to the length and legal continuity of the stay, is the fact that a student visa often does not count towards the calculated years. In Hungary for example, the law explicitly defines that the purpose of study cannot be counted as a stay towards residence requirement.[2] If you are a foreign student in Hungary, the time you spend there with this status will not be considered.

These three features are problematic because they potentially contradict binding European legislation and impede rather than facilitate integration of immigrants by imposing unnecessary requirements. I emphasize the phrase 'potentially contradict' as the European legislation is often worded in very general and ambiguous terms.

So how long should the required stay be? One answer to this question might be derived from the Council of Europe Convention on Nationality. All four countries have signed and ratified this Convention and it contains an Article specifically discussing the length of residence requirement. However, the wording of the Convention of Nationality is unclear. In Article 6, Paragraph 3, it states: 'In establishing the conditions for naturalisation, [each State Party] shall not provide for a period of residence exceeding ten years before the lodging of an application'. From this and other related articles of the Convention, it is unclear what is meant by 'residence'. Is it total residence on both temporary and permanent visa or only the residence with a permanent residency visa? If it is the former, then all of the four countries breech the Convention by its current laws as their total residence requirement is more than ten years.

But, for the sake of argument, let us agree that there is no Convention with clear standards concerning the length of required residence. Another way of deriving the desirable length of stay requirement, might be to consider the goal of the residence requirement and see when and how it is met. So what exactly is the goal of the residence requirement? Leaving aside the cynical suggestion that residence requirements are there to deter immigrants form settling, we will probably agree that the requirements are imposed to allow sufficient time for successful integration prior to granting citizenship. How long, then, does it take to become fully integrated? Of course, this is an empirical question and I do not pretend to have an answer for it. The

required period will probably vary from case to case and context to context. What may help us push the discussion a bit further, however, is if we ask ourselves how come that some countries require many more years than others. Does it mean that it takes longer to become an integrated Austrian or German than Irish, British or French? Is it because the Austrians have the experience indicating that immigrants will be integrated and worthy of citizenship after a longer period of time, while the Irish have empirical evidence that immigrants are "ready" for citizenship already after four years? Or does the length of residence requirement say something about the society itself, rather than immigrants and their potential to integrate in a given society?

I believe the length of required stay tells us a lot about society's approach to integration. More specifically, it tells us about the role the society ascribes to secure legal status in the process of integration. Generally, the countries with longer requirements conceive permanent residency and citizenship as a *reward* for completed integration. On the other hand, the countries with shorter residence requirements see it as an *incentive* for integration. Both types of countries want to integrate their immigrants but while the former see secure legal status of permanent residency and citizenship as a reward, the latter perceive it as motivation and precondition for successful integration. Now, if we consider integration as the goal of the residence requirement policy, and put ourselves in the shoes of an immigrant – which type of country will we want to integrate into (provided we control for all other factors such as economy, political stability, established migration networks etc.)? Will it be a state that provides us with relatively secure residence, equal opportunity on the labour market, education and political participation? Or a state where my continuing stay and rights depend on the determination of a Foreign Police officer, who will year after year examine if the purpose of my stay is still valid; in a country where my temporary visa requires me to stick with one job and one employer; pay international tuitions for my schooling; and abstain from national or even local politics? Just imagine you are living and working in a country for eight or nine years, then you get laid off, which means the original purpose of your stay is no longer valid, and you are told you need to go home regardless of the ties you have established. It is irrelevant how often this happens. What is important is the possibility that this may happen. If immigrants cannot be sure that they will be allowed to stay, they will hesitate to sink roots and integrate into the society. Consequently, I believe that permanent residence as a status providing relatively secure residence should be given after a shorter period of time to facilitate integration. Lengthy residence and the insecurity of the temporary visa is currently one of the greatest obstacles to immigrant integration. Citizenship should be granted after three to eight years, as is the existing

practice. However, the total length of the required stay for naturalisation (on a temporary and permanent visa) should not exceed ten years as it is ambiguously stipulated in the Convention on Nationality.

I suggest that ten years is a maximum period for which we can keep immigrants in legal limbo, having them contribute to our economies while keeping them outside of the circle of citizens.

I base my call for shorter residence requirements on three main arguments. First, if somebody stays and works in the country for a considerable period of time (say, four or five years), they have contributed enough to be entitled to certain claims. In other words, if there is pain, there should also be some gain. They may want to buy property, participate in local politics or bring over their close family members. However, despite their contribution, they can't enjoy these benefits when they only have the status of temporary residents.

Second, over this four or five year period, immigrants establish strong ties with the hosting community and it would be inhumane to send them away unless there are serious reasons. If they have only a temporary status, the likelihood that they will be forced to leave is much greater.

Finally, as mentioned earlier, a more secure status of permanent residence will facilitate immigrants' integration. They will be able to perceive the country as their home rather than their temporary abode. Given immigrants' contribution, their established social ties, and the incentives for integration, I believe permanent residence and all corresponding rights should be granted after a shorter period of time than is the practice under the current legislation.

In conclusion, naturalisation or integration policies are ultimately about how we perceive immigrants. Do we see them as a burden and a threat, or as a fresh blood that will rejuvenate our society? Strict naturalisation conditions are a reflection of the former, more liberal and welcoming measures help in the realisation of the latter. The policies concerning the length of residence requirement in Central Europe represent a sadly fitting example of such unnecessary strictness. As a citizen of one of the countries, I believe we need to re-evaluate our understanding of immigration. We should see immigrants as people who want to integrate and contribute, not as aliens who are here to steal our jobs, threaten our security and waste our scarce resources. Such a re-evaluation should be translated into changed conditions of naturalisation, that should be set so as to reflect the growing rights corresponding to the growing length of stay. This is justified normatively by the contribution immigrants make and the social ties they establish. It is also justified pragmatically by the assumption that easier naturalisation conditions and the timely granting of secure residence status will facilitate immigrants' integration.

1   This piece in an excerpt from a forthcoming dissertation.

*2   Act XXXIX of 2001 on the Entry and Stay of Foreigners,
     Article 18, Para. 1/a.*

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From Migration Control to Migration Governance

Elements for an Inclusive, Dialogical Approach towards Worldwide Migration

An Verlinden

This paper aims at a critical, normative assessment of current EU-asylum and migration policies, focussing on the subtle paradigm shifts that have led to a migration control policy. A different normative approach, based on the thoughts of some modern Jewish philosophers, will be defended as an alternative perspective that can underpin a new migration paradigm, moving from migration control towards migration governance.

The administration of international migration and asylum has long been the exclusive domain of nation-states. Equally, they were never an issue of high politics until the 1970s (Hammar, 2001).[1] However, the economic crisis in the beginning of those years and growing public concern forced European leaders to question their (relatively) liberal migration and generous asylum policies and to resort to more restrictive migration regulations. Ever since, migration and asylum have moved from the periphery to a position at the top of national security agendas; they became a part of 'high politics' (Boswell, 2003; Miles & Tränhardt, 1995). This 'convergence of concerns' within Europe was the starting point for the development of a common policy in the field of migration and asylum.[2]

In the following paragraphs, I will briefly describe the main characteristics of the 'Comprehensive Policy towards Asylum and Migration' at EU-level, arguing that it results in what I call the migration control paradigm. After having revealed the normative origins of this paradigm, I will propose a different normative approach that can function as a realistic and more human alternative to the current control paradigm.

CHARACTERISTICS OF THE COMMON EU – ASYLUM AND MIGRATION POLICY
•• Securitisation

The first and most dominant characteristic of the current EU- asylum and migration policy concerns its tendency towards more restrictive and repressive measures towards certain groups of migrants, often described as the creation of a 'Fortress Europe', 'collective restrictivism' or 'the securitisation of migration' (Ucarer, 2001; Bigo, 2001; Brouwer, 2003; Cholewinski, 2000; Huysmans, 2000; Lavenex, 2001). 'Securitisation' can be roughly described as an extreme form of politicisation, defining types of migration as an *existential or fundamental threat* and therefore justifying *exceptional, extra-ordinary 'emergency' measures* (Buzan, Weaver & De Wilde, 1998). Starting in the early 1970s, matters of migration and security have indeed become the dominating political issues within Europe. European leaders (thereby stimulated by some parts of the electorate and a sometimes tendentious media coverage) perceive migration as a worrying, destabilizing and disrupting phenomenon, threatening cultural integrity, the internal stability and the public order of both individual member states and the EU as a whole. Therefore, migration is dealt with from a preoccupation with security, the fight against smuggling, trafficking, organised crime and – more recently – the fight against terror (Boccardi, 2002; Bigo, 1998; Den Boer, 1995; Kostakopoulou, 2001; Lavenex, 2001; Mitsilegas, 2003).[3]

•• Renationalisation of migration and asylum issues

At first sight, the history of European policy-making in the field of asylum and migration seems to be a process of *communitarisation*, making them matters of supranational decision-making procedures at the loss of national autonomy. However, because of the dominance of the Justice and Home Affairs agenda (cf. securitisation), member states' national security priorities continue to prevail over common, supranational decision-making initiatives (Guiraudon, 2003).[4] Therefore, it is argued, we can speak of a renationalisation of migration and asylum policies (Tomei, 2001). It is this *renationalisation*, with its one-sided emphasis on internal, domestic policy priorities that has led to a *lowest common denominator* policy, aimed at convening on agreements which entail *maximal* engagements rather than *minimum standards*.

•• Externalisation

While the 'comprehensive approach' towards asylum and migration is officially defined as the combination of an *internal* policy towards third country nationals with an *external* strategy to tackle the root causes of migration (European Council, 15-16/10/1999), real policies turn out to be the opposite. Indeed, despite its official reference to development, human rights and foreign relations, the external dimension mainly comes down to imposing on third countries the restrictive internal Common EU- asylum and immigration policy, developed within the Ministries of Justice and Home Affairs (Weiner, 1993; Teitelbaum & Weiner, 1995). As a consequence, foreign policy, which is ideally expected to aim at long-term development, political dialogue and diplomacy, is *instrumentalised* for interior policy goals aiming at preventing and restricting access and ensuring internal security.[5] Through this *externalisation* strategy, the EU transfers at least part of the migration and refugee burden to other (neighbouring) states (Chimni, 2000).

In my view, the aforementioned developments within current EU-migration policies have deteriorated the officially claimed *comprehensive* approach into a preventative non-arrival and containment policy, or in short: a strict migration control policy. Enforced border controls, discouraging and refusing entry, limiting the numbers of admitted refugees and deporting undesired and illegal foreigners have become the central tools of the common policy. The only winners of this control paradigm seem to exclusively be the old EU-15 (Bigo, 2002; Jordan, 2003; Koslowski, 2001). In the following paragraphs, I argue that the reason why former liberal migration and human asylum policies have drastically changed during the last three decades, is to be found in the influence of two normative approaches, both inspiring the discussion on how to develop morally acceptable migration and refugee policies.

NORMATIVE ORIGINS OF THE MIGRATION CONTROL PARADIGM

One's duty towards strangers is a very old theme within ethics (cf. reflections on hospitality and asylum in a range of treatises on war, friendship or charity). In modern times, emphasis has been put on the question whether a political community is justified to decide on admission or exclusion of foreign people. A central issue in this justification question concerns the tension between the right of a collective community (with its own particularities) and the right of individuals (as equal to any other individual). During the 1980s, this question has been taken up within the liberals versus communitarians debate, reflecting two conflicting moral conceptions: *impartiality* and *partiality*.[6] The above described paradigm shift towards a migration control policy can be explained by referring to these two conceptions.

•• Impartiality as the normative foundation for the human rights discourse

The *human rights* or *humanitarian* discourse has been one of the building blocks of the European integration project. It has its origins in the post-war era, when European integration was launched in order to secure a lasting peace. This integration project was based on a common set of shared values, guaranteeing the respect for diversity and alterity and up till now functioning as the normative foundation of the EU (Davies, 1997). It is this normative foundation, recently incorporated in the European Constitution[7] that supports the *human rights discourse* in the field of asylum and migration.

The starting point of this discourse is the fact that human beings *qua* human beings are entitled to certain fundamental rights. When those fundamental rights are not guaranteed by the state in which they live, people have the right to seek protection outside their country of origin. In this discourse, asylum and migration are not always defined as a matter of high politics: the question of illegal migration or bogus asylum applicants is not under discussion. Rather a generous harmonised asylum system, paying attention to the root causes of refugee flows, is defended (Lavenex, 2001; Van der Klauw, 2001).

The normative origins of the human rights discourse go back to *impartiality*. Impartiality, in moral theory described as requiring equal consideration of the interests of all persons (loved ones, fellow citizens and strangers alike), goes back to the two dominant theoretical traditions of modern moral philosophy: utilitarian consequentialism and Kantian deontology. Applied to the question of asylum and immigration, impartialists start from a rights-based framework to which they attach the right for every human being to free movement. Their demand for more open borders is based on different argumentative lines. Liberals basically oppose to restrictions on entrance and residence, because it violates the right to individual liberty and the freedom of movement. Utilitarians base themselves on the equal consideration principle and the utilitarian calculus.[8]

Impartialist claims have a very strong ethical force, insofar they illustrate convincingly why states have no absolute right to prioritise citizen's interests to the interests of non-citizens. During the post-war period, European nation-states strongly emphasised this humanitarian discourse in their attitudes towards refugees.[9] However, this discourse has strongly been challenged since the 1970s, when asylum and migration became much politicised issues, leading to a new migration paradigm that I described as the migration control paradigm.

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•• Partiality as the normative foundation for the securitisation discourse

While officially affirming the shared commitment to human rights, democratic institutions and the rule of law and emphasising the 'human aspects' of the common EU- asylum and immigration policy, the real face of European policies evolved towards a policy of sealing off their own territory by means of restrictive and repressive measures which treat almost every migrant and every asylum seeker as a potential criminal. This *securitisation discourse,* described above, builds on a second strand within moral theory: *partiality*.

Partiality has its roots in virtue theory and its modern versions like communitarianism (Foot, MacIntyre, Sandel, Taylor). Those theories consider special relationships and their partiality to be intrinsically valuable and therefore concentrate on the importance of reciprocal duties and responsibilities of citizens towards each other and of the state towards its citizens. The question of state responsibilities towards foreigners is of secondary importance. Based on the principle of self-determination and a common sense of belonging, nation-states argue to have a justified right not to be submerged by huge migratory movements and thus to treat differently non-citizens from citizens by border controls and migration and integration policies.

Considering the predominance of the securitisation discourse and concurrent measures in recent decades, one could suppose that the humanitarian discourse has disappeared completely from the EU-migration agenda. Nevertheless, this is not the case: both are two faces of the same coin. The European discourse on asylum and migration is influenced by partiality as well as by impartiality. Though contradictory in their consequences, these approaches offer values and argumentative lines which are both relevant for the difficult and complex question of how to respond in a morally responsible way to the questions of asylum and migration. In times of globalisation, this task seems to be more difficult than ever. And although there are no easy answers, it seems to me that the EU has chosen for the most comfortable solution: emphasising the impartial humanitarian discourse in official communications and formal decisions, while applying the partial securitisation discourse in concrete decision-making initiatives. By integrating the humanitarian discourse into a wider security framework, the EU has manipulated the language of human rights to legitimise the language of security and a range of accompanying dubious practices (Chimni, 2000). It goes without saying that this has led to devastating effects, as well for migrants as for refugees. Certainly in times of a global war on terror, the securitisation discourse is likely to marginalise humanitarian agendas more than ever before (Macrae & Harmer, 2003). This raises the question whether any alternative approach is conceivable that overcomes the dichotomy between those two discourses.

I think there is. In the following paragraphs, I will argue in favour of an alternative normative foundation for a truly human global migration policy which takes into account both partialist and impartialist arguments and concerns, but at the same time tries to avoid the deadlock between both.

BEYOND THE SECURITISATION – HUMANITARIANISM DICHOTOMY: FROM CONTROL TO GOVERNANCE

The presented alternative approach is inspired by the writings of Hermann Cohen (1842-1918), Martin Buber (1878-1965) and Emmanuel Lévinas (1906-1995) and is centred around the concepts of encountering dialogue, receptive mutuality and asymmetrical responsibility.[10] These Jewish philosophical concepts, which I explain elsewhere in detail (Verlinden, 2005) and which can be summarised under the notion of *dialogism*, are capable of reconciling partial moral concerns for those who are near to us with impartial considerations of justice towards the whole of humanity exactly by emphasising the *mutual tension* in moral life between the particular (i.e. the face-to-face reality in which all of us interact with other persons, people other than and different from ourselves) and the universal (i.e. man's moral duty to do justice towards his fellow-man). In the final paragraphs, I will briefly indicate how dialogism can be concretised in order to transform the current migration control paradigm into a fair, global system of migration governance.[11]

In my view, dialogism can be the starting point for realizing a shift towards a truly *bi-directional* migration and refugee policy (Papademetriou, 2003), characterised by an *active involvement and participation* of (1) all states concerned – rich, receiving countries as well as poor, sending countries – and (2) of those most directly involved – migrants, refugees and their relatives. Since the Jewish conception of dialogue includes the idea of an indirect, asymmetrical, though unlimited responsibility towards the other, whether s/he lives next door, in a neighbouring country or in the outside world and whether s/he belongs to our own generation or to the future generations, it can function as a normative foundation for a renewed vision of international migration as an inter-human encounter – an encounter which is both *co-acting* and *inter-acting*. Therefore, dialogism offers a decisive argument for replacing the current migration control policy, with its emphasis on *containment* (which is a reactive strategy) by an *empowerment-oriented* approach of migration governance (which is a pro-active strategy).

The core of this approach consists of the empowerment of the other – the 'outsider', the foreigner, the poor and disadvantaged. Such an inclusive, pro-active, empowering and development-oriented approach is partially present in current practices of numerous home-state or home-town

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associations embedding migrants as well in their homelands as in the host country (Goldring, 1998; Smith, 2001) and in a range of community-based educational and professional projects directed towards certain minorities in different European countries. However, a truly *bi-directional* policy of migration governance directed at (re)promoting a true sense of solidarity, should aim at connecting migrants' practices with a similarly active involvement of host-countries' populations. A possible way of achieving such a real cross-cultural encounter, based on mutual respect and shared responsibilities consists of the creation of 'Foster Communities', to be understood as grassroots partnerships between communities (e.g. cities or towns) in the host countries and (deprived) communities in countries of origin. These partnerships create processes of encounter that unite people across different cultures and increase mutual understanding and solidarity. Such 'community building encounters' could function as the cornerstone of a real human system of migration governance leaving behind the paralysing preoccupation with control and containment while focussing on the positive aspects of inter-human encounter.

1   *Obviously, economic and 'national' interests always influence the way in which governments deal with migration and asylum issues. Nevertheless, in the analysis of Hammar, asylum and migration hardly were a subject of public discussion until the 1970s: both phenomena were dealt with in a very administrative, legal way by specialised institutions. Since the 1970s, however, asylum and migration became highly politicised, being the subject of heated political controversies, increased media attention and becoming a decisive issue in electoral campaigns.*

2   *The first official step towards such a supra-national approach was given by the 1985 Schengen agreement, quickly followed by a range of other initiatives, of which the 2004 Hague Programme and its subsequent 2005 Action Plan are the tailpiece thus far.*

3   *Examples of the transformation of migration and asylum into security issues are the establishment of Eurodac, the use of preventative detention and preventative exclusion for security reasons.*

4   *The predominance of individual nation-states' power in European decision- making on migration is, inter alia, reflected in what is called 'intensive transgovernmentalism' (Wallace 2000) and the unwillingness to create supra- national European institutions dealing with asylum and migration issues (e.g. a European office dealing with asylum applications or an EU-office offering first assistance and reception).*

5   *A concrete illustration of the externalization of asylum and migration policies can be found in the recent process of Enlargement, where the 10 candidate countries had to accept unconditionally the EU-Acquis, as well as all existing EU-decisions on immigration, asylum and border control policies, in order to become a full EU-member. A similar mechanism is used in the European Neighbourhood Policy (ENP).*

6   *The analysis of these two normative approaches is indebted to Gibney 2004.*

7   *Article I-2 of the European Constitution gives the most comprehensive 'official' list of shared European values: "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member states in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail".*

8   *The utilitarian calculus refers to the consideration that the costs to residents in the country of destination may not outweigh the benefit of migrants and refugees realised by their migratory movement.*

9   *Migration was seen as a temporary phenomenon and was part of economic policy.*

10 *The alternative approach is based on Cohen, 1966; Buber, 1994 & 1997; Lévinas, 1947 & 1961.*

11 *I prefer to use the term 'Governance' instead of 'Management', since the latter (defended by international organisations such as IOM, the Global Commission on International Migration, as well as by the EU) basically implies the assumption of migration as a 'problematic' though unavoidable phenomenon, that can be remedied through a regulative system that channels migration flows in a rational way (Gosh, 2002). Although the management approach pleads for more legal migration channels, the emphasis still is on 'controlling' population movements, since it is argued that only some kind of regulation of migration will make it possible to accept more immigrants in European host countries. 'Governance', on the other hand, recognises that immigration impacts on a range of policy areas, acknowledges the multiplicity of stakeholders involved and takes into account the longer term consequence of human migratory movements.*

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Foreigners in the Light of Research: Analysing Selected Studies about Foreigners in the Czech Republic[1]

Petra Klvačová

A researcher can do many things in regards to foreigners: make their voice louder, present their way of life, explore and explain similarities and differences, compare their culture and lives with that of the host society and reproduce their experiences and opinions. This is especially important when the "voice of foreigners" is disregarded within mainstream society. This has been proven to be the case by, for example, the conclusions of analyses focused on the media coverage of foreigners (Klvačová and Bitrich, 2003). In this paper, I will try to show that lucidity is extremely important in the efforts of researchers who study foreigners. It must be made clear how they reach their conclusions and which sources of information and analytical methods they use to back their assertions. I will also try to illustrate the possible causes of the problem of the "invisible researcher". This short paper wishes to gain insight into the state of qualitative research on migrants in the Czech Republic, however, it does not intend to give a complete picture rather it focuses on deficiencies in selected texts.

STUDIES SUBJECTED TO ANALYSIS

For this paper, I analysed ten studies dealing with foreigners. All of the studies are at least partially based on ethnographic research – the study of a selected community utilising non-standardised interviews and participant observation. The analysed texts appeared in *Integration of Foreigners*, an extensive anthology commissioned by the Czech government[2] (Uherek, 2003c). When analysing the texts, I focused on a number of features. I was interested in the methodological approaches applied by researchers to answer the chosen research questions. In addition, I was interested in the ways in which the authors presented their findings and in the degree to which the voice of the subjects of the research (i.e. foreigners) could be 'heard' in the findings. I also evaluated the persuasiveness and/or credibility of the authors' conclusions.

METHODOLOGY

All of the analysed texts are based on field research, which means that the respective authors met with members of the selected groups, observed and interviewed them. However, the texts do not clarify the nature of the interaction between the researcher and the respondents. The way(s) that the interviews were conducted and recorded, and how the respondents reacted to questions are not made clear. Readers are not made aware of what the researcher's relationship is to the examined environment, how the researcher penetrated the environment, or how he or she gained trust, etc. Above all, readers have no idea about the methods used by the authors to analyse and interpret the data. The texts simply lack description of and reflection on the methodological approach that was implemented. The individual texts differ from one another in this respect, some offer limited insight but others are completely devoid of a section explaining the methodology or at least the data collection and analysis techniques that were implemented (Otčenášek, 2003a, b and c). In these cases, we may only infer that they are based on field research because the word "respondent" appears in the text several times or because the appendix contains a table with statistical data about the respondents. The text dealing with migrants from Bosnia and Herzegovina (Uherek, 2003a) employs a mere footnote at the end to let us know that the author collected empirical data on research trips between 1996 and 2001. Other studies contain only the briefest description of methodology. The following is an explanation of methodology in a study about the integration of Arabs in selected Czech cities:

> *The research has been conducted using unstructured interviews, mostly in Prague but also in Plzeň and Liberec. The respondents were chiefly males aged twenty-seven to forty, with twenty percent of the respondents being aged between fifty and sixty. The majority came from Iraq and Syria, while the minority were from Palestine, Yemen, Libya and Egypt. Just two people (a married couple) had a secondary school degree, while the rest were university graduates or students. The interviews were conducted in Czech, it being the case that all of the respondents speak it very well*
> (Hošková, 2003, author's translation).

The methodological account, in a study about the Vietnamese community in the Czech Republic (Brouček, 2003), is not much more elaborate, despite the fact that it is by far the longest text (114 pages not including an attachment which is primarily the texts of two transcribed interviews). The most information about data collection methods is to be found in another text about Arabs living in the Czech Republic (Derianová, 2003). But even here we do not learn much more than that the data was collected using participant observation and structured interviews with non-standardised questions.

It is not only a convention that all field research-based texts contain a section on methodology. By explaining the individual steps in her research, the researcher reveals what led her to her conclusions. This makes her research credible and convincing. Many qualitative researchers (among Czech researchers, cf. Disman, 1993) highlight the need to explain research methods of qualitative, therefore ethnographic, research. Next, we shall look at two concrete examples from the analysed texts where readers are not provided with a detailed breakdown of the research strategy.

The first example comes from a study concerning the religious attitudes of Bulgarian immigrants (Otčenášek, 2003b). The relevant chapter is rather brief and includes only one paragraph and three statistical charts. The author asserts that Bulgarians officially profess their faith, but are not active religious practitioners and concludes the chapter by stating that "religion plays only a marginal role in the life of Bulgarians without a significant impact on their everyday life" (ibid: 299). An attentive reader would ask: which of the respondents' answers serve as the foundation for the author's interpretation? Did the author ask how often the respondents attend religious services? Whether or not they perceive themselves to be believers? How their faith is manifested in their daily lives? Whether their faith changed after their arrival in the Czech Republic? It is likely that such questions were raised during the course of the interviews. However, the reader knows neither what was asked nor how it was asked, and she is not given excerpts from interviews (which are usually provided in qualitative research studies). The reader is therefore hardly able to assess the reliability and validity of the author's conclusions. The respondent's answers never exist by themselves, without a context; on the contrary, they are partially shaped by the interaction between the researcher and the respondent.

Another example is from the text about the integration of Arabs in selected Czech cities (Hošková, 2003). Among other issues, the author examines mixed Czech-Muslim marriages, stating that:

> For most of them [Arab, Muslim men], marriage must look trouble-free on the outside. For Czech women, it is not easy to talk about their dissatisfaction *and disappointment with their Arab husbands whom they probably married against the will of their own parents and warnings from their friends, so there is nothing else to do but continue with their marriage and try to tolerate their partner. Of course, divorce is possible, but Arab men hate to give up their children* (ibid: 269, author's translation).

This is yet again a strong, daring conclusion. However, the reader would understand it better if she knew more about the manner of conducting the interviews that were the basis of the author's interpretation. The text only informs us that the author conducted unstructured interviews with respondents.

INTERPRETATION AND PRESENTATION OF FINDINGS

In the previous section, I briefly discussed how credibility can be fashioned in qualitative research. I argued that the prerequisite for research findings being persuasive is to provide a description of and reflection on methodology. Another way of making research findings appear trustworthy is connected to the manner in which they are presented in an article, thesis or a research report. These two strategies can be employed to convince readers that our conclusions, interpretations, hypotheses and theories are based on the collected data, and should not be separated. They are usually described hand-in-hand in methodology textbooks. In his textbook, for example, Miroslav Disman (1993) bases the credibility of qualitative research on an absolute clarity of the analytical process and gives examples of suitable ways of presenting conclusions (citations from interviews, field diary records, descriptions of the examined environment, etc.). He states that only a "thorough, crystal-clear and coherent presentation containing not only conclusions, but also reproducing the individual steps that have led the researcher to these conclusions, will enhance the credibility of the research in the reader's eyes" (ibid: 303). It is fairly simple: qualitative researchers should support their assertions regarding the examined group with citations from recorded interviews or excerpts from field diaries in the same way as quantitative researchers must convince their audience using statistics presented in well-organised tables or comprehensible, annotated charts.

There are only a few citations from conducted interviews in the analysed texts. Some authors (Otčenášek, 2003a, b, c; Uherek, 2003a) do not use citations at all. The text about Czech-Muslim marriages (Drápalová and Kolářová, 2003) and the text about Africans and African-Americans (Jiroušková, 2003) contain only the paraphrased testimony of respondents, which in the latter chapter amounts to merely a few lines. In both texts, the speakers' life stories are nearly always used only to characterise the

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individual respondents; the authors do not use the stories to illuminate their broader interpretations or to compare the respondents' stories with each other. Only two texts work with citations in a more systemic manner: the study of the Vietnamese community in the Czech Republic (Brouček, 2003) and the study about the integration of Arabs in selected Czech cities (Hošková, 2003).

While quotes from interviews do appear in the analysed studies (but only sporadically), there are no citations from the researchers' field diaries. It is clear from the texts that authors were taking notes during the process of doing research (their texts could not otherwise have been written), but these notes are not shared with the reader. A possible explanation for this can be found in Hammersley and Atkinson (1995), who see field notes as "invisible" because they are often considered to be private documents. Researchers only exceptionally share such notes with others and anthropologists (especially) perceive their field notes as 'sacred' and untouchable.

Why is it so important for a research report to contain quotations from recorded interviews and notes from observations? Without such information, we can only assume that the researcher's conclusions are based on already-conducted or ongoing research, and therefore her interpretations do not present us with a credible picture of either the respondents or the researcher. If all that we have available are fully-digested conclusions such as "most students from Arab countries try to steer clear of conflicts with the majority" (Derianová, 2003), "fairly often, Muslims in Plzeň have steady and trouble-free marriages" (Drápalová and Kolářová, 2003), or "contacts between Bulgarians living in the Czech Republic are not very frequent" (Otčenášek, 2003b), we do not know under what circumstances the speakers responded, what they said exactly, in what way their answers were similar to or different from the answers of other speakers, or what specific expressions or verbal formulations the respondents used. Behind such generalised conclusions, we cannot imagine the stories of individual people-the participants in the research. But it is the interest in such people and their experiences, as well as the attempt to understand them that unites most qualitative researchers. The absence of field notes in the texts is troubling-especially because they always contain interpretations of the phenomena that are observed by the researcher. Disman (1993) emphasises that "the process of making notes is identical to the process of interpreting" (312). If we are to trust the findings of qualitative research, we must be allowed to see the researcher herself.

CONCLUSION

Unlike colleagues involved in quantitative research, the qualitative researcher has no standardised methods to help her to enhance the credibility and reliability of her research. For this reason, she is forced to underpin the credibility and reliability of her findings in a different way by elaborately explaining the individual steps of her research, including the process of defining the research question and the selected methodology. Qualitative research is more credible when it reflects the life stories and experiences of the respondents. Only then are the readers capable of understanding the respondents' actions.

2   See Government Resolutions No. 1266/2000 and 1260/2001. The aim of these studies was to allow policy-makers to gain information about immigrant "communities" for the development of the Governmental Concept of Integration of Foreigners. Some of these were first studies on the subject relying on little previous empirical research not conducted by experienced researchers but rather fresh graduates.

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INTERNET RESOURCES
•• The project *How are the foreigners in the Czech Republic: Analysis of biographical accounts:*
http://biocizi.fsv.cuni.cz/enindex.htm

•• *Foreigners in the Czech Republic*, web of the Ministry of Labour and Social Affairs where you can among others find research reports supported by the Czech Government: www.cizinci.cz

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MULTICULTURAL CENTER PRAGUE

The Multicultural Center Prague is a non-profit organisation concerned with inter-ethnic relations and migrants' rights in the Czech Republic and Central and Eastern Europe.

Since its foundation in 1999, the Centre has been attaining its goals through public debates, a variety of educational and cultural activities, research, publications and the establishment of links between individuals and organisations with similar aims in the Czech Republic and abroad.

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Focus on Central and Eastern Europe

WWW.MIGRATIONONLINE.CZ

Migration Online is a specialised website focusing on migration issues in Central and Eastern Europe. It is based on the cooperation of an international network of analysts and organisations. It's aim is to promote dialogue and international comparisons in the field of migration. As various research results demonstrated, many forms of migration movement take place within the region of Central and Eastern European countries. What policy conditions have been created for migrants to come, work, settle or return back home? The English version of the website at www.migrationonline.cz offers both original and republished analyses, interviews and reports, mapping large scales of migration processes in the region.

The following papers from the Workshop on Developments and Patterns of Migration Processes in Central and Eastern Europe are available at www.migrationonline.cz:

•• Dumitru Sandu, Patterns of Temporary Emigration: Experiences and Intentions at Individual and Community Levels

•• Izabela Kolbon, Poles in New York City: Shifting Identities in Transnational Space

•• Hana Synková, "In the Czech Republic, they call you Mister". The Migration of Slovak Roma As a Tactic to Overcome Exclusion

The Migration Online project has been supported by the Open Society Fund Prague.

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OPEN SOCIETY INSTITUTE & SOROS FOUNDATIONS NETWORK

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The program supports international exchanges that bring together civil society actors to share ideas, information, knowledge, experiences, and expertise as well as the practical actions that result from such networking.

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•• empowering marginalised and/or vulnerable sectors of society;
•• promoting cultural, ethnic, and social diversity;
•• managing the impact of social, economic, and political change;
•• making information accessible and available to the public;
•• encouraging public engagement and empowerment in civic dialogue.

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The institutional and policy developments in the field of migration and asylum have been shaped by the expansion of the European Union towards the East as well as by the dynamics of migration and refugee flows, including their perceptions, in respective nation-states. Diverse strategies and practices both on the part of migrants and local populations have emerged in response to the efforts to control and organise migration in the region.

This publication attempts to unpack the diversity of the various, previously unexplored aspects of migration processes in the context of Central and Eastern Europe, making them available to an English-reading audience. It originated from a series of papers presented at the Workshop on Developments and Patterns of Migration Processes in Central and Eastern Europe organised in Prague in August 2005.

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