Between policies and the praxis: state administration and the NGOs discourse: the French case
Mirjana Morokvasic, Christine Catarino

Working Paper No. 4 – WP2
February 2007

Integration of Female Immigrants in Labour Market and Society. Policy Assessment and Policy Recommendations
A Specific Targeted Research Project of the 6th Framework Programme of the European Commission

Universite de Paris X
Avenue de la Republique 200, 92201 Nanterre, France
e-mail: mirjana.morokvasic@u-paris10.fr
Introduction

I. Integration: institutional and key informants’ representations

1.1 The new legislation: the Reception and Integration Contract

1.2 The formalisation of the rules in debate

1.3 Beyond formalisation: the praxis of integration

II. Articulating class, gender and ethnicity

2.1 Engendering politics and associative actions

2.2 Gendered interactions of targeted persons with professionals versus associative activists

III. Civil society and administration: dividing and transferring responsibilities

3.1 The merging of structures: the example of the ANAEM

3.2 An example of economic voluntarism and self-regulation of the market: the personal services

3.3 Assuming responsibilities: identifying trafficked persons

3.4 Representations of integration in a context of increasing professionalism and economic precariousness within the associative milieu

3.5 The relative weakness of transnational social mobilisation

IV. Between increasingly restrictive legislation and arbitrary praxis

4.1 Creating selective ‘victims’

4.2 ‘The right to choose to live in a family or to leave it’ in question

Conclusion

Annex

Annex 1: Description of the sample

Annex 2: Presentation of the Organisations
Introduction

Members of institutions defining or implementing migration and migrants’ integration policies, NGOs of female migrants, of migrants’ rights have their own social representations of immigration and integration and more precisely of female immigrants’ integration. They also have their own views of more general policies affecting immigrants, the whole being conducive to their ways of interacting with immigrant public and nurturing their social and professional practices. They furthermore provide knowledge on the process of policy formation and policy implementation. In selecting key informants, we intended to give an extensive oversight of female immigration integration (civic, social and economic). Ten semi-structured interviews were conducted mostly during June 2006, three of them jointly with two key informants belonging to the same organisation, qualified in different specialities and occupying different positions which provided for a confrontation of contrasting social representations and discourses within the same structure. The interviews generally started by asking the interviewees to talk about their functions within the organisation and their experience of work. During a second part of the interview, we asked more details about some topics mentioned by our interview partners themselves and addressed others of specific interest to our project such as policy implementation and gaps between law and praxis; articulation of class, gender and ethnicity in migrants’ practices and key informants’ social representations and transnational activities. For ethical reasons, it was decided to anonymise our key informants.

The Department of Population and Migrations (Direction de la Population et des Migrations – DPM) attached to the Ministry of Employment, constitutes a major policy maker by contributing to defining the integration policy for populations of foreign origin and fight against discrimination. The selection of two new agencies – the National Agency for the Reception of Foreigners and Migration (Agence Nationale de l’Accueil des Etrangers et des Migrations - ANAEM) and the National Agency for the Personal Services (Agence Nationale des Services à la Personne - ANSP) – respectively focusing on the integration of migrants in the French society and relating to one sector of activity within which many immigrant women are present has been the opportunity to take the measure of new policies. The first agency deals more with the question of reception of immigrants (as announced by the government during the inter-ministerial committee meeting on integration on April 10th, 2003); the second focuses on the personal services sector encouraged in its development through a plan presented in February 2005 by Jean-Louis Borloo, Minister of Employment and social cohesion. The Platform Migrants and European Citizenship (Plate-forme Migrants et Citoyenneté Européenne – PMC) having to do with migrants’ citizenship was solicited in relation to the integration issue. The Employment service of an association of women (Service Emploi - Association du Côté des Femmes) proposing assistance to those who wish to enter or re-enter the labour market was chosen in order to give a practical illustration of women’s training and integration in personal services and thus give insight into one aspect of the Borloo’s development plan, the question of the professionalisation in the personal services. We further included one NGO (Les Amis du Bus des Femmes) dealing with the issue of prostitution and trafficking and two organisations targeting respectively deprived persons (the Secours Catholique) and migrants and refugees (La Cimade).1 Finally we approached two associations targeting immigrant women specifically: an association providing legal and administrative assistance (Femmes de la Terre) and an association of migrant women working in the field of socio-cultural mediation (Association AFAVO).2

After reviewing the social representations of integration of our interview partners (section I), we analyse the ways these professionals and volunteers in associations as well as administrative agents handle the question of the articulation of gender, class and ethnicity in terms of how they target their actions and how these criteria of identification, social distinction and hierarchy intersect to impact the public and agents’ interactions (section II). The division and transfer of responsibilities between the civil society and the administration or within the latter and relating specifically or indirectly to immigrants put the accent on the role conferred to social partners and associations by the state in economy and social matters. It also presents some associations’ claims to the state and the effects of their growing financial precariousness and instability. This will be highlighted in both the national and

---

1 The authors thank Emmanuelle Chaveneau who did the interviews with the ANAEM and the CIMADE and contributed to the analysis of these.
2 For a brief presentation of organisations in the sample, see the annex.
transnational perspective taking into account the difficulties of associations to mobilise transnationally (section III). Finally, we wanted to provide evidence of some gaps between law and practice enabling the creation of a selective category of “victim” as far as trafficking for prostitution or procuring is concerned, and those of symbolic and physical violence against (migrant) women (section IV).

I. Integration: institutional and key informants’ representations

1.1 The new legislation: the Reception and Integration Contract

Created in July 2003, the Reception and Integration Contract (Contrat d’Accueil et d’Intégration - CAI), to be first tested in pilot areas, was finally adopted in the program law No. 2005-32 of January 18th, 2005 for social cohesion. Its program n°19 aims to redefine the reception and integration of immigrant population in France. The signing of this contract used to be optional. This Republican contract was presented by the High Council for Integration in its 2004 report as a way of accepting and respecting the rules and common values to form a society, and meant to formalise this consent. Moreover, it was conceived as a means of guaranteeing access to rights, of making immigrants subjects of rights. The rights and obligations of contracting parties (people and the State) are clearly defined and stated (respect of the Republican values in exchange for obtaining rights). The free consent of contracting parties is important. It draws on the Jean-Jacques Rousseau’s social contract (Haut Conseil à l’Intégration 2003) which supposes an implicit agreement of the rules (rights and obligations) governing the society.4

Despite the position defending the necessity of the free consent of immigrants when adhering to the Reception and Integration Contract implicitly reiterated in 2006 (Haut Conseil à l’Intégration 2006), the article 5 of the latest immigration law, the 2006 law n°2006-911 of July 24 (article L.311-9 of the CESEDA5) stipulates that the signing of this contract is henceforth compulsory. Temporary residence permit renewal and residence card issuance depend now on the signing of this contract and on the observance of the corresponding obligations (receiving a civic training and attending language courses whenever necessary attested to by obtaining of a ministerial certificate of language competency). Thus in France (as in Netherlands), the non respect of the Reception and Integration contract can be sanctioned and language courses are made compulsory (Bozman and Boucher 2006).

Several aspects of these measures have been publicly criticised: as raised by some deputies while the law was presented at the National Assembly, “rather than a reciprocal commitment, this contract constitutes a unilateral obligation under the threat of a sanction whenever the migrant fails the language exam” (Perrault 2006); Gaye Petek, member of the High Council for Integration, points to the fact that there is a mere statistical concern about the number of persons signing the contract rather than real care about migrants’ adhesion to Republican values (Van Eeckhout 2006). The key informants we interviewed discussed more specifically the issue of giving legitimacy to the formalisation of the Republican rules through an explicit and compulsory contract.

1.2 The formalisation of the rules in debate

Our informants hold different views as to whether the Reception and Integration Contract should be compulsory to sign or not, concerning the way it is explained to migrants and, more

3 « The most basic covenant, the social pact, is the agreement to come together and form a people, a collectivity, which by definition is more than and different from a mere aggregation of individual interests and wills. This act, where individual persons become a people is “the real foundation of society”», Social contract theory, the Internet Encyclopedia of Philosophy in: http://www.iep.utm.edu/s-soc-cont.htm#H1 (15.09.06).

4 According to Rousseau’s Du Contrat Social (1762), by living in a society, citizens are supposed to have adhered to the social contract.

5 Code de l’Entrée et du Séjour des Etrangers et du Droit d’Asile (Entry and residency of foreign nationals and right to asylum code), see Morokvasic and Catarino (2006).
generally, about the meaning of integration. Our informant (from the association AFAVO) in charge of the legal assistance positively apprehends the idea of formalising sojourn and integration in the frame of a written and bounding contract and welcomes the compulsory character of this commitment as the law of the host country has to enforce itself upon migrants (e.g. «top down» process). He uses the metaphor of home (and implicitly the guest/host metaphor), assimilating «home» to «nation» to support his own idea of integration: when entering someone else’s home, the guest is assumed to expressly manifest his/her acceptation of the rules laid down by the host.

Another informant (from the same association and interviewed jointly with the above mentioned informant), in charge of socio-cultural mediation, retorts using also the metaphor of home. In Africa, she says, the house itself is open (to guests and visitors). In Africa, she argues, guests drop by unexpectedly, but the rules of hospitality have been internalised suggesting that there is no need to formalise them or to remind the guest of them. The guests adapt their behaviour to these rules, they know that they are guests/foreigners and behave accordingly in the host house. The decision and initiative to respect the basic rules and codes of hospitality seem to rest with them. The metaphor of ‘home’ draws on the register of moral and tacit contract, on the importance of trust, of keeping one’s word as by entering the host house, one commits oneself. The same should happen within the nation, our informant argues, and could be formalised by a kind of a ‘bottom up integration’. As the guest inviting himself in the African home definitely knows when to vacate the house, the migrant shall know when it is time to leave the host country i.e. when his visa has expired or before becoming undocumented. Nevertheless, it is possible to stretch the rules to a certain extent or more precisely to seize the opportunities offered by the host country.

Our informant illustrates this idea by referring to her own trajectory: she managed to study, became documented, acquired French nationality, which revealed a trajectory towards integration because these opportunities were gradually offered to her. If the integration process fails, if the migrants remain undocumented, this means that one of the two partners (guest or host) did not respect the tacit moral contract. But importantly it is up to the migrants to demand to stay provided that the conditions are fulfilled, and they should further be informed about these opportunities. Moreover while granting rights to migrants and as migrants/guests do make the efforts to internalise the rules (she gave the example of lodging a complaint for domestic violence), institutions should be more flexible to take into account migrants’ claims and complaints, the gap between law and praxis should be filled (see also section IV below).

The two informants interviewed do not have the same idea of commitment and hospitality. In our lawyer informant’s eyes, rendering compulsory the signature (the formal acceptance) of the Reception and Integration Contract (CAI) is perfectly compatible with focusing on difficulties in migrants’ lives and in assisting them. To bind oneself by a written contract may be perceived as a way of acquiring respectability, of being taken seriously by the host society. The formal contract may be seen as a means of demonstrating one’s acceptance of the rules, and as an expectation to be considered as a partner in one’s own right and as subject of rights.

Our informant from the Association Femmes de la Terre, herself a lawyer, criticised the idea of reminding migrants of the need to respect the basic rules of the French Republic while signing the Reception and Integration Contract (CAI). Implicitly this suggests that the migrants do not respect these rules:

«It works the same in every country, we are in a country and we respect the laws of the country. It seems to me that it is worthless to say: 'Foreigners do have to respect French laws', because thus it is implied that they do not respect them and this for me is very serious, this is contrary to integration, in fact, precisely. To specify this kind of thing.»

“It works the same in every country”, she argues that nobody acts the same way in one’s house and in someone else’s house. “To specify this kind of thing” (the need to respect the law) can be assimilated to breaching of an implicit rule, there is no need for the host to remind the guest how to

---

6 The Association des Femmes Africaines du Val-d’Oise (Association of African women of the Val-d’Oise) as already mentioned is an association of migrant women working in the field of socio-cultural mediation.

7 Association providing legal and administrative assistance to migrant women as already noticed.
behave … “we are in a country and we respect the laws of the country”, which also suggest implicitly that one’s knows them. Recalling the rules – and assuming that migrants may not respect the host laws – could be interpreted as absence of hospitality (Gotman 2001).

Later, our informant evoked another aspect of what she perceives as an absence of respect toward migrants and this time in relation to their own legislation: the application of the law of the country of residence in case of conflict with the law of the country of origin. Applying the law of the country of residence in cases of repudiation for instance may be seen as ethnocentric, implying superiority of Western laws and values. Instead she says, it is possible to avoid the application of the law of nationality whenever offences against public order are observed. In her conception, it seems more respectful and neutral to thwart the law of nationality by contesting the absence of application of rights related to procedures than directly invoking moral issues. She mentioned a debate within the association Femmes de la Terre between the pros and cons of the compulsory French language learning when signing the Reception and Integration Contract (CAI). Our informant herself stressed that this learning should remain non-compulsory and what seems important is the manifestation of a free will.

Our informant responsible for training activities in the NGO la Cimade presented another kind of argument to put forward objections to the obligation of signing the Reception and Integration Contract. Her argumentation concentrates on the subjective character of integration. Not only the “guests” know the rules but also they are entitled to feel whether they are integrated. No one else than one self is able to judge whether one is integrated – irrespective of the objective conditions such as economic difficulties:

“I do not agree at all with the public authorities’ concept of integration. I mean, this is not a Reception and Integration Contract, this is a process, a process which belongs to the person, who integrates himself or not, (...) who is the only one able to say whether he is integrated. (...). I mean I have been unemployed once in my life but this did not impede on my feeling of being from here. Integrated, disintegrated or what? I don’t know. (...) This is not this objective situation or the other only, it is a conjunction of a lot of things, and I am the only one able to say whether I am from here or not. And this is not because something is going to be decreed from above... integration is really a process. It’s an itinerary, a process of thought for the persons”.

The idea of process introduces the notions of dynamics and of time. This process of thought, very personal, intimate, in the long term, cannot be imposed, from “outside”, through a formalised top down practice (the Republican contract). This perception of integration is territorialized (“being from here”) and it may take time to feel like “being from here”, being integrated or not. Our informant illustrates this notion of process by giving examples of some activities taking place within this NGO. The Reception and Integration Contract links gender equality and integration. By signing this contract, “the newly arrived immigrant pledges to adhere to the values of the Republic, in particular the equality of men and women as well as to the secularity”. But the mere signing of this contract does not imply, in her view, that gender equality becomes effective. The apprenticeship of gender equality is also a long-term process, she says, it is for instance constructed through training and experiences such as those proposed by la Cimade (theatre, workshops, etc.). She gave the example of an immigrant community – that she expressly refused to identify so as to avoid stigmatisation – where migrant men appear reluctant to see their wives, sisters, cousins participate in these activities, and convincing them or having them change their mind is a long-term process.

On the other hand, the two key informants interviewed in the National Agency for the reception of foreigners and migration (ANAEM) converged to say that the compulsory character of this contract was beneficial. In one of these two informants’ perspective (the social worker and adjointe à la direction des activités en France, one) for instance, migrants have to provide evidence of their “willingness to integrate”. The signing of the contract and the presence of migrants in the existing

---

8 NGO providing assistance to foreigners and asylum seekers as mentioned.
9 This example nevertheless suggests that our informant (as the French legislator) implies that gender equality is a value in France but not in the country of origin of migrants she deals with. This on the other hand has to do with unavoidable selection of immigrants who come to CIMADE in need of assistance.
programs constitute proofs of this. She endorses this position as she says that the prefecture is “logically” “entitled” to refuse the renewal of documents whenever migrants refuse to sign the contract thus “refusing integration”. Here what counts is the manifestation of the intention (willingness) to integrate.

1.3 Beyond formalisation: the praxis of integration

Hospitality, inclusion, being accepted, are also notions that appear in the key informants’ discourse relating to undocumented migrants. The feeling of not being welcome continues even long after obtaining regularisation. Our informant from the NGO Secours Catholique, once again referred to the metaphor of home, “even if they gave you the key (notion of admission), she says, you may never feel at home considering that the process to get there is so long and painful that society makes you feel that you are not welcome”. Worst, it may impact on self-esteem and self-confidence because of lack of social recognition and create psychological trouble, depression, and so on. This psychological disturbance is related to cycles of hope and disappointment contingent to fluctuations of the law. Undocumented migrants’ acceptance is indeed always tributary of inclusion/exclusion criteria which are permanently changing. The most recent manifestation of this phenomenon is the possibility of legalising their status for undocumented migrants having children at school (circular letter for prefects, 13 June 2006). This excludes parents with children under the school age or attending school abroad (according to our informant from the association Femmes de la Terre). Besides, the road to regularisation paved with uncertainties, contrary to migrants’ expectations, is just one of the obstacles and difficulties: discrimination at work, unrecognised foreign credentials and language difficulties are among other obstacles encountered. This migrant woman who sought assistance at the Secours Catholique repeatedly fails to get a job:

« I don’t understand what the word integration means, I don’t understand this word. How far have I to go? (...). I speak French, I received a training, I waited a lot of time to get my documents, my son goes to school... I fail to understand what I have to do to be integrated. I cannot understand ».

II. Articulating class, gender and ethnicity

Migrant women are increasingly becoming an object of public concern. The Inter-Ministerial Committee meeting on integration on April 10th, 2003 responsible for formulating “the main emerging themes of integration” named it as one of the principal targets of the new policy of reception and integration recalled our informant in charge of the reception of immigrants at the Department of Population and Migrations (Direction de la Population et des Migrations - DPM). A framework agreement was signed by the DPM, the Service des Droits des Femmes et de l’Égalité and the Action and Support Fund for the integration and fight against discrimination (Fonds d’Action et de Soutien pour l’Intégration et la Lutte contre les Discriminations - FASILD). The aim was to improve migrant women’s situation regarding their access to rights, different kinds of violence (genital mutilation, forced weddings), their reception in the host country with their broader access to language training and social and economic integration. The last Inter-Ministerial Committee meeting on integration on April 24, 2006 put the accent on the importance of female migrants’ reception in the host country, access to the labour market, to credits to set up a business, and of combating polygamy (according to our informant in charge of women and access to rights issues at the Department of Population and Migrations). According to this source, policy is not only supposed to remove obstacles to integration but also attempts to valorise migrant women’s trajectories: one section of the Resource Center and

---

10 A catholic association working in the field of poverty and exclusion reduction.
11 Part of one report of the High Council for Integration (« Haut Conseil à l’Intégration ») (2003) was dedicated to this issue, and more specifically to migrant women’s civil rights.
12 By reflecting on the possible application of the law of the country of residence instead of the law of the country of origin in case of forced weddings, Ministère délégué à la Cohésion et à la parité, L’égalité pour les femmes immigrées, in: http://www.femmes-egalite.gouv.fr/espace_presse/discours_2004/040922a.htm (21.09.06)
database on immigration lately created to put forward the historical dimension of immigration as a priority will be dedicated to women. Nevertheless, the official discourse seems to be the one of a “double discrimination”. This idea of double discrimination could have to do with an outdated image of migrant women as aged, low skilled persons cumulating handicaps (according to our informant in charge of the reception of immigrants at the Department of Population and Migrations). How gender, class and ethnicity divisions are being taken into account by administrative officers and members of associations and is the “double discrimination” stereotyping challenged? These are some issues of relevance related to migrant women’s integration.

2.1 Engendering politics and associative actions

A number of organisations interviewed are totally or exclusively dedicated to women (Femmes de la Terre, AFAVO, Espace Emploi Du Côté des Femmes; our informant, section head of the Employment service of the association Du Côté des Femmes described for instance the association as a « militant association for women rights »). Some key informants in mixed organisations stressed that the women-focused perspective can be a source of « discrimination » and stigmatisation (Interview with our key informants from the ANAEM) or that the female bias misses the masculine perspective (Interview with our key informant from the Secours Catholique).

- Organisations targeting immigrant women more specifically

The discrepancy between the attendance of the Employment service of the association du Côté des Femmes limited to women and its objective to help them to better integrate in a mixed world is a source of misunderstanding: men placing their trust in the association, send their wives to this almost non mixed place, little did they know that the members of this organisation intend to address unequal gender relations. Our informant refers to the word “harem”, to qualify the way men see the meeting of their wives with the personnel of this association, in order to stress that all these women (including associative members) are supposed to be subject to masculine domination, and not looking for challenging gender relations:

« (...) ‘Many times it has happened that these men who wanted to keep their wives for them or let’s say completely veiled, think ‘Great, they are going to go to the Association Du Côté des Femmes, they will be among women, it is almost a harem’, at least in their representations (laugh), ‘it is almost a harem, my wife will be quite safe (...) that’s it and me too’. Well, they are mistaken, because on the contrary, we are so much focused on the accompaniment to mixed reality and to openness upon mixed society that... they are mistaken ».

Although the public attending is almost entirely composed of women, some distinction is operated among them. Among the criteria of inclusion/exclusion, it is possible to mention the absence of discrimination in relation to women’s affiliation to financed measures for re-entering the labour market. In other words, the follow-up proposed by this organisation also includes women excluded from any financed measure. But, given the feminist militant principles of the association, the association tries to convince women of not wearing scarf during collective training sessions. The scarf or veil is not apprehended as a religious symbol but as a sign of women’s oppression, subordination, located in patriarchal gender relations. Militant, feminist considerations then restrict, define and shape the characteristics of the public supported by the association. The respect of this principle of avoiding wearing the headscarves is one coin of the reciprocal relation of respect between

---

13 L’égalité pour les femmes immigrées, op. cit.
14 This position is explained to the women by the members of the association, several times if necessary during individual reunions aimed at selecting women candidates for collective training sessions, the association seems more flexible as far as individual training is concerned. After the interview, the informant showed the interviewer a poster on the wall denouncing the scarf which can be read by the women attending the training sessions.
women and members of the association (and of their values) according to the section head of this Employment service.

It conveys two main ideas: first of all, professionalism and militancy are combined to a certain extent in the activities of the members of this organisation (though a professional, our informant adopts and defends a militant position). Secondly, and more importantly in this section, employment insertion is not restrictively conceived as a purely economic class issue, but also as a social and gendered one. This is congruent with the aim of this association not to separate the social and professional aspects of insertion/reinsertion.15

In this view, women’s oppression at large is clearly considered as an obstacle to employment insertion and included in this “social-professional insertion” conception. Consequently, the accompaniment for re-entering the labour market, and what is in administrative jargon named “socio-professional reinsertion” is not limited to the orientation towards language training and to professional training. It also takes into account some gendered obstacles or forms of oppression not often taken into consideration such as wearing a scarf, domestic violence or absence of mastering of one’s geographical environment. Another obstacle the association has to deal with is gendered/ethnic professional devaluation, the idea that women often do not consider their work in the country of origin (commercial activities for instance) as such (considering the absence of equivalence of qualifications and certainly gendered effects) and not mention spontaneously these experiences while establishing their competency assessment. This could explain that these women often target domestic and care activities which are viewed as unskilled jobs and/or are pushed to these kind of occupations because of lack of available language and professional training. The idea of a “global follow-up” is also emphasized by our informant in charge of socio-cultural mediation at the association AFAVO, with a similar goal: women’s autonomy in the reception environment.

- “Mixed” organisations (targeting both women and men)

The development of actions targeting women only is seen sometimes as worthless, but put into practice thanks to the availability of subsidies for this purpose (Interview with our informant from the NGO la Cimade). She uses the similar argument as our informant from the Employment service of the association Du Côté des Femmes: society and labour market are mixed. But instead of challenging patriarchal gender relations to prepare women to integrate in a mixed society, using “subversion” (Du Côté des Femmes), our informant at la Cimade claims that there is no use to develop actions specifically aimed at women, except for those who were victims of gendered violence. However, within mixed formations, ideally a specific time dedicated to women’s expression to talk about sensitive and gendered issues should be available.

Her view about specific actions for women being irrelevant, may have to do with her own representation of migrant women’s integration. She defends the idea that migrant women (and more specifically refugee ones) do “have more resources than men”, and are better integrated. Conscious that this position does not subscribe to the politically correct discourse of double-discrimination (“paradoxical” is the term she uses to qualify it), she feels compelled to mention several times that this was either the observation of the NGO network working with refugees, or her own. She also recalled the number of years of experience in her own profession providing evidence to support her view so as to give more strength and legitimacy to her argument.

She is apparently convinced that she has a positive image of migrant and more specifically of refugee women (she used words such as “resources” and “strength” to qualify them). However, some of her arguments directly draw on unequal gender relations. She for instance explains that refugee women accept “more easily” an unskilled job. For instance, highly skilled women (professionals and teachers in their country of origin) are more likely than men to make sacrifices and give up their previous occupations.

Instead of demanding the implementation of actions specifically targeting women, some actors in the mixed associative milieu would like, on the contrary, to develop actions directed towards men (such as developing male discussion groups), and have the masculine discourse emerge (Interview with our key informant from the Secours Catholique). The idea reflected here is that men, as well as

15 Our informant make use of these two expressions and speaks about “socio-professional insertion".
women, may be vulnerable, need to talk and exchange their experiences. Men are only expected to manifest differently their concerns.

This challenges once again the idea of the female migrant double discrimination.

2.2 Gendered interactions of targeted persons with professionals versus associative activists

The higher attendance of women in mixed associations, in the case of undocumented migrants has been explained by the fact that men are busy working while women take care of children and have more free time to dedicate to soliciting associations. Men come from time to time, during celebrations (interview with our key informant from the Secours Catholique). Women are also those who come to the houses of justice – other mixed places – in order to get legal advice which, according to the lawyer interviewed at the association AFAVO, challenges the idea of isolated and secluded women. This could also have to do with gendered representations of knowledge and of demanding external help. Men could be reluctant to ask for information in their position of persons “detaining the knowledge in the family”. According to our informants in this association, women have allegedly more facility in interacting with men when the latter are in a position of individuals detaining a certain kind of knowledge (such as being a lawyer and as such mastering the elaborated code represented by the law), than in the frame of associations’ activities (“groupes de parole”). In the first case, this elaborated knowledge is presumably to a greater extent masculine.

Our informant from the association Femmes de la Terre who is a lawyer described different interactions with men and women coming to this almost non-mixed association in order to receive help and counsel. As persons supposed to detain the knowledge within the family, men seem more reluctant than their female counterparts to ask women for help and advice, especially in the context of an elaborate code such as law. Until they realise that the woman providing advice is competent, this obvious reversal of traditional dissymmetric gender power relations will be an obstacle for them.

Men appear to be the neglected public, according to our key informants from the mixed associations. As a matter of fact, being assimilated to the universal Other, the coverage of possible specific masculine demands seems very poorly taken care of. Little is known about the social construction of migrant masculinity.

III. Civil society and administration: dividing and transferring responsibilities

This section refers to the division and transfer of competencies and responsibilities within the administration and between the civil society on one hand and the administration on the other. Issues like merging of structures, (auto)regulation of the market, requests of the associative milieu to have certain responsibilities recognised create the context for the administration and civil society relationships. This is taking place in a context of decentralisation of the French Republic which is assumed to involve the financial disengagement of the state and is described as having adverse effects: economical effects with the decentralisation of the minimum income (RMI) (Interview with the president of the Plate-forme Migrants et Citoyenneté Européenne), social and cultural effects with the reduction of the available language courses (Employment Service of the association Du Côté des Femmes; NGO la Cimade) and other training meant to facilitate immigrants’ integration (Employment Service of the association Du Côté des Femmes).

3.1 The merging of structures: the example of the ANAEM

The National Agency for the Reception of Foreigners and Migration (Agence Nationale de l’Accueil des Etrangers et des Migrations - ANAEM) is a result of the merger of the Office of International Migration (Office des Migrations Internationales - OMI) and the Social Service for Aide to Immigrants (Service Social d’Aide aux Emigrants - SSAE) (law for social cohesion No. 2005-32 of January 18th, 2005) for the purpose of combining and complementing their respective know-how. The OMI masters the immigrants’ reception logistic, as for the social workers of the SSAE, they are
competent in evaluating migrants’ situation and their further orientation towards appropriate organisations (Haut Conseil à l’Intégration 2006).

However, according to the interview with two members of the ANAEM staff representing respectively the social and the administrative dimensions of this newly merged structure, it has difficulties reconciling its former orientations: the social approach of the NGO SSAE and the administrative approach of the OMI. The merger was moreover unexpected considering the existence of two different administrative cultures, organisation histories and corresponding professions. The balance of power between the two organisations seems to be to the advantage of the OMI, i.e. the administrative logic with a focus on immigration control. As for the social dimension in the new organisation the key informant representing that dimension expressed her concern about the loss of some prerogatives the SSAE had before the merger, such as its role as mediator in the social and juridical follow up of asylum seekers, and more generally as organisation pointing out social dysfunctions, be it individual or collective, which characterises social workers’ profession.

Originally the majority of the public were asylum seekers but when the state cut its financial support to them the newly arrived immigrants outnumbered them. While describing the role of the new organisation (ANAEM), the key informant representing the social trend rather than the one representing the administrative aspect suggested that asylum seekers were not documented and legal migrants (unlike newcomers attending the reception platforms of the ANAEM and who constitute the legitimate recipients and public having priority in its action). She however tried to attenuate her statement by explaining that “social action can not ignore (…) persons (…) about to be regularised”. And later: “I say so while corroborating what says my colleague, that the priority public is the one who signed the Reception and Integration Contract”.

It is known that the Action and Support Fund for the Integration and Fight against Discrimination (Fonds d’Action et de Soutien pour l’Intégration et la Lutte contre les Discriminations - FASILD) has been responsible for the financing of language and civic training proposed by the ANAEM within its migrants’ reception plate-forms. The High Council for Integration recommended the transfer of this financial responsibility to the ANAEM in order to improve the follow-up of the newcomers’ civic and language training. But in a context of economic shortages, the High Council for Integration recognised that the consequence could be the reduction in the provision of language training to other migrants (Haut Conseil à l’Intégration 2006). This was also a concern of some NGO members such as our informants from the Association of African women of the Val-d’Oise (AFAVO) who deplored the insufficient language training proposed to migrant women, and more or less implicitly this focus on newcomers.

3.2 An example of economic voluntarism and self-regulation of the market: the personal services

Our informant in charge of professionalisation issues at the National Agency for the Personal Services (Agence Nationale des Services à la Personne – ANSP) recalled the objectives of the Minister Borloo’s plan: first of all, meeting the domestic demand by increasing private individual employers’ possibilities to be relieved of reproductive work. This goal will be reached via the bank and pre-financed Universal Service Job Check (CESU - Chèque emploi service universel). It is worth mentioning that the pre-financed CESU will be financed by employers, professional organisations, local government, pension funds, co-operatives in the interest of their salaried employees, officials, administrative personnel, or members and it extends to direct employment i.e. recruitment by private individuals without any intermediaries. Second goal is to improve the structure of the (labour) supply, by giving an impetus to the development of referral agencies for a variety of domestic services, presented as guaranteeing the quality and increasing the professionalism of the sector. According to our informant the Agency has the mission to encourage the development of the personal services and enhance their quality. He admitted that the implementation of the Universal Service Job Check will in a first stage help absorbing undeclared work and allow employees to increase the number of their working hours rather than really contribute to creating new jobs.

His numerous examples demonstrate the Agency’s attachment to the absence of economic interventionism which could pervert the relation between supply and demand. To qualify the function
and attributions of the Agency, he used the expression: « **maîtrise d’ouvrage générale** »\(^{16}\), used in the construction sector and transposed to the IT sector. It has to do with the externalisation of tasks: outsourcing a project to a external company, being a project co-ordinator representing the interests of the users and the clients. The « **maîtrise d’ouvrage** » essentially consists in orientating and arbitrating, in being a mediator. He also referred to raising human resources which appears to be a leitmotiv of this public policy. The CESU improves human resources management in firms enabling workers to be relieved of their reproductive tasks at home and consequently be more productive at work. It also optimises human resources management via professionalisation of workers in personal services.\(^{17}\) Our informant’s discourse suggests that the State, via the *Agence Nationale des Services à la Personne*, intends to manage human resources just like an enterprise.\(^{18}\) This clearly emerged when he spoke about the users of personal services as « **our clients** ».

Throughout his narrative, he reiterated the absence of State interventionism. He implicitly referred to the rationality and freedom of economic agents concerning the professionalisation within the direct model, when the individual receiving the service is the employer of the person providing the service. The professionalisation (enabling employees to get vocational training), he says, depends on the conjunction of good will of the employer and the employee. Concerning the pre-financed CESU and its utilisation, he developed once again the idea of the consumer (the individual receiving the service) as a referee making rational choices. When the service offer is of low quality, the consumer (who can be an employee in a firm) can be entitled to ask for a pay rise or other advantages instead of being relieved of his reproductive work through the use of the CESU. As a matter of fact, our informant constantly mentioned “Equilibriums”, “personal choices of consumers” (the personal services users) and of employees\(^{19}\), “arbitrages”, and so on. In this context, employees, employers (private individuals or organisations), social partners, intermediaries (associations, etc.) are considered as *actors*, rational persons or entities.

The increasing professionalisation of the sector is evidenced by the increase in professional experience validation, and is described either as a mobility within the same profession or as the possibility to move from one profession to another (from caring to domestic work for instance). There is evidence about the valuation of personal services: “…we say that they are professions (…)”. Instead of seeing the low value attributed to personal services and the correlative devaluation of these professions as a result of dissymmetric gender relations and ethnicised processes (this work being done by women either as unpaid or as paid work – and as an occupation by many immigrant women), our informant preferred to underline the necessity of making the sector attractive. For this purpose, he stressed the positive and valorizing aspects of personal services as he conceived them: these are professions of human contact and easy to enter into. Because of a wide variety of these professions – from computer assistance to domestic work – their professionalisation and valorisation are nevertheless difficult to achieve.

3.3 Assuming responsibilities: Identifying trafficked persons

Another issue raised in the process of interviewing key informants had to do with the question of the division of tasks, functions and competencies between associations and administration and their

\(^{16}\) It is difficult to find equivalent in English but it refers to the function of mediator.

\(^{17}\) Forum de l’entreprise et des services à la personne. Le Chèque Emploi Service Universel, outil de votre politique des ressources humaines, 12 juin 2006, Espace Grande Arche La Défense.

\(^{18}\) During this Forum, the Minister Borloo drew a parallel between his mission within the Ministry of Employment and social cohesion – to manage the human resources of the country – and human resources directors who were present at the Forum.

\(^{19}\) « Our interest (…) is to provide workers of this sector of activity with the possibility of developing their own professional path, which would be linked (…), to their life-time. Explanation: nowadays, a certain portion of salaried people, in majority they are women, who enter this profession by taking care of young children because (…) it enables them to devote time to their own children, it enables them to divide maybe differently their time of work, of taking care of children, of leisure time, (…), of time devoted to housework ». 
relevant implications for the targeted public. One may find clues of a polarity in the associative discourse: on the one hand, the discourse may refer to the state transferring some of its responsibilities onto associations (appears then the idea of the civil society taking some missions over from the state, and the instrumental use of associations by the state), on the other hand, the discourse claims the necessity of the official recognition of some associative responsibilities and competencies. The identification of trafficked persons is a paradigmatic example of this.

The project manager, in charge of trafficking issues in the NGO Les Amis du Bus des Femmes, asks: Who is and who is not a victim? Who should be in charge of identifying the victims of trafficking? According to her, police officers have the monopoly of identification. She described a kind of reversal of the logic order of the procedure: the status of identified victim depends on the dismantling and arresting of criminal networks to which the victim is supposed to have contributed:

«Everything turns around identifying the victim. Today it is the police officers who identify. One decides that the person is a victim of trafficking provided she participated in the arrest of her (criminal) network by the police. So, in the end, what turns her into a victim, is the fact that she really had a network and that this network was arrested. (...) For the police, a victim is someone who co-operates. Those who don’t co-operate, they are no true victims. But, nevertheless, we know that those who are true victims ultimately are those who cannot talk because they are too afraid.»

Our informant put forward her fieldwork praxis. She acquired experience in this job listening to victims’ testimonies in this NGO and in the Balkans where she went as a student to work on her master’s degree. Her discipline (geography) and her ability to map out the trafficking routes and itineraries gave her precisely a central expertise in relation to the identification of trafficked persons. Thanks to it, she is able to judge the veracity of the testimonies of the women she listens to, to define whether they fit her objective knowledge of the situation. Interestingly, this collection of information about networks, itineraries seems more commonly associated with police investigation. She seems to possess a valuable kind of capital to ground her expertise. The latter is still nurtured by the transmission of know-how and knowledge from the prostitutes who work in this NGO.

While stressing her praxis as an effective and professional way of identifying trafficked persons is so important, she is aware that “although the books on this specialised subject do not deny the fact that trafficked people can be identified not only by law-enforcement authorities but also by employees of NGOs, social workers (…) nevertheless, recommendations on identification of trafficked people are usually designed only for the law-enforcement employees.”

As if eventually, the legitimacy of the question of identifying a trafficked person as a victim was more readily granted to the law-enforcement authorities (or their effective precedence was indirectly recognised). This identification process is important: “identification of trafficked people is called to enable the victim access to society’s assistance.”

In France, in order to have access to social assistance and follow-up and be admitted to a shelter, a person has to obtain a provisional stay authorization (APS). This implies lodging a complaint against traffickers or providing testimony against them.

Our informant evoked the importance of creating a climate of confidence and gaining the trust in order to encourage women to testify and ask for protection. This confidence is more easily obtained within an NGO than in custody of police. Betrayal, denial and necessity to recover confidence in other human beings seem to be the master-words characterising the trafficked women’s trajectories. This argument speaks in favour of the right for the NGOs to identify trafficked persons:

«What we ask for is to be given the right to identify (the victims). I think that our experience... well us, or someone else, it does not matter, that some people outside the police should identify these persons. As I told you considering our real knowledge of the networks, of girls’ histories. That we do several interviews with the person, which is what I am doing. Except if a person blubbers in my office, falls down on the floor and says to me 'save me'. It also happens. (...) But most of the time these are persons who are

---

denying being victims of trafficking) or are afraid to talk. Confidence has to be established. It is established differently than when remaining 48 hours in police custody. All these interviews have to be done (...) and then we can say: ‘this person is a victim of trafficking, she has to be protected’ and this person has to adhere to this protection, which implies one has to win her trust. A person who has been cheated her lifelong, she is not going to follow me from this day on unless she is going to die tomorrow. »

3.4 Representations of integration in a context of increasing professionalism and economic precariousness within the associative milieu

The increasing professionalism of associations in France (Laville 1998) necessarily has an impact on the assistance to and on the follow-up of migrants. The discourse of our informant from the Secours Catholique reveals the now often mentioned dichotomy between professionals and volunteers. This opposition is expressed in: different associative cultures of these two types of associative actors; reciprocal social representations, and certainly competition and different relationships with immigrants and social representations of integration. It seems then to exist a hybridisation of systems of references within this NGO, phenomenon sometimes assimilated to a secularisation of confessional associations intervening in the field of poverty, which goes hand in hand with their professionalisation as well as the promotion of modes of intervention – taking distances with sole palliative measures – such as a social assistance and follow up (Lochard 2004).

According to our informant, notions of charity and paternalism used to structure more accurately the relationships of volunteers to migrants. Some migrants also seek personal privileges, what is perceived as a primacy of the individual logic of action over the collective one. « Free-for-all » (« foire d’empoigne »), « my favourite », « my deprived person » are some expressions appearing in our informant’s discourse to qualify and denounce the paternalist and clientelist relation existing or having existed between volunteers within this NGO and migrants. This may have been facilitated by the existence of more systematic financial help.

This paternalistic relationship is assimilated to the philosophy of voluntary work, in other words, to the volunteers’ feeling of being useful, the idea of giving (help, solidarity) but not receiving. Or if receiving then not something else than what is expected in return: for instance, gratitude from the helped persons or their own commitment within the association. According to our informant, and related to these social representations, volunteers have a more restricted view of migrants’ or other deprived persons’ integration: they stress the importance of satisfying material and basic needs and of being satisfied with one’s condition (this should be for instance the case for skilled migrants who work even though they experience downward social mobility). She criticised the focus on material deprivation and suggested taking into account other dimensions of shortages such as deprivation of the quality of life. Implicitly, she suggests that professionals who do not subscribe to this helper/assisted relationship tend to value other aspects of integration, have a more holistic approach, embracing non material aspects such as social recognition and what she calls “the right to happiness”. She also stressed the difficulty of imposing a holistic approach to the follow-up of undocumented people which does not only restrict the assistance to attendance of French language courses but also encourages migrants to join the existing socializing groups within the NGO (music and talking groups, groups proposing role playing games, etc.).

Our informant also suggests that volunteers/assisted persons relationship is the one where each partner is supposed to know one’s own place. This could explain the tensions and volunteers’ reluctance to see migrants influencing decisions within this NGO’s delegation.23 To know one’s own place seems also far removed from the new development of activities within this NGO described at length by our informant and aiming at changing society’s stigmatising view of migrants, in particular of the undocumented ones. The agency of people is the common denominator in many different projects. Several of these projects are based on role playing where migrants, and more specifically undocumented ones, try to raise awareness of other people about their condition by inviting them to take their place. As a matter of fact, while the volunteer/migrant relation implies knowing one’s own

23 The participation of migrants to the decisional Committee of this NGO delegation implied more generally language difficulties, namely how to designate them. Expressions such as “personnes en difficulté” had to be banished. Migrants joining the delegation are presently called “actors” (and not “volunteers”).

14
place, the role playing invites to take someone else’s place, someone else’s identity, way of thinking, to get closer subjectively to someone else including, for the duration of the game, to turn upside down the relation guest/host, outsider/insider, etc. This posture implies distancing from top-down practices and endorsing a more interactive and possibly less class-conscious behaviour:

“(…) there are volunteers who (…) love to speak about it because it is a transformation for them (…), for example at the beginning, when I told you about the financial support… some places where we received people were emptied, when we stopped giving the financial support. Everyone disappeared (…) and then, at the beginning, we said (to the volunteers): ‘you have to hold on, we are sure that people are going to come back (…)’. You have to privilege meeting, listening (…)’. There was one volunteer who was first furious: ‘I do not know anymore what I am doing here, nobody comes, it’s a stupid policy, you are completely…’. Well, of course… “intellectuals”, we are completely dreaming (…). But later she (…) said: ‘I discovered a new way of being (…)’. (…) it is also a way of recognising not to say ‘(…) our fragility’, but the fact that we are in a true exchange (…). It is not an exchange: ‘I bring you my knowledge in relation to your difficulties’, but is also: ‘I also receive things from you, I let myself be touched by you, (…), challenged’, (…) and if we don’t lay the conditions so as it can happen, it cannot! Because when we maintain people in a situation of assisted persons (…) we encourage a paternalistic relationship, so people play the game: ‘with Mr so-and-so, it happens this way, this way I can obtain advantages’ (…)”.

According to our informant some volunteers finally accepted to really exchange with migrants and the attended public (more generally designated as “actors” when they join the NGO), it means receiving, and consequently learning from them. This could have to do with a more selective financial help to the benefit of deprived people, and as repeatedly underscored by our informant with the establishment of clear rules that contribute to break patterns of clientelist and paternalist relationship. Interactivity, listening to the Other, is in turn presented as positive for the migrant’s dignity and her/his process of integration. Our informant’s narrative thus provides insight into the evolution of the social representations of migrants and deprived people, of the image of « victimisation » and of « assistantship » widespread among volunteer members and into the tensions accompanying this process within her delegation in the Secours Catholique. A process under construction, she says.

At the Employment Service of the association Du Côté des Femmes, our informant pointed out to the importance of NGO members’ professionalism for the occupational integration of migrants. She expressly quoted different professional leading functions within this Employment Service. She took care of explaining that these different functions correspond to different diplomas and paths, so as to accentuate the professional, skilled and specialised aspect of these diverse occupations (some of the professionals working within the Employment Service come directly from the enterprise milieu, which confirms this phenomenon). Explaining that she does not dissociate social and professional integration, by mentioning this specialised character of her profession, she illustrates the idea that professionals within the association do not practice social action as a social service practitioner would do. The social here is nurtured by the professional approach. But the professional side of integration cannot be disconnected from gender and social issues. Volunteers, on the other hand, are called “activists” within this association, and as already mentioned, our professional informant considers herself also as an activist, but not as a volunteer. But, professional and social insertion of women, she says is a professional matter demanding technical competencies, expertise, it explains why some volunteers- activists get involved in cultural activities within the association but not in social and professional insertion issues. Although there is some overlapping between activism and professionalism volunteers and professionals on the other are not interchangeable. At least as far as some insertion aspects are concerned (social and professional insertion), professionals may be activists but activist volunteers cannot be in charge of technical and professional work. Once again, this position as a professional seems to impact the relationship with attended women breaking away from the logic of assistance:

“(…) we work on the respect, on the relation of confidence, we are not in the assistantship, we are not their friends, we are here to accompany them as professionals,
we expect respect from them (...) we respect them, and we expect them to respect one another, that’s it ».

The problems encountered by organisations/associations lie in the lack of available funds. Precariousness, question of the quality of services provided or mere survival of organisations have been shaping their activities and orientations, (Interviews with the Employment Service of the association Du Côté des Femmes; la Cimade; Femmes de la Terre; Amis du Bus des Femmes).

The high staff turnover related to the low wages of associative salaried persons (“professionals”), the unsecure funding of associations, and the inadequacy of EU financing complicate the implementation of European projects and/or of the transnational partnerships (Interview with our key informant from Femmes de la Terre). The European financial support provided to small structures (micro-projects) is perceived as focusing too much on employment issues to the detriment of migrants’ and refugees’ rights. The time and internal expertise needed to fill the EU and national applications, the absence of simplified aid schemes, the need to have to rely on external experts and professionals (accountants) exemplifies the tendency towards the necessity of developing professionalism within associations (Femmes de la Terre).

According to our informant from the association Du Côté des Femmes, the financial situation of this NGO and more precisely of its Employment Service can be qualified as “worrying”. The provision of public funding to this service follows namely the pattern of financing of businesses, which implies profitability. Therefore there is no financing of the social and psychological aspects of the follow-up for entering or re-entering the labour market:

« The Employment service receives financial support from the General Council of Val-d’Oise for female RMI (minimum income) and API (single parents allowance) beneficiaries (...), we have financial support... these are precisely not subsidies24, that’s the problem, we are paid for each woman. It is awful, isn’t it? (...). This is the way we are financed. So, it does not always cover all the expenses. Because what is financed is the labour follow-up. But, as there will be a global action directed to (...) women, all that is social follow-up (...), work on their well-being (...), it is part of the whole isn’t it? ».

And later, while evoking the subcontracting of the provision of services conceded by the National Employment Agency (ANPE) to this Employment Service and other structures – in other words the assistance to labour market entry to some women, she explained:

« It is that much, 763 Euros for the assistance in labour market follow-up. If a woman is redirected towards us, it is because they detected that she was having difficulties. The one who has fewer difficulties, she is certainly going to be directed elsewhere. Great! We prefer to know that women who need us are getting here. But we are going to do more than organising ten teacher training meetings, we are going to enable them to have access to all that they can have: the psychologist, the social follow-up (...), the computer workshop if necessary (...). That’s it. That’s this global action (“prise en compte”). And (...) this is precisely what we lack, subsidies. Because being financed this way like a commercial enterprise, does not give us room to manoeuvre and implement this global action. »

This Employment Service had to demand an audit aiming at evaluating the real cost of a global accompaniment. This example illustrates then the tensions and convergence between professionalism and militancy on the one hand and association and enterprise on the other. Although this service relies on the work of professionals and excludes volunteers’, it relies on values, core norms such as gender equality (e.g. the headscarf issue) representing the militancy vocation of its members. Although this service relies on the work of professionals, and thanks to this militancy vocation, there is some reluctance, not to say an opposition, to seeing the association becoming an enterprise, which would mean reducing the quality of the services rendered, modifying the logic of the accompaniment of

24 The service receives only few subsidies (Droits des femmes, European Social Fund, FASILD).
migrant women (re)-entering the labour market reducing it to its economic aspect. The logic of the enterprise (profitability, to favour re-entering the labour market as quick as possible) is then opposed to women’s efficient professionalisation which supposes a global follow-up. The use of Universal Service Job Checks to remunerate women working in personal services is further assimilated to precariousness and also opposed to real professional insertion and processes of professionalisation. Professionalisation as it is implemented by this Employment Service, is for instance conceived as proposing training programs accessible to deprived (immigrant) women to be eligible to enter other qualifying training sanctioned with a certificate of professional competence. But the discourse is rather ambivalent. On the one hand, the association looks forward to valorise women’s already existing competencies (such as care skills acquired in the family) but also previous professional experiences. On the other hand, the training partly consists in the apprenticeship or, more precisely, in the enhancement of the internalization of rules supposed to belong to the culture of the Other (the employers). This is the case of acquiring regularity, punctuality, assiduity, respect and not wearing of a headscarf (for other examples of cultural aspects of trainings related to personal services, see Scrinzi: 2004).

3.5 The relative weakness of transnational social mobilisation

The European Migrant Forum grouping extra-community immigrant organisations was set up in 1995 by the Council of European Communities to put in touch the leaders of migrants’ associations at the national level (Favell 2000). It was finally dissolved in 2001. The Migrant and European Citizenship platform (Plate-forme Migrants et Citoyenneté Européenne - PMC) stems from the French support group to the European Migrant Forum, federates associations of migrants, develops associative and institutional partnerships at the national and European level, and advocates for the recognition of the European citizenship to the benefit of extra-community migrants. According to its president, the relative weakness of the participation of migrant associations located in France at a transnational level is a result of a conjunction of factors. Immigrant associations scarcely use available European resources for lack of European political culture and European political know-how (how to raise funds, lobbying knowledge, etc.). Furthermore, and more significantly the political logic of some associations of extra-community migrants in France is outdated as it relies on a logic of opposition to the countries of origin instead of a logic of project.

Throughout his discourse, our informant criticised different forms of community based identifications: the essentialisation of identities and their instrumentalisation as it was the case within the European Migrant Forum; the creation of community based associations in France (such as associations of Black people, of Jewish, of Muslims, etc.); the tendency of extra-community immigrant associations actions and thoughts to be directed towards their respective countries of origin to the detriment of advocating for a European citizenship.

The influence of the French state in European affairs is also assumed to be decreasing (reduction of the number of European Commissioners, weakness of French knowledge of European institutions) while the integration of European Union law into French internal law is evident (according to him the latest immigration laws are “bricolage” resulting from the transposition of European directives). The electoral politicization of the immigration phenomenon is denounced. This latter aspect can be seen by developing and implementing on the one hand a restrictive migration policy and promising to further concede a right (e.g. the right to vote for extra-community migrants) which in reality has been already decided at the European level and will have to be approved by member states by 2007 on the other.

Our informant fiercely defends the territorialisation of citizenship (“We are attached to the land, we come from the land”) but without referring to existing borders and delimitation. Criteria of inclusion/exclusion of European citizenship should be defined in the light of economic, geopolitics, and historical factors. Some North African countries could be included in EU as they sheltered European populations for decades (French in Maghreb, English in Egypt) while the entry of Turkey and some Central and Eastern European countries in the EU (“neighbourhood policy”) is less defended for economic and political reasons (the first one will get too much influence thanks to its demographic

25 The plate-form helps associations to apply for European projects, provides training for the leaders of associations, etc.
weight and the latter will absorb part of the structural funds). Our informant stressed the importance of exchanging transnational experiences (for instance within the associative action) and of top-down policy (EU should promote the development of European associations).26

IV. Between increasingly restrictive legislation and arbitrary praxis

4.1 Creating selective ‘victims’

The gap between law and praxis refers mostly to the discretionary power of institutions and of administrative officers. There is evidence of their arbitrary intervention both in the case of issuing provisional stay authorisation (Autorisation Provisoire de Séjour - APS) when women file a complaint or testify against traffickers and/or their procurers and in the case of granting permanent residence permits when the criminal networks get arrested, according to our informant from the association Les Amis du Bus des Femmes. This means then unequal territorial application of policies varying from strict implementation of which considers passive soliciting as a crime, to granting APS to those women who merely attend programs for ‘social reinsertion’. But there are many cases of trafficking which do not fit into the scenario which can lead to granting an APS or a residence permit. Our informant gave an example of a girl whose network was arrested, but who meanwhile had gone back to her country. There she was again threatened and persecuted and therefore came back to France looking for help in this association. The police officers in this case refused to cooperate – “her network” being already arrested.

According to our informant, public authorities, and more specifically police officers have a stereotyped, victimising, paternalist and discriminating image of migrant women seen as « victims » of trafficking. Colour of skin, ethnicity and psychological characteristics are among elements participating in the definition of a victim, who would have to be “depressed, white if possible, blonde, Polish and terrorised”, and be “grateful to justice and to police officers” in order to be defined as ‘victims’.

Catherine Deschamp (2006) also developed the idea that East-European women fit with the stereotype of victims. « Unlike the young Africans, expressing their suffering more easily, girls from East-European countries echo the conception that many social workers have of their own work. The point is not that they are always sullen or systematically beaten (…), but their demands (…)of compassionate listening confirm the representations of prostitution as violence” (Deschamps 2006: 58). These East-European women produce an alibi discourse in favour of social reinsertion and prevention of prostitution defended by some NGOs. This point is also denounced by our key informant (see below).

Our informant attributed to police officers an instrumental perception of prostitutes’ behaviour as, in the eye’s of these officials, they are supposed to seek protection in order to be granted APS. The danger of essentialising in the rhetoric of victimisation is increasingly denounced in the literature, by Rutvica Andrijasevic (2003) among others. Concerning East-European women in Italy, she says: “for example, when the threat of violence upon returning home or the danger of traffickers’ retaliation does not clearly appear from a woman’s story, immigration officials do not accept her claim to stay in Italy. In this way, the current legal conceptualization of trafficking not only disqualifies women’s agency by establishing a normative narrative grounded in forced migration, coercion into prostitution and economic exploitation, but also penalizes those women who fall out of the established norm”.27

Our informant points to the agency of these women and the gap between stereotype and reality. The refusal of notions such as « social re-integration » of prostitutes participates to this global image countering the one of “victims”. Echoing the prostitutes own discourse within the organisation Les Amis du Bus des Femmes, she recalls that prostitution may be voluntary although not necessarily

26 For lack of time and availability we could not reach any representative of a very active organisation Migreurop www.migreurop.org. Meanwhile the contact has been established and we expect to have Migreurop represented at our local FEMIPOL conference in September 2007.
conceived as a salaried profession and that having to be “re-integrated” in the society would mean that this past is rejected, or negatively apprehended. She makes a parallel with the imprisonment experience that calls for a reintegration. She totally refuses this moral precept or judgement and in her narrative distantiates herself from victimisation and paternalism. More or less directly, she opposes the action and the orientation of her organisation to that of Le Nid, another organisation dealing with the issue of prostitution and trafficking. It is reputed for defending the abolitionist approach of prostitution but is labelled by our informant as ‘prohibitionist’, the ultimate objective of Le Nid being the eradication of prostitution.

4.2 ‘The right to choose to live in a family or to leave it’ in question

The right to live as a family is one of the basic human rights, stipulated in the Human Rights Convention, art.8, ratified by France. Our interview partners, for whom the right to live with one’s family (including reuniting with the elderly parents living abroad) constitute an important dimension of the integration process (association Femmes de la Terre), draw attention to the praxis under the increasingly strict legislation. The immigration law of July 2006 increases the required waiting period of marital cohabitation (from two to three years) before granting residency to the reuniting spouse. This increases the dependence of women on their partners. Our informants condemn the measure and point to the arbitrary interpretation by the Prefectures of the meaning of cohabitation. For instance, the spouses with stable status (mainly men) have now more time at their disposal to use the legislation to their advantage, whereas their spouses if they claim rupture in (marital) cohabitation, they do not get residency. Another informant (from the Association AFAVO) gives an example of women who may be subjected to violence or observing customs they were not used to in their home country: well educated women find themselves obliged by their husbands to wear a headscarf and to bear the brunt of other practices they were not previously familiar with. It takes time for these women to separate from their husbands because in doing so they would find themselves in a legally unstable status. These women, he said, will not leave France (even if they are undocumented) because they would have to face hostility in their countries of origin as repudiated or separated.

There is evidence of discretionary power of the administration, in particular the police officers. When for instance migrant women victims of domestic violence file a complaint they may be faced with discredit (Amnesty International 2006), or the assumption that the violence is a “cultural” matter which essentializes individuals and groups (association AFAVO). The women plaintiffs also run a risk that their irregular situation is denounced (association Femmes de la Terre) or even that the police officers would inform the husband about the complaint (Employment Service, association Du Côté des Femmes). That is why domestic violence remains unpunished despite women’s attempts to lodge complaints. Moreover, even when women lodge complaints and although the law grants them the right to remain in the marital residence, in practice they are often forced to leave it to protect themselves from further violence.

Conclusion

Integration and belonging to the French Republic and Nation: from the manifestation of free will to coercion

Regarding the compulsory character of the Reception and Integration Contract instituted by the immigration law of July 2006, our informants, members of institutions designing migration and

---

28 For some political point of views about family reuniification, see Fanny Petit, « Le piège du regroupement familial », in: [http://www.gisti.org/doc/plein-droit/69/piege.html](http://www.gisti.org/doc/plein-droit/69/piege.html) (15.10.06); and more generally, as far as the new legislation on immigration is concerned, for an analysis denouncing its restrictive perspective, see for instance the website of the Group of Information and Support to the Immigrants (Groupe d’Information et de Soutien aux Immigrés - GISTI), [http://www.gisti.org/](http://www.gisti.org/). And more particularly: Uni(e)s contre la migration jetable. Analyse de l’avant-projet de loi modifiant le code de l’entrée et du séjour des étrangers et du droit d’asile (CESEDA), in: [http://www.contreimmigrationjetable.org/IMG/pdf/analyse_2006-02-09_Uni-e-s.pdf](http://www.contreimmigrationjetable.org/IMG/pdf/analyse_2006-02-09_Uni-e-s.pdf) (15.10.06)

29 This is stipulated in the Law of May 26, 2004 about divorce.
migrants’ integration policies and of NGOs formed around the issues concerning female migrants and migrants’ rights developed and confronted different conceptions of integration and hospitality. On one hand, the conception of integration as a bottom up process implying reciprocal obligations of both the guest and the host, respect of informal codes and correlative importance for some key informants of the manifestation of the free will on behalf of immigrants to formalise or not their adherence to the values of the Republic. In contrast to that is the defence of the integration as a top down process, migrants being compelled to commit themselves to accepting the rules laid down by the host society.

In the metaphor of the open house appears for instance the notion of savoir-faire or savoir-vivre of guests already knowing how to behave in society as far as the rules of hospitality are concerned. Migrants are aware that they are foreigners/guests in the host house and there is no necessity to remind them of the rules. Recalling the rules and most importantly the contingent obligation to respect them would suggest assuming migrant to be a potential delinquent able to subvert them. On the other hand, for those who firmly defend the formalisation and compulsory character of the Reception and integration contract this reveals the importance of the migrant as a subject of rights. Migrants should be entitled to access the common law (“droit commun”) and the rules should be clearly stated. This view is close to the argument raised by the Haut Conseil à l’Intégration: within the civil society, the law concluded and consented has to grant individual rights. The acceptance of the rules (or at least their formal acceptance) preludes to integration in society.

**The rhetoric of deterioration versus the image of actors**

Deterioration of migrants’ condition is repeatedly referred to in throughout diverse narratives. It is related to the financial disengagement of the state taking different forms: uncertain financing of associations working in the field of poverty, socio-economic insertion, migrant and refugee rights or drastic reduction in provision of professional and language training. Deterioration is also often linked to the restricted juridical context, as evidenced in a quasi ritual mention of the immigration laws and their effects: difficult economic integration due to juridical insecurity (obligation to renew documents each three months instead of a year), relegating women, more particularly, to temporary work and short missions; precariousness, accentuated problems of public health for prostitutes or trafficked women placed under the thumb of criminal networks and, as we have been told, of the police officers. Deterioration of migrants’ condition is also perceptible in the denunciation of the rise of arbitrary government, interpretation, inequity, far away from the rule of law: arbitrary interpretation of the Prefecture, for instance, when it comes up to the Prefect to deliver resident permits to those who made possible the arrest of criminal trafficking networks; arbitrary interpretation of the police officers who choose to accept the complaint of migrant women victims of domestic violence. Finally, deterioration is observable through the traumas mentioned by the key informants (depressions, psychological fragility, domestic violence) and which come to light in everyday interventions having on other matters.

Throughout the narratives, women appear as victims in particular when confronted with trafficking, domestic violence or other physical gendered violence. Nevertheless, there is evidence of the emergence of the image of migrants as actors, and more specifically of women endowed with strength, rationality and resources opposed to the victim one. Several informants from NGOs underlined that the final goal of their global follow-up would be that women achieve autonomy, which is another way of stressing the importance of the individual and of “actors”.

**From a recognition of suffering to a recognition of rights?**

Several key informants mentioned the importance of listening to people’s problems which constitutes a social recognition of their suffering and/or of their role of actors of their lives, a way of learning from them (materialised by the idea of receiving instead of just giving assistance). Even though these “objects of suffering” cannot become “objects of rights” (Fassin 2002), for instance the key informants being aware that they cannot help these women to apply for documents (what would turn them into “objects of rights”), listening to them (recognising them as “objects of suffering”) is an important step to help migrants hold on. Paradoxically these key informants did not miss to underline that through listening to life histories, and learning from these migrants and migrant women they received the strength to hold on themselves, to pursue their work. Migrant women demonstrate and
pass on to them their courage and dynamism. *It is to a slight dissociation of the ideas of victimization and of suffering that we are invited to:* women may be “objects of suffering” without necessarily being victims or – at least when having suffered from violence or trafficking – victims as understood by the administration and its agents (example of trafficked women supposed to be grateful and submitted to their savers).

A « new economic and social model » based on the transfer of reproductive labour and on the development of human resources

Care for the sick and elderly, domestic work, private lessons, gardening, are among the service activities expected to develop and possibly drop out of the informal economy mainly thanks to the Universal Service Job Check. Instead of raising their employees’ salaries, employers have the possibility from now on to finance universal service job checks that their employees may use to recruit personnel to perform reproductive tasks in their homes, directly or through intermediaries. The employees thus relieved of their reproductive chores and worries, would be, it is assumed, more productive at work. This measure is therefore presented as a *way of enhancing the human resources of the persons recruiting domestic servants.* The social and psychological dimension of these employees’ human resources is taken into account.

This does not seem to be the case of the domestic employees or care workers recruited. As a matter of fact, the social dimension of their labour insertion is either denied or not fully taken into account in their training aimed at re-entering the labour market and more precisely the personal services sector. This ‘social dimension’ of their human resources refers to actions that should be implemented such as training on self-presentation, social and psychological follow-up in case of domestic violence, etc. These actions (social and gendered dimension of job search techniques for instance) are not taken into account by the organisations financing associations. Thus the inequality is perpetuated. The focus on quality of life of the persons recruiting domestic and care workers contrasts with the absence of consideration for the human and social dimensions of these workers. It is as if this social aspect was not constitutive of their “human resources” which are reduced to basic economic considerations. More generally, even within NGOs aimed at helping deprived people (undocumented persons for instance), psycho-social aspects of integration (such as integration in sociability groups, or activities) are often perceived as secondary compared to the more traditional language training. One assessment could be that “the divided society” described by André Gorz (1988), within which some persons compose a “servant class” low paid and employed by middle and upper classes to relieve the latter from domestic tasks and help them save time could find a new illustration here. It is not only that a “servant class” fills precarious jobs for the benefit of others, but that this transfer of reproductive labour is defined as a way of increasing human resources within the well-paid or those in stable professional positions.

There arises the question of increasing the professionalism of this sector of activity. What do the actors mean by « arising professionalism » within the personal services sector? Which aspects of the professions and training are going to be socially valued and effectively financed by the institutions? And, above all, how is it possible to transform personal services into attractive professions?

---

30 Forum de l’entreprise et des services à la personne. Le Chèque Emploi Service Universel, outil de votre politique des ressources humaines, 12 juin 2006, Espace Grande Arche La Défense.
References


### ANNEX

**Annex 1: Description of the sample**

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Field</th>
<th>Informants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction de la Population et des Migrations</td>
<td>Migration policy</td>
<td>One informant in charge of women’s and legal issues and one informant in charge of immigrants’ reception issues</td>
</tr>
<tr>
<td>Agence Nationale de l'Accueil des Étrangers et des Migrations (ANAEM)</td>
<td>Reception</td>
<td>One representative (« chargée de mission ») and one social worker and « adjointe à la Direction des Activités en France”</td>
</tr>
<tr>
<td>Agence Nationale des Services à la Personne</td>
<td>Personal services</td>
<td>In charge of professionalisation issues</td>
</tr>
<tr>
<td>Association du Côté des Femmes - Espace Emploi</td>
<td>Women’s support/Socio-economic insertion</td>
<td>Head of the section of the Employment service</td>
</tr>
<tr>
<td>Les Amis du Bus des Femmes</td>
<td>Prostitution/Trafficking</td>
<td>Project manager (Trafficking issues)</td>
</tr>
<tr>
<td>La Cimade</td>
<td>Migrants and refugees</td>
<td>Responsible for training activities</td>
</tr>
<tr>
<td>Secours Catholique, Délégation de Paris (Nord-Ouest)</td>
<td>Poverty and exclusion</td>
<td>In charge of matters relative to foreigners, Paris office</td>
</tr>
<tr>
<td>Plate-forme Migrants et Citoyenneté Européenne</td>
<td>Citizenship and migrants' rights</td>
<td>President</td>
</tr>
<tr>
<td>Femmes de la Terre</td>
<td>Migrant and refugees' rights</td>
<td>Lawyer</td>
</tr>
<tr>
<td>AFAVO (Association de Femmes Africaines du Val-d'Oise)</td>
<td>Cultural mediation</td>
<td>One informant in charge of the socio-cultural mediation and one informant in charge of the legal assistance</td>
</tr>
</tbody>
</table>
**Annex 2: Presentation of the Organisations**

Created in 1945, the Department for population and migration (Direction de la Population et des Migrations - DPM) is attached to the Ministry of Employment. It “participates in the elaboration of legislation regarding foreigners in co-operation with the Ministry of the Interior”, “handles requests for work authorisations and family reunifications”, “defines and spurs the integration policy for populations of foreign origin and fights against discrimination, in co-operation with other ministerial departments and local actors”.  

In line with the decision of Inter-Ministerial Committee meeting of April 10th, 2003 to create a public reception service in the context of the new immigrant reception policy, the law No. 2005-32 of January 18th, 2005, called the law for social cohesion, created a new entity in the form of the National Agency for the Reception of Foreigners and Migration (Agence Nationale de l’Accueil des Etrangers et des Migrations - ANAEM), put in place in April 2005 and placed under the tutelage of the Ministry of Employment. This creation resulted from the merger of the Office for International Migrations (Office des Migrations Internationales - OMI) and the Service for Social Aide to immigrants (Service Social d’Aide aux Emigrants - SSAE). The OMI used to be attached to the Ministry of Employment and was mainly responsible for the recruitment and introduction of foreign workers in France. The SSAE was an association, created in 1926, then recognised for its public utility in the 30's having for its public service mission the reception of immigrants. The ANAEM, which combines the administrative jurisdictions of the OMI and the social activities of the SSAE, is more specifically “in charge of the public service of reception of non-EU foreign nationals who are first-time holders of residence permit authorising a long-term stay in France”. Foreigners are received in platforms managed by the ANAEM where they are proposed a personalised follow-up (civic instruction, language courses, etc.).

The National Agency for Personal Services (Agence Nationale des Services à la Personne - ANSP) was created in October 2005 (Decree No. 2005-1281 of 14 October 2005) in the wake of the law No. 2005-841 of 26th July 2005 to promote the development and quality of personal services. It is placed under the tutelage of Ministry of Employment. Its missions were defined by the above Decree: promoting the emergence of new personal services and enhancing their quality; assuming the function of a statistical observatory of the evolution of services and employment in the sector; assuring the impulsion of collective negotiation; supporting the development of the Universal Service Job Check (CESU - Chèque emploi service universel); informing about the rules applicable to the sector.

The association Du Côté des Femmes targets women and claims its belonging to the feminist camp and was created in 1983 when it focused on family planning. This organisation advocates women’s autonomy through socio-economic insertion and gives support to women victims of violence. Its Employment Service is a training provider targeting women and giving them support for entering or re-entering the labour market. Its public is composed of women in precarious situation independently of their status (whether they are welfare recipients or not…).

One of the main characteristics of the NGO Les Amis du Bus des Femmes created in the 1990’s is to be composed of professionals, health professionals as well as former prostitutes. Advocate of the recognition of rights to prostitutes, this organisation nevertheless refuses the label of “regulationist” characterising those who defend the regulation of prostitution and who thus recognise its existence. It has been against the salaried status of prostitutes (implying fixed working hours) and against re-opening of brothels. This NGO provides information to prostitutes about AIDS and other sexually transmitted diseases.

---

31 La DPM : ses missions, ses attributions, in: [http://www.social.gouv.fr/htm/dossiers/dpm/ldpdp/presentationdpm.htm](http://www.social.gouv.fr/htm/dossiers/dpm/ldpdp/presentationdpm.htm) (08.05.06)
32 L’ANAEM, in: [http://www.anaem.social.fr/introduction.php?id_article=6](http://www.anaem.social.fr/introduction.php?id_article=6) (07.05.06)
34 Du côté des femmes, in: [http://www.ducotedesfemmes.asso.fr/](http://www.ducotedesfemmes.asso.fr/) (08.11.06)
transmissible disease, it provides assistance in administrative issues and support to re-entering the labour market when women expressly manifest their intention to give up prostitution. The public attended by this organisation is composed of the so-called “traditional prostitutes” and of generally young women, mainly coming from Eastern Europe and Africa, many prostituted against their will. This NGO has a special service attending to trafficked women.

The Cimade, created in 1939, is an ecumenical NGO providing support to migrants, refugees and involved in East and South development. Specialised in the immigration laws, this organisation had 115 salaried members in 2004 (Goubin 2005). Language courses are proposed in its training centre. This organisation has opened a counselling centre (“permanence”) specifically for women (2004) and has been receiving women demanding the right of asylum for having been persecuted by acts of sexist violence.

The Secours Catholique is a catholic NGO created in 1946. Its objectives are poverty and exclusion reduction. It develops actions towards the homeless, migrants, unemployed. Its action is inspired by the idea of charity without distinction of race, religion or nationality. It comprises 106 delegations, 4200 local units, and 67 000 volunteers.

The Platform Migrants and European Citizenship (Plate-forme Migrants et Citoyenneté Européenne - PMC) federates associations of migrants, develops associative and institutional partnerships at the national and European level (European and French NGOs, European Commission and Parliament, etc.) and advocates for the recognition of the European citizenship to the benefit of non EU migrants. Its goals are the development of a transnational associative co-operation and bringing closer the European institutions and the civil society. The platform helps associations to apply for European projects and, among other activities, provides training for the leaders of associations. This organisation transmitted its observations on the Green paper on “An EU approach to managing economic migration” (European Commission’s, Directorate general for Justice, Freedom and Security) and organised the Forum “Issues of diversity in Europe and European Citizenship”, 21-22 October 2006 held at the UNESCO, Paris.

The idea of setting up the NGO Femmes de la Terre (created in 1992) was born out of the acknowledgement of foreign women’s double discrimination (as women and as foreigners) and of the need for a specific place to receive them and provide assistance with legal and administrative issues (Coq 2006). This small but active organisation had few volunteers and only two salaried members at the time of the interview. Its small size contributed to the perpetuation of its specificity (collective work, efficiency) but is seen as an obstacle to developing its networking activities (Coq 2006). Nevertheless, apart from co-operating with other NGOS (such as the GISTI), Femmes de la Terre is engaged in several networks: the European Co-ordination for Foreigners’ Rights to Family Life; the European Network against Racism; the GRAF (Groupe Asile femmes) advocating for the recognition of right to asylum for women victims of violence. The NGO signed the petition “united against a disposable immigration” demanding withdrawal of the latest immigration law (of July 2006).

The Association of African Women of the Val-d’Oise (Association de Femmes Africaines du Val-d’Oise - AFAVO) proposes cultural mediation for the purpose of facilitating African immigrants and other immigrants’ integration and autonomy in the French society on the one hand and sensitising French institutions to the culture and cultural meaning of immigrants’ behaviour on the other. The association proposes a social follow-up (juridical support and counselling, etc.) and social-educational and cultural animation (computer training, sewing courses, alphabetisation, support to the parental function, etc.).

---

35 Cimade, Service ecuménique d’entraide, in: http://www.cimade.org/ (12.08.06)
36 Secours Catholique - Caritas France, in: http://www.secours-catholique.asso.fr/ (12.08.06)
37 La plate-forme Migrants et Citoyenneté Européenne, in: http://www.pmc-europe.info/content/view/44/87/ (08.11.06)