

EUROPE: NEW VOICES, NEW PERSPECTIVES

**Proceedings from the Contemporary Europe Research Centre
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Edited by Matt Killingsworth



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PREFACE

This book represents a number of significant firsts. It is the first book published under the auspices of the Contemporary Europe Research Centre (CERC) at the University of Melbourne. It is also the first publication in Australia devoted entirely to postgraduates whose research is European focused. As such, this publication represents an important milestone in Australian-based research that is devoted to all issues European.

The chapters are drawn from two CERC postgraduate conferences: *Politics of Belonging: Citizenship, Migration and Ethnic Conflict in Europe*, held in 2005; and *Europe: New Voices, New Perspectives*, held in 2006. The community of European focused researchers in Australia is relatively small, diverse and extended across a large area. The CERC postgraduate conferences, held annually since 2004, represent a unique and dynamic forum in which postgraduates come together to disseminate ideas amongst their peers. As an interdisciplinary conference, this annual event facilitates a diverse range of ideas across a broad range of European fields, including economics, history, literature, and politics. Furthermore, the CERC postgraduate conference is a national event, with participants attending from universities in New South Wales, Queensland, South Australia, Tasmania, Western Australia and Victoria.

Not surprisingly, a project of this magnitude required significant financial support. The CERC postgraduate conferences would not have been possible without the support of European Union funding through the Jean Monnet Centre of Excellence Award granted to CERC. This award supported the establishment of the CERC postgraduate conference and in particular provided student mobility grants, allowing participants from throughout Australia to attend the conferences. This small but significant amount of money provided funding to ensure that students were able to come to Melbourne to participate in this genuinely national event. The organisers are also grateful for the ongoing support of the Contemporary European Studies Association of Australia (CESAA).

This book would not have seen the light of day had it not been for the contributions of a number of people. As the CERC Director, Associate Professor Philomena Murray’s passionate support for this project has been an integral ingredient in its getting off the ground. Likewise, this project

benefited greatly from the involvement of Adam Berryman, Geraldine East, Dora Horvath, Fiona Machin, Iva Pauker, Tony Phillips and Katrina Stats, all of whom brought their first-rate organisational skills to establishing and running the CERC postgraduate conferences. Finally, the CERC postgraduate conferences, and hence the publication of this book, would not have been possible without the active participation of the CERC Fellows. Numbering approximately fifty, this group of academics offer generous amounts of their time in a variety of capacities. Their unstinting support is greatly appreciated.

In making *Europe: New Voices, New Perspectives* available free of charge through the CERC website, CERC is not only encouraging non-discriminatory access to postgraduate research, but also hopes to promote continuing high quality European focused postgraduate research in Australia.

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FORTIFYING EUROPE: POLAND AND SLOVAKIA UNDER THE DUBLIN SYSTEM

Madeleine Byrne

This paper will consider whether Mike King's 'buffer zone' thesis has relevance when considering the experience of Poland and Slovakia under the Dublin system, which requires the return of asylum seekers to their first country of entry into the European Union (EU).

The paper will first offer an analysis of the principal elements of King's thesis. These are the 'domino effect' created by bilateral readmission agreements; the significance of non-state actors in the framing of asylum policy, what King describes as the "dynamic 'reshuffling' of geo-political groupings", and his conception of the buffer zone as a series of concentric circles of influence.

It will then scrutinize the Dublin II Regulation to argue that King's thesis remains relevant when considering Poland and Slovakia's asylum policy for two reasons. It illustrates the asymmetrical relationship between these 2004 accession states and the EU, while manifesting a tension between state sovereignty and supranational governance.

This article seeks to explore Mike King's notion of the 'buffer zone' in light of immigration policy and practice within the European Union (EU). In particular, it will assess whether King's concept has continuing relevance with regard to the asylum policies in Poland and Slovakia. This analysis is structured as follows. Section I analyses three principal elements of King's buffer zone thesis, first developed in 1994. These are the 'domino effect' created by bilateral readmission agreements; the significance of non-state actors in the framing of asylum policy, what King describes as the "dynamic 'reshuffling' of geo-political groupings", and his conception of the buffer zone as a series of concentric circles of influence.

Section II scrutinizes the impact of the Dublin II Regulation on Poland and Slovakia in terms of King's thesis. The importance of Poland and Slovakia within the contemporary EU asylum regime cannot be understated as both nations now form the Union's eastern border. Moreover, they offer an

interesting counterpoint to each other. Poland was a ‘trailblazer’ in terms of its early bilateral agreement with Germany that has provided the foundations for broader EU cooperation on asylum policy and led to developments towards a common asylum system. While Slovakia has the lowest refugee recognition rate in the Union, which I will suggest reflect an asylum system under stress.

Central to King’s thesis is that the ‘buffer zone’ protects the more powerful partner’s interests to the detriment of the weaker party’s interests.¹ There is evidence that Poland and Slovakia resisted implementing elements of the *acquis communautaire*, which they could see would lead to an unequal distribution of the asylum burden within their borders and potentially undermine the development of strong bilateral relations with their neighbours.²

Both countries also face challenges resulting from the introduction of ‘restrictive’ immigration policies as a result of their accession to the EU. These include logistical difficulties, arising from increased reception requirements, and concerns about their self-image as nations traditionally welcoming of refugees, or where the politics of immigration have largely been a marginal concern.³

¹ Heather Grabbe, ‘The Shape Edges of Europe: Extending Schengen Eastwards’, *International Affairs*, Vol. 76. No. 3, (July 2000) p.521; FFM (*Forschungsgesellschaft Flüchtl und Migration*) ‘EU Asylum and Immigration Policies in Central and Eastern Europe: The “domino” effect,’ www.ffm-berlin.de/domino-pdf December 1997, p.1 accessed 8 September 2006. See also Claire Wallace and Dariusz Stola (eds.), *Patterns of Migration in Central Europe* (Basingstoke: Palgrave, 2001), pp.7-13.

² Grabbe, ‘The Sharp Edges of Europe’ p.526; Peter Vermeesch, ‘EU enlargement and immigration policy in Poland and Slovakia’ *Communist and Post-Communist Studies*, Vol.38, No. 1, 2005, pp. 84-86; Margit Besseney Williams, ‘On Europe’s Edge: New and Old Borders in Central and Eastern Europe’ Paper presented at “The New Faces of Europe”, University of Florida, Centre for European Studies, Paris, 18-19 February 2005.

³ See Helmut Dietrich, *Etat d’urgence pour les réfugiés*, <http://www.ffm-berlin.de/etaturgence.html> (2005) In: Plein Droit, Nr 65 (2005), accessed 26 September 2006. Holmes and Zagorski have identified a relative lack of xenophobic attitudes among Poles. When asked about the benefits and threats created by foreigners, around two-thirds mentioned benefits. However, a majority (56 %) believed Poland did not need more migrants and almost half (48 %) only wanted refugees to remain on a temporary basis. Leslie Holmes and Krzysztof Zagorski, ‘Polish Attitudes Towards Foreigners: Migration and People-Smuggling, an Analysis of Recent Survey Data’, Unpublished paper presented at the 7th AACPS Conference, ANU, Canberra, 4-5 February 2005, pp.7 & 10. Karol Zbořil, director of the Slovak Refugee Council noted that in Slovakia there were ‘no signs of the extreme negative attitudes (towards asylum seekers and refugees), which exist in other parts of Europe’ (cited in Alice Szczepaniková, Marek Čaněk and Jan Grill (eds.), *Migration Processes in Central and Eastern Europe: Unpacking the Diversity* (Prague: Multicultural Centre Prague, 2006), p.66

Buffer Zone Or ‘Middle Zone’?

The terms ‘buffer’ or ‘buffer zone’ have traditionally applied to a small independent states or groups of states lying between two or more larger rival military powers.⁴ Collinson suggests that is unsurprising that a term previously used to describe Central and Eastern Europe’s geopolitical interwar status (when it was a ‘politico-military buffer’ between Germany and Russia and then later between NATO and Warsaw Pact countries) is again being applied to the region. Within Central and Eastern Europe (CEE) however, the term is politically sensitive. Not only does it imply a dependency on the West, as Kürti notes, but risks reinforcing a sense of ‘otherness (and) backwardness’ in the region.⁵

As a result of these sensitivities, Stola prefers to characterize CEE as a ‘middle zone’ not ‘buffer zone’ between East and West.⁶ Historians have used the term ‘middle zone’ to indicate the region’s status in the interwar period, but also during the Hapsburg Empire.⁷ However, the term evades consideration of the key element of the ‘buffer zone’ thesis; that is the power imbalance between the states seeking to institute it and their perceived need for ‘protection’ from unwanted asylum seekers or other potential immigrants. It is for this reason that I believe that the term ‘buffer zone’ has continuing value in discussions about contemporary EU asylum policy. As I will seek to demonstrate here, CEE is continuing to provide a ‘protective’ role within the Dublin system.

FORTIFICATION AND ‘FORTRESS EUROPE’: THE EU AND ITS ‘BUFFER ZONE’

In 1994, Professor Mike King from the University of Birmingham presented a paper at a European Consortium for Political Research (ECPR) planning session in Madrid called ‘Conceptualising “Fortress Europe”’: a consideration of the processes of inclusion and exclusion’.⁸ In the paper,

⁴ Sarah Collinson, ‘Visa Requirements, Carrier Sanctions, ‘Safe Third Countries’ and ‘Readmission’: the Development of an Asylum ‘Buffer Zone’ in Europe, *Transactions of the Institute of British Geographers*, New Series, Vol. 21, No.1 (1996) p.79.

⁵ Wallace and Stola, *Patterns of Migration in Central Europe*, p.73.

⁶ Ibid, pp.84-105.

⁷ Ibid, p.86.

⁸ Mike King, ‘Fortress Europe: The Inclusion and Exclusion of Migrants, Asylum Seekers and Refugees’ *Studies in Crime, Order and Policing Occasional Paper no. 6*, Leicester, Centre for the Study of Public Order.

King expressed his unease with the idea of a 'Fortress Europe' as a static entity, in which the opening up of external borders mirrored the introduction of compensatory measures of control.⁹ King elsewhere stated that 'Fortress Europe' was seen as a 'structure for the *réfoulement*¹⁰ of immigrants, refugees and asylum seekers, a citadel with the drawbridge closed, a geopolitical space with firmly shut doors, an iron curtain.'¹¹ King identified two primary difficulties with the 'Fortress Europe' concept. First, it usually only referred to the Schengen and EU area as a whole. Second, it over-emphasised exclusionary controls, policies and effects immediately external to that area.¹²

Rather than one single 'Fortress', King suggested that what instead existed in the EU were processes of 'Fortification'. Exclusionary border policies did not only create an environment of 'insiders' and 'outsiders', but an evolving dynamic sustained by relationships of inclusion and exclusion. Moreover, King argued that the restrictive policies of inner Europe were causing a 'ripple of corresponding controls' on the borders of outer-Europe that he called the 'domino effect'.¹³ Drawing on Gramsci's notion of the state being a relatively defenceless 'outer ditch', without its 'fortress' and 'earthworks', King suggested the metaphorical perimeter walls of the EU fortress expanded and incorporated those on the margins.¹⁴

Two pieces of legislation provided the outer limits of this process of Fortification – the 1951 *Geneva Convention on the Status of Refugees* and the 1993 amendment of the Federal Constitution of Germany that enacted the principle of the 'safe country principle'.¹⁵ In this respect, the 'buffer zone' is as much a consequence of legislation as geography. As Christiansen and Jorgensen state:

⁹ Ibid, p.1.

¹⁰ This term relates to the return of refugees to countries where they may face persecution based on their race, religion, nationality and other factors identified by the 1951 *Geneva Convention Relating to the Status of Refugees*.

¹¹ *Structure de réfolement des immigrants, des réfugiés et des demandeurs d'asile; une citadelle dont le pont-levis est fermé, un espace géopolitique aux portes obstinément closes, un rideau de fer*. Mike King, 'Contrôles: frontières, identités: Les enjeux autour de l'immigration et de l'asile' *Cultures et conflits* no. 26-27 (1997) pp.35-49 (<http://www.conflits.org/document361.html>).

¹² King, 'Fortress', p.1.

¹³ King, 'Policing Refugees and Asylum Seekers in "Greater Europe": towards a reconceptualisation of control', in M. Anderson and M. den Boer (eds.), *Policing Across National Boundaries* (London: Pinter Press, 1994), p.70.

¹⁴ King, 'Policing', p.71.

¹⁵ King, 'Contrôles'.

The walls around the alleged 'Fortress Europe' [do not define] at one stroke, territory and *raison d'être* of the polity. Instead, membership and space, which are defined by different policies overlap. The walls 'erected' by individual policies intersect.¹⁶

Here, notions of a fixed 'border' (or territory) come under challenge, not only via mechanisms of control – the *police à distance*¹⁷, which prevents certain third-country nationals considered to be a 'flight risk' from entering the EU – but in the way such mechanisms are internalized into the domestic legislation of third countries. As Rigo notes, within the EU borders, there are no longer lines between territorial units that define separate sovereignties, but rather areas where sovereignty is shared among different actors and occasionally private agents.¹⁸

The 'Domino Effect' and Bilateral Readmission Agreements

Readmission agreements allow for the return of irregular immigrants to the second state, these immigrants being either citizens, or third country nationals that have transited through the former state's territory. Though generally associated with EU immigration policy debates in the 1990s, such agreements are not new. Bi-lateral arrangements between France and Germany, Austria, the Benelux countries and Switzerland, were instituted in the 1960s.¹⁹

Readmission agreements within the EU have in the past taken many forms. Some were bi-lateral, others multi-lateral; mono-directional or reciprocal. Such agreements either allowed for the readmission of nationals or (rejected and otherwise) transited asylum-seekers and/or clandestine immigrants.²⁰ Most agreements ensured that the two nations accepted citizens and non-citizens of either territory. In contrast the readmission agreements of the 1990s, King suggests, were largely mono-directional,

¹⁶ Cited in Enrica Rigo, 'Citizens and foreigners in the enlarged Europe' Draft paper, presented at 'Implications of Enlargement for the Rule of Law and Constitutionalism in Post-Communist Legal Orders', European University Institute, Florence 28-29 November, 2003, p.12.

¹⁷ 'Policing at a distance' describes the preventative policing function of staff at consulates and embassies who determine which nationalities can get access to EU territory. See Didier Bigo and Elspeth Guild, *Controlling Frontiers: Free Movement Into and Within Europe* (Aldershot: Ashgate, 2005), p.235.

¹⁸ Rigo, 'Citizens', p.2.

¹⁹ King, 'Fortress' p.8

²⁰ Ibid.

that is from the western European states to CEE and supplemented by generous aid packages.²¹

Germany acted as a pioneer in terms of these 'new' readmission agreements with its *Governmental Agreement on Co-operation in Matters referring to Migration Movements* signed with Poland in 1992.²² The agreement modified an earlier agreement between Poland and the Schengen states, signed in 1991, which did little to impede the unauthorized movement of people, especially to Germany.²³ The impact on Poland as a result of its readmission agreement with Germany can be seen in statistics from 1996. During that year the Polish Border Guards accepted the readmission of 9,655 'illegal immigrants' from Germany – an increase of 6 % compared to the previous year.²⁴ The largest numbers came from Moldova and Armenia, but also included in the group were people from major asylum-producing countries: Afghanistan, Sri Lanka, Iraq, Russia and Pakistan.²⁵ In contrast, Germany accepted the return of 118 aliens from Poland in the same period.

More broadly, the significance of the German-Polish agreement lies in its embodiment of the 'safe first entry' principle that provided the basis for the Dublin system. Under this principle certain countries are 'safe', which means that asylum seekers can seek protection there. It also denies the possibility of either country's nationals lodging asylum claims as all EU Member States are considered 'safe'. In 1993, Germany amended its Federal Constitution to institute the principle of 'safe-first countries of entry'. This modification was, according to Rigo, enacted with the aim of regulating the arrival of asylum seekers from Poland and the Czech Republic.²⁶

As a result of this principle, applications by asylum seekers coming to Germany from a 'safe' third country were considered to be manifestly

²¹ The Germany-Poland agreement was concluded in 1993 after Germany agreed to a payment of DM120 million; while the readmission agreement with Romania took effect in 1992 on payment of DM 30 million for 'resettlement costs'. King, 'Policing', p.80.

²² Rigo, 'Implications', p.6.

²³ Ibid.

²⁴ Peter Futo and Thomas A. Tass, *Apprehension Statistics from Border Guards of Central and Eastern Europe: a Resource for Measuring Illegal Immigration?*, June 2001, p.69. Available at http://www.uni_corvinas.hu/~pfuto/ICMD_Apprehension_Statistics_methods.doc

²⁵ Ibid.

²⁶ Rigo, 'Implications', p.5.

unfounded, the logic being that they could have applied for asylum during their journey. Such asylum seekers are either denied entry or, if identified on German territory, deported. Soon after Germany changed its Constitution, other EU Member States adopted the principle, which meant that all countries bordering the Union were now considered 'safe', thereby creating the buffer zone.

Collinson acknowledges confusion about terms used to denote the so-called 'safe third country' principle, in that other terms used include 'first host country'; 'host third country', 'safe first country' and 'safe first country of entry', yet as the UNHCR noted all terms denote the idea of 'protection elsewhere'.²⁷ At the 1992 London meeting of the *Ad Hoc* Group on Immigration, EU ministers agreed to a resolution in which applications of asylum seekers found to have passed through, or spent time in, a country where they could have sought protection would not be examined and that the applicant may be sent to that country.²⁸ Designed to resolve the issue of 'refugees in orbit' – that is asylum applicants for whom no Member State takes responsibility – the resolution provided the foundations for the so-called Dublin Convention ('Convention Determining the State Responsible for Examining Applications for Asylum') signed by Member States in 1990.²⁹

This safe first country principle leads to what King described as the 'knock-on' or 'domino effect' in which CEE states conclude bilateral readmission agreements with countries further to the east and south.³⁰ Poland and Bulgaria, for instance, signed a readmission agreement in 1993 which provided that Bulgaria accept all Bulgarian asylum seekers sent to Poland from Germany, alongside all Bulgarians caught trying to enter Poland illegally. Poland also signed agreements with Poland and Moldova (1994), Croatia (1994), Romania (1993), the Czech Republic (1993), Greece (1994), Hungary (1994) and Ukraine (1993).³¹ Statistics from 1996 indicate the 'domino effect' of Poland's agreements with third countries. Two thousand three hundred and fifty one foreign nationals were expelled

²⁷ Collinson, 'Visa Requirements' p.83.

²⁸ Ibid.

²⁹ Ibid.

³⁰ King, 'Fortress' p.10.

³¹ Futo and Tass, *Apprehension Statistics* p.69 Slovakia had signed readmission agreements with Austria, Benelux, Bulgaria, Croatia, the Czech Republic, Hungary, Poland, Romania, Slovenia and Ukraine (ibid, p.82).

from Polish territory in that year: 887 went to Ukraine, 561 to Romania, 432 to Bulgaria, 357 to Moldova and 50 to Lithuania.³²

A ‘dynamic “reshuffling”’: non-state actors and EU asylum policy

Within the immigration and asylum area, matters that were typically the preserve of EU national governments have become the domain of ‘transgovernmental cooperation’ with little involvement of EU institutions.³³ Ministerial officials – particularly those from the ministries of the interior – law-enforcement agencies and other bureaucratic actors now take precedence, particularly in such ‘sensitive’ matters as border control strategies.

Grabbe has noted the rise of so-called ‘micro-security’ threats within the EU, in the absence of Cold War ‘macro-security’ concerns, which concerned ‘state-controlled and politically driven threats from national militaries’.³⁴ Such micro-level risks, Grabbe writes, are embodied by private individuals so that the ‘fear of tanks and missiles arriving from across the Iron Curtain has been supplanted by anxiety about uncontrolled immigration and cross-border crime’.³⁵ When defining the ‘buffer zone’ within the asylum and immigration policy context, Collinson states that it refers to an identifiable geographic zone ‘protecting’ by non-military means, the powerful and essentially stable western EU states from a perceived non-military security threat deriving from a proximate region of economic and political instability.³⁶

Within these post-Cold War geopolitical realities distinctions between defence, security and internal affairs become blurred, allowing transgovernmental groups a ‘high degree of autonomy and secrecy’ to pursue their agendas, ‘relatively independent of, and sometimes even contrary to the chiefs of government’.³⁷ The most salient example of this, according to Lavenex, is the Schengen group. In 1985, the Schengen agreement focused on the abolition of internal border controls and had no

³² Ibid, p.69.

³³ Sandra Lavenex, ‘The Europeanisation of Refugee Policies: Normative Challenges and Institutional Legacies’ *Journal of Common Market Studies* Vol. 39, No. 5, (December 2001), p.854.

³⁴ Grabbe, ‘The Sharp Edges of Europe’ p.520.

³⁵ Ibid.

³⁶ Collinson, ‘Visa Requirements’ p.79.

³⁷ Lavenex, ‘The Europeanisation of Refugee Policies’ p.858.

mention of asylum-seekers and refugees. By 1990, the second agreement contained only one article of the 142 on the free movement of persons, whereas 36 considered immigration.³⁸

According to Guiraudon, the relationship between policy development, especially that involving potentially controversial subjects such as the treatment of undocumented arrivals, inevitably excludes traditional actors, such as heads of governments. From the early to mid-1980s, asylum matters emerged in meetings by supranational groups (or ‘clubs’) involving civil servants and police officials, such as the Club of Bern and STAR group.³⁹ The Club of Bern and STAR Group predated the formal *Ad Hoc* Group on Immigration and were based on established ‘security clubs’.⁴⁰ These groups involved civil servants and police dedicated to other policing issues, such as terrorism and drugs, but quickly became involved in immigration control.

Not only did enhanced international co-operation on migration and asylum issues shift policy formation from the scrutiny of national judiciaries, it allowed for increased collaboration with non-EU actors, such as sending and transit countries, which Collinson dates from a 1977 program when France offered financial incentives for migrants to leave and 1980 when it entered an agreement with Algeria for migrants to return.⁴¹

Moreover, Guiraudon writes that discussions on asylum policy excluded the European Commission’s Social Affairs Directorate which was seen to be ‘old-fashioned’ and ‘maximalist’ while also having more input from pro-migrant NGOs and the European Parliament.⁴² Didier Bigo and Elspeth Guild note that on a more ‘mundane’ level this shift reflects the lobbying efforts of a coalition of internal security professionals (in particular, customs and border police) fearful of losing their jobs in an era of disappearing border controls.⁴³

³⁸ Ibid.

³⁹ Virginie Guiraudon, ‘European Integration and Migration Policy: Vertical Policy-making as Venue Shopping’ *Journal of Common Market Studies*, Vol. 38, No 2, (June 2000), p. 254.

⁴⁰ Gallya Lahav, *Immigration and Politics in the New Europe: Reinventing Borders* (Cambridge: Cambridge University Press, 2004), p.62.

⁴¹ Sarah Collinson, *Europe and International Migration* (London: Royal Institute of International Affairs, 1994), p.57.

⁴² Guiraudon, ‘European Integration’, pp.262-264.

⁴³ Bigo and Guild, *Controlling Frontiers*, pp.67-68.

The involvement of non-state actors enacts what I understand to be King's description of the 'dynamic "reshuffling" of geo-political groupings'. Not only are asylum seekers transported to a potential 'no-man's land' where they risk detention and deportation, but the formation of asylum policy occurs within a context that has little scrutiny, judicial oversight or popular input and is shaped by the interests of the various non-state actors.

The Budapest Forum planning meetings for the Phare programme exemplify this new process, with its dependence upon non-state actors. The European Commission-funded Phare programme was established to assist CEE candidate countries ready for their accession to the Union. One of its projects included the modernization and extension of Poland's eastern border.⁴⁴

Following the 15-16 February meetings of the Budapest Ministerial Conference, an informal Budapest Forum was established, at the request of the German Government.⁴⁵ According to the Berlin-based migration research organization, FFM, the meetings were notable in two respects; in the 'informal character' of the Budapest Forum and the key role played by non-governmental organizations.⁴⁶ Groups, such as the International Organization for Migration (IOM) and the International Centre for Migration Policy Development (ICMPD) which had commercial interests in the area were involved in the policy and program development.⁴⁷

The IOM, an inter-state body funded by 59 governments and private organizations and sponsors, moved from its original role as a provider of 'repatriations' – or deportations – to an organization that advises CEE governments on how to incorporate EU member state specifications on effective border control and end 'illegal immigration' from the eastern passage.

Similarly, NATO became involved in coordinating meetings for CEE governments on immigration control. In September 1996, a seminar of the NATO North Atlantic Cooperation Council was held in Warsaw called 'Economic Aspects of the Impact of Migration and Refugees on State

⁴⁴ Rigo, 'Implications', p.8.

⁴⁵ Ibid. p.4.

⁴⁶ Ibid.

⁴⁷ Ibid.

Security.'⁴⁸ Attending the meeting were representatives from most of the former Soviet Union and Yugoslav states, which have not yet become members of the Council of Europe.

The Berlin-based NGO, FFM argues that NATO's involvement reflects a desire to extend its sphere of operations in migration policy, following the post-1989 revision from external threats to domestic issues. While Grabbe has noted that in light of the involvement of such organizations and groups and establishment of such extra-EU fora, as the Budapest Forum, it is unsurprising that 'the implications for regional development of extending EU border regimes have so far been little discussed'.⁴⁹

The EU 'buffer zone' as circles of influence

To understand the Fortification process, King put forward the idea of the EU as an entity of a series of concentric circles. On the one hand, these circles impacted from the centre onto the periphery against the external area and on the other hand within the internal area itself.

To illustrate this, King developed a diagram in the centre of which was 'inner Europe', which consisted of the Benelux states and base of European Commission and then various circles, radiating out in terms of their relative influence and power.

Not only did King's diagram mimic the broad outlines of the European Union's geographic and political reality – with EU power at the centre and less powerful states located on the periphery – it also worked as a metaphor. Radiating out from the centre, the layering referred to networking processes of control, which involved an 'intensification of penetration'.⁵⁰ Yet, King also acknowledged that this reality was not as 'simple' as this. As a result of these restrictive policies, a series of 'buffer zones' emerged. Such 'buffer zones' included mechanisms designed to benefit the flow of labour, albeit within a hierarchy of layering of access and advantage.⁵¹ Most readmission agreements, which allow the return of irregular immigrants to a third country of transit or entry, include incentives

⁴⁸ Ibid. p.7.

⁴⁹ Grabbe, 'The Sharp Edges of Europe' p.526.

⁵⁰ King, 'Fortress', p.4.

⁵¹ Ibid.

such as enhanced access to the destination country's labour market or financial compensation. Poland signed the 1993 Poland-Germany readmission agreement, for instance, to obtain visa-free entry for Polish citizens in Germany.⁵²

However, as we will see through the following analysis of Poland and Slovakia's asylum and immigration policies, their status as a de facto 'buffer zone' for the western countries of the EU has led to considerable political and social challenges. Not only on the level of international relations and national self-image, but as a destination for asylum applicants.

The following section will focus upon the Dublin II Regulation and its impact upon Poland and Slovakia. Considerable logistical challenges have emerged as a result of the Regulation's practice of returning asylum applicants to their first country of entry, not least of which is the difficulty of guaranteeing humane reception conditions for asylum applicants and adequate support during the application process.

The UNHCR noted in 2004 that while CEE states had made considerable progress in their development of asylum systems, the region's capacity for determining claims and integrating refugees remained 'very limited'.⁵³ Raymond Gill, Director of the Bureau for Europe, UNHCR noted that in some new Member States there were only 10 or 15 asylum assessors and that a decade ago the countries had no asylum system at all. He added that if large numbers of asylum seekers were returned to these states the 'still fragile systems of new member states could easily be overwhelmed' and if procedures were 'pushed to the point of collapse', this could lead to a lowering of protection standards and increase in irregular movement between EU states.

Two factors suggest that Poland and Slovakia are struggling with the demands placed on them as a result of the Dublin system. The first is the high rate of absconding among so-called 'Dublin returnees', which in CEE ranged between 30 and 70 per cent during the first instance procedure of

⁵² Vermeesch, 'EU enlargement' p.80.

⁵³ Raymond Gill, 'The Emerging European Refugee Policy: Does it Live up to the Standards of the Geneva Convention?' *Cicero Foundation: International Seminar on Refugee and Migration Policy in the European Union* (18 November 2004) p.7.

their claim assessment⁵⁴. The second factor is the low rate of recognition of asylum claims. In the first six months of 2004, approximately 6,400 applicants for asylum were made in Slovakia, the highest number in the country's history and representing a 90 % increase on 2003; and yet Slovakia granted asylum to only two refugees over the same period.⁵⁵

THE IMPACT OF THE DUBLIN II REGULATION ON POLAND AND SLOVAKIA

Background to the Dublin system

On 18 February 2003, the European Council replaced the Dublin Convention with the Dublin II Regulation. The Regulation is binding on all Member States, with the exception of Denmark; while an agreement with the Republic of Iceland and the Kingdom of Norway made the instrument binding on these states also. As with the Dublin Convention, its principal objective is to determine which Member State is responsible for the assessment of asylum applications. The Regulation replaced the Convention following criticism it was 'unworkable', expensive and unwieldy.⁵⁶

Problems with the Dublin Convention, as identified by the European Commission, included its limited scope - it only referred to asylum seekers warranting protection under the *Geneva Convention* - difficulties of securing evidence relating to Member State responsibility; delays in effecting transfers and processing requests; costs; an absence of judicial oversight by the European Court of Justice and differences in member state policies and practices and issues relating to family reunion.⁵⁷ To remedy these difficulties, the Dublin II Regulation allowed member states to pool resources under the *Geneva Convention* and other international instruments;

⁵⁴ UNHCR, "Aktuálne informácie" <http://www.unhcr.sk/Default.aspx?catID=194>, accessed 1 October 2006.

⁵⁵ ERF (European Refugee Fund) et. al, *Information and Cooperation Forum (ICF) Final Country Report: Slovak Republic*, submitted to the European Commission, 28 February, 2005.

⁵⁶ Helen O'Nions states that that the Dublin Convention was 'haphazard, subject to severe delays (and) problematic' in the way it placed a disproportionate burden on the poor countries of southern Europe and forced the applicant to spend a great deal of time in transit (O'Nions, 'The Erosion of the Right to Seek Asylum', [2006] 2 *Web JCLI*. Available at <http://webjcli.ncl.ac.uk/2006/issue2/onions2.html>).

⁵⁷ House of Lords, <http://www.publications.parliament.uk/pa/ld/200102/ldselect/ldecom/100/10003.htm>, accessed 2 October 2006.

allowed Member States to determine State responsibility for claim assessment and reject a claim if elsewhere found to be unfounded. However, the Regulation still only applied to asylum-seekers within definitions provided by the *Geneva Convention*.

EU Member States claimed that the Dublin Convention did not stop the problem of ‘asylum shopping’ – that is the lodgement of multiple asylum applications in various Member States. As a result, Eurodac, an EU-wide database containing fingerprints of asylum seekers aged over 14, illegal entrants and other irregular immigrants, was introduced. According to European Commission figures, Eurodac has found that 7 per cent of all asylum seekers made multiple applications since its establishment in 2003.⁵⁸

The Dublin II Regulation’s principal impact on countries in CEE lies in its reinforcement of the Dublin Convention’s ‘basic rule’ that the responsibility for the assessment of asylum applications lay with the Member State ‘which played the greatest part in the applicant’s entry into or residence on the territories of the Member States, subject to exceptions designed to protect family unity’.⁵⁹ What this means in practice is that asylum-seekers must lodge their application in the first EU country they arrive in, if not they will be returned to another Member State if it can be shown that they have either passed through the border of that State (by air, sea or land) or made another application in another Member State.⁶⁰

Of the approximately 240,000 (237,840) asylum applications lodged in the EU-25 in 2005, the UNHCR estimates that 15 % were subject to the Dublin II Regulation.⁶¹ The Dublin system is built upon requests by Member States to accept the return of asylum seekers, either on the basis of their earlier entry into that country or other connections. These requests are called ‘outgoing requests’ – that is from one Member State to another – or

⁵⁸ The Eurodac system has so far collected the fingerprints of 246,902 asylum seekers and those of 7,585 illegal border entrants and 16,814 people in Member States in an irregular basis. <http://europa.ed/rapid/pressreleasesAction>, accessed 15 October 2006.

⁵⁹ Commission’s Explanatory Memorandum para 2.2 cited in House of Lords, <http://www.publications.parliament.uk/pa/ld/200102/ldselect/ldcom/100/10003.htm>, accessed 2 October 2006.

⁶⁰ Irish Refugee Council, ‘Information Note on the Dublin II Regulation’ *Legal Policy in the EU Context: Information Note* No. 4, June 2004, <http://www.irishrefugeecouncil.ie>.

⁶¹ ‘Introduction’, UNHCR, *The Dublin II Regulation: A UNHCR Discussion Paper*, Geneva, April, 2006.

‘incoming requests’ in terms of the State registering the demand. The UNHCR found that in the first six months of 2005, incoming requests were highest among Member States located at the southern and eastern edges of Europe.⁶² Such transfers far exceeded outgoing transfers in Poland and Slovakia. This was also the case in Greece, Hungary, Italy and Spain.⁶³

The impact of the Dublin II Regulation on Poland and Slovakia

Following the accession of CEE Member States in 2004, human rights organizations expressed concern that these developments would lead to a ‘flood’ of asylum applicants in CEE, which the countries would be badly placed to manage.⁶⁴ According to Human Rights Watch:

[F]ew of the new member countries have asylum systems in place that can offer full and fair asylum determination procedures; detention regimes that comport with international standards; and policies in place to ensure that no person is sent back to a place where her or his life or freedom is threatened.⁶⁵

Rigo has identified the process where CEE countries introduced restrictive immigration policies and legislation prior to their accession, or potential accession in the case of Romania and Bulgaria, to the EU.⁶⁶ Identifying this as a form of Europeanization, Rigo notes that in states where asylum systems were either largely *laissez-faire*, or non-existent, restrictive legislation has been introduced which undermines the rights of asylum seekers as guaranteed by European and international human rights law and exceeds that in place in most EU Member States.

Poland and Slovakia exemplify this trend to a certain extent. Yet, in relation to the Dublin II Regulation, the ‘score-card’ is mixed, with both countries in some instances showing initiative in areas lacking in other Member States. In Slovakia, for instance, all asylum seekers receive health care comparable to that of Slovak citizens; while Poland offers assistance to

⁶² Ibid.

⁶³ Ibid.

⁶⁴ According to the UNHCR, in 2004 there was a significant rise in applications the new Member States, in contrast to the decline in the rest of the EU. In Cyprus, applications rose by 499 %, Malta 49 %, Slovakia 46 %; in contrast, there were reductions in the Czech Republic (46 % and other EU Member States, such as the UK at 36 % and Germany 30 %) (*The State of the World’s Refugees: Human Displacement in the New Millennium* (Oxford: Oxford University Press, 2006, p 250).

⁶⁵ Human Rights Watch, cited in ERF, *Information and Cooperation Forum (ICF) Final Country Report: Slovak Republic* p.14.

⁶⁶ Rigo ‘Implications’, pp.10-11. See also Vermeesch, ‘EU enlargement’, p.84.

separated children asylum seekers to locate other family members in other Member States.⁶⁷ Poland has, moreover, requested other Member States to take responsibility of cases on humanitarian grounds, even if States have generally rebuffed these requests.⁶⁸

Non-governmental organizations working in the area have been critical of the operation of the Dublin II Regulation since its inception in 2003, tallying a range of governmental errors and efforts by Member States to evade their responsibility in terms of international human rights law; in this respect, the challenges faced by Poland and Slovakia offer further examples of a system under apparent stress.

In order to assess the significance of the Dublin system for Poland and Slovakia, I will consider the challenges both countries face amid a context of falling asylum applications in both countries. In Slovakia, for instance, asylum applications fell sharply by approximately 75 % 2004-2005. Even though it is difficult to determine concrete reasons for this development, it appears that the decrease stems from flaws in the application and settlement systems, arguably reflected in the fact that Slovakia has the lowest recognition rate in the Union. If so, this development has broader significance in terms of the protections guaranteed returned asylum seekers under the Dublin system.

According to Dublin statistics, the direction of transfer requests already suggests a largely mono-directional thrust from west to east. The importance of this lies in the fact that even though the Dublin Convention relies on a broad commitment to the principle of inter-EU 'solidarity', the burden is being felt in the less developed nations to the east and south. In my conclusion, I will argue that as a result of this, King's 'buffer zone' thesis remains relevant.

⁶⁷ ECRE, *Report on the Application of the Dublin II Regulation in Europe* European Legal Network on Asylum (ELENA) March 2006, p.157.

⁶⁸ Ibid. p.160. It has taken this initiative with two other Member States: Greece and Portugal. ECRE noticed that this was 'disappointing (and failed) to reflect the spirit of solidarity' envisaged in the Regulation's preamble, especially since Poland and Greece receive proportionately higher numbers of Dublin returnees than other states.

Asylum applications in Poland and Slovakia (2004-2005)

In the first three quarters of 2005, 3797 people applied for asylum in Poland, when compared to the same period the previous year, this marked a decrease of 26.1 %.⁶⁹ Applicants from the Russian Federation constituted the vast majority (3448 claims) followed by Belarus (55), Ukraine (46), Georgia and Pakistan (33 each).⁷⁰

While in Slovakia during the same period, 2448 people applied for asylum. This demonstrated a sharp decrease in numbers (-73 %) over the same period in 2004. The largest number of applicants in Slovakia came from the Russian Federation (718 claims) India (283), Moldova (258), Georgia (221) Bangladesh (195) and China (179).⁷¹ This figure contrasted with that for 2004, in which the country experienced the highest number of asylum applications in the country's history (11,400 applicants).⁷²

The fall in asylum applications over this period in Poland and Slovakia is striking, and according to the European Refugee Fund (ERF) largely unexpected, especially when compared with the experience of other newly admitted Member States. Asylum claims in Slovenia, for instance, increased by more than 50 % in the same period.⁷³

The 58 % decline in asylum claims registered in Poland between October 2004-March 2005 countered projections made by the Polish authorities of steadily increasing numbers, which were expected to reach 9,000 per annum in 2006.⁷⁴ Similarly, in May 2004 the United Nations High Commissioner for Refugees (UNHCR) convened a task force with the Slovak Ministry of Interior, the Migration Office and Aliens and Border

⁶⁹ UNHCR, "Aktuálne informácie" <http://www.unhcr.sk/Default.aspx?catID=194> , accessed 1 October 2006.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² European Refugee Fund (ERF), *National Report on Slovak Republic* p.3.

⁷³ According to the Budapest office of the UNHCR, in the first three quarters of 2005, 1,320 people applied for asylum in Slovenia, compared with the same period in 2004 this indicated an increase of 55 %. Most of the applicants came from countries in the former Yugoslavia (UNHCR, "Aktuálne informácie" <http://www.unhcr.sk/Default.aspx?catID=194> , accessed 1 October 2006).

⁷⁴ ERF, *National Report on Poland* p.8. The U.S. Committee for Refugees and Human Rights states that in 2004, Poland received 6,900 applications for asylum, 25 % more than in 2002; the largest group came from Russia (5,600) Afghanistan (250), India (240) and Pakistan (150). It notes that Poland is the second favourite destination for asylum seekers from Russia (<http://www.refugees.org/countryreports.aspx?id=154>, accessed 16 October 2006).

Police to find strategies to cope with the expected increase in asylum applications following the country's accession to the EU. The European Commission, International Organization for Migration (IOM) and the U.S. and Dutch embassies agreed to participate in the taskforce, which would issue recommendations on the reception, processing, integration and return of asylum seekers.⁷⁵

Polish authorities have recognized weaknesses in the country's asylum system⁷⁶, which have also been identified by NGOs working in the area. The Budapest regional office of the UNHCR has identified problems in terms of education for asylum-seeker children; a lack of state-funded legal assistance and difficulties relating to medical care and assistance for those with complex needs, in particular for vulnerable groups such as unaccompanied minors, survivors of torture and trauma and pregnant women.⁷⁷

It is believed that as a result of these problems, large numbers of asylum applicants in Poland have either left the territory, or discontinued their claims.⁷⁸ The Polish Office of Repatriation and Aliens has closed the cases of 4,600 applicants who had abandoned their claims, a tenfold increase in two years.⁷⁹ The decline in asylum applications has been most marked in Slovakia, however; falling from a record high of 11,400 applications in 2004 to 2,448 in the first three quarters of 2005.⁸⁰ According to 2003 figures, nearly 10,000 asylum applications were closed as a result of the asylum seekers leaving Slovakia for other destinations.⁸¹ The most

⁷⁵ Ibid.

⁷⁶ According to the ERF, Polish authorities, until 2003 a 'coherent strategy' for the reception and settlement of refugees was absent. Polish reception centres had an 'inadequate' capacity to deal with the increasing number of asylum seekers and the standards were 'insufficient – both in terms of living up to European standards and especially in relation to offering appropriate care for vulnerable groups and families' (ERF, *National Report on Poland* p.14).

⁷⁷ UNHCR, "Aktuálne informácie" <http://www.unhcr.sk/Default.aspx?catID=194>.

⁷⁸ Stola, in contrast, believes that this reflects the "abuse" of the asylum system, in that applicants who are not genuine prefer to abscond during the assessment procedure (Wallace and Stola, *Patterns of Migration*, p.185).

⁷⁹ U.S. Committee for Refugee and Human Rights, <http://www.refugees.org/countryreports.aspx?id=154>, accessed 16 October 2006.

⁸⁰ For an insight into irregular immigration to Slovakia at this time, see Tamsin Smith, 'Smugglers target Slovakia borders', BBC News 11 May 2005.

⁸¹ ERF, *Country report on Slovak Republic*, p.3. As one Syrian asylum seeker, Yasser, told the BBC in 2005: "I didn't deliberately come to stay in Slovakia. I want to be in Western Europe" ('Smugglers target Slovakia').

frequently cited reason for this is the country's extremely low recognition rate of refugee claims, which at 2 % (11 people in 2003) is the lowest in the Union.⁸² In 2004, only 15 people out of nearly 11,400 applicants were found to warrant protection as refugees.

Karol Zbořil, director of the Slovak Refugee Council, acknowledged that integration services provided to refugees in Slovakia were 'formal and basic'⁸³, before adding that the two principal aspects of integration policy – language and vocational training – had been neglected for some time. Criticisms have also been made about conditions in the country's reception and residential centres which have been described as 'congested' and under-staffed, and in the case of the police detention centres, brutal.⁸⁴

According to a draft country report on Slovakia by a European Commission-funded organisation designed to assist EU Member States receive asylum seekers, refugees and displaced persons, the European Refugee Fund (ERF), social workers believed that the fall in asylum applications represented a choice by asylum seekers and traffickers to bypass Slovakia, because of problems in the assessment process.⁸⁵ Another possibility is that prospective asylum seekers are being turned away at the border by the Slovak guards before they are able to make a claim. Slovak police may detain aliens entering or remaining illegally and those awaiting deportation.⁸⁶ Asylum applicants are interviewed at the border, issued a 24-

⁸² ERF, *National Report on Slovak Republic*, p.3.

⁸³ Cited in 'Slovak Assistance for Refugees and Asylum Seekers' in *Migration Processes in Central and Eastern Europe: Unpacking the Diversity*, p.65.

⁸⁴ ERF *Country report on Slovak Republic*, p.16 See also the report into conditions in Slovakia's detention and reception centres by *Organizace pro Pomoc Uprchlíkům* (Organisation for Aid to Refugees) visited 26 May 2004.

⁸⁵ Helena Tužinská from the Ecumenical Council of Churches, Emergency and Development Service, Slovakia, states that the high number of absconders due to the 'low quality' and slow pace of the Slovak assessment system, which can take years. Few 'hope to win the lottery with the statistical rate of 0.3 %' Email correspondence with the author, 16 November 2006. While Dušan Bezak from Slovakia's Jesuit Refugee Service cites difficulties in terms of employment; the fact that the country is still a 'transit country' and has few community networks and support and the high failure rate (of the 800 Chechen cases in 2005, not one received a protection visa). Bezak suggests that applicants prefer to risk remaining illegally in other EU Member States rather than be returned to Slovakia where the situation in their view is 'hopeless' (email correspondence with the author, 16 November 2006).

⁸⁶ Human Rights First, *Country Report Slovak Republic*, <http://www.humanrightsfirst.org/refugees/reports/entry-rev-02/Slovak-Republic.pdf>, accessed 16 October 2006.

hour pass to a reception centre and permitted to file their application with the alien police.

Since most, if not all asylum seekers travelling overland to the EU arrive without authorization, on their arrival in Slovakia and Poland they are at substantial risk of detention or being denied access to territory. In this respect, earlier figures relating to Poland are instructive. According to UNHCR figures for Poland (2001), very few asylum applicants lodged their claims at the border – 14 people on the Russian border, 34 on the Ukrainian border and 523 on the Belarus border. The vast majority was taken into detention, awaiting deportation.⁸⁷

Incoming and outgoing transfer requests under the Dublin system

Statistics for Germany and Poland in 2004 indicate that for both states the largest number of requests for them to accept the return of asylum seekers came from other western EU Member States. In the case of Germany, the majority of requests for it to accept the asylum seekers came from Sweden, France, Belgium and Norway and Austria and for Poland: Germany, Austria and Belgium.⁸⁸ No such clear pattern was apparent in terms of the countries Germany asked to take back asylum seekers (requests were made to Austria, France, Italy, Belgium, Sweden, the Netherlands, Poland and Slovakia).⁸⁹

For Germany there was a striking discrepancy in terms of external and internal requests. Slovakia, for example, made only 16 requests of Germany, but received 409 requests from Germany in return. A similar pattern could be observed with Poland and Germany (12 as compared with 658) and Austria (478 compared with 1,253).⁹⁰ The total number of completed transfers of asylum seekers from Germany was mixed, however; with Poland only receiving 90 people, of the 658 requests made, and Slovakia, 102 of the 409.⁹¹

⁸⁷ FFM, 'The new border regime at the Bug river: the east of Poland and the PHARE programmes' <http://ffm-berlin.de/bugriver.html>, accessed 7 November 2006.

⁸⁸ Ibid, pp.181 and 185.

⁸⁹ Ibid, p.182.

⁹⁰ Ibid.

⁹¹ Ibid.

Figures for Poland, meanwhile, reinforce these patterns, with Austria and Germany lodging the most requests for it to accept the return of asylum seekers (at 432 and 320 respectively).⁹² Outgoing requests for Poland demonstrate the largely mono-directional nature of the Dublin system for CEE. Only France and Lithuania received requests for assistance from Poland in the double digits, the rest were either isolated requests or numbered less than five.⁹³

These statistics indicate a number of trends. First, that western EU Member States made the bulk of outgoing requests for others to accept the return of asylum seekers into their territory. In contrast, the number of outgoing requests by new Member States, including Poland and Slovakia, were negligible. Second, that in traditional destinations for asylum seekers, such as Norway and Sweden, the number of requests for other countries to take back asylum seekers far exceeded the total number of asylum claims lodged in their territory in that period.

In the final six months of 2004, Poland received requests for 1,320 people to be returned to its territory.⁹⁴ During the same period, Poland asked for other Member States to accept 54 people – only 10 of whom were transferred.⁹⁵ Germany received a far higher number of incoming requests (7,463), of which a third (2,681) were transferred to other EU Member States. However, in contrast to Poland it made a comparable number of outgoing requests for help at 6,536 (2,765 were transferred). A similar pattern can be seen with Norway and Sweden⁹⁶ that in both countries outgoing requests far exceeded the number of incoming requests (for Sweden, the figures were almost double).

In the first six months of 2005, non-EU state Norway made the most requests for assistance at almost 6,000 to be followed by Germany, Austria, Belgium, whereas Poland only made 100 requests and Slovakia 138.⁹⁷

⁹² Ibid, p.185. Belgium, the Czech Republic and France were the next largest groups, to be followed by figures for the other Member States in the single digits.

⁹³ Ibid, p.186.

⁹⁴ ECRE, *Report on the Dublin II Regulation in Europe*, p.177.

⁹⁵ Ibid, p.177

⁹⁶ In 2004, Norway received 2,180 incoming requests, and made 3,175 outgoing requests (of which 2,099 were transferred) while Sweden received 3,596. Its outgoing requests were almost double that number at 6,188 and 4,225 were transferred, making it the highest figure in the collected data ECRE, *Report on the Application of the Dublin Regulation* pp.177-178.

⁹⁷ UNHCR, *The Dublin II Regulation* p.72.

Incoming transfer requests were more evenly shared, with Norway and Germany receiving the highest numbers. However, the contrast is still striking when we look at Poland and Slovakia in terms of incoming and outgoing requests. Both states received ten times more incoming requests than they made.

These discrepancies might seem logical, in terms of the movement of asylum seekers into the EU from the east and south. However, there is no clear indication that the ‘burden’ was spread equally among all eastern and southern nations. EU Member States, Portugal, Malta, Slovenia and Lithuania received only a fraction of the number received by Poland and Slovakia.

Assessment of the Dublin system’s impact on Poland and Slovakia

The European Refugee Fund (ERF) has signalled the challenge of the ‘revolving door’ return of asylum seekers to Slovakia as a first point of entry and the consequent pressure this puts on the country’s Migration Office. Not only is there an absence of trained officers, in the period 1992-2003, officer numbers trebled while the caseload increased 112 times, but the country’s capacity to manage the increase is also in doubt. The ERF had heard of one immigrant ‘re-appearing’ in the Slovak system nine times.⁹⁸

There have also been disagreements about responsibility over the ultimate transfer for asylum applicant to their first country of entry. In September, 2005, for instance, an asylum-seeker was transferred from Austria to Poland, after which the decision to transfer him was overturned. The Polish authorities argued that it was the responsibility of the State which overturned the decision to cover the costs (Austria), but Austria failed to respond to the request, leaving the asylum-seeker to pay for the costs himself.⁹⁹

According to the UNHCR regional representation in Budapest, the Dublin II system has resulted in an increase in the number of asylum seekers in reception centres in Poland despite an overall decrease in new applications. Even though the Dublin II Regulation does not explicitly deal with detention, under the Asylum Procedures Directive, Article 7 (3) stipulates

⁹⁸ ERF, *Country report on the Slovak Republic*, p.15.

⁹⁹ UNHCR, *The Dublin II Regulation* p.19.

that asylum seekers can be detained if it proves necessary ‘for legal reasons or reasons of public order (or to) confine a person to a particular place in accordance with national law’.¹⁰⁰

Yet, contradictory data produced by the European Council of Refugees and Exiles (ECRE) suggests that applicants under the Dublin II Regulation are not routinely detained in Poland before their transfer to another state.¹⁰¹ Applicants may be detained if they lodged an application at the border without the right to enter Polish territory, or illegally crossed the border. ECRE also noted that people returned to Poland under the Regulation have a higher chance of being detained if they are a single male.¹⁰² In Slovakia, Dublin II returnees can be detained as a result of illegal border crossing;¹⁰³ however in practice most are not detained.¹⁰⁴

The so-called ‘sovereignty clause’ which allows Member States to offer protection if there is a risk of a violation of the articles banning the return of an asylum seeker to another country which might lead to inhumane or degrading treatment, or punishment under the European Convention on Human Rights (ECHR) appears not to have been applied in any decisions made by authorities in Poland, Belgium, Cyprus, Lithuania, Portugal, Slovenia, Greece.¹⁰⁵

The Dublin procedure’s guaranteed time limits have not been respected in some Member States, with delays being reported in Poland, Italy and Sweden.¹⁰⁶ Time limits for the Regulation are three months for a transfer; one week for a reply on a case; a decision within two months and ultimate transfer to another Member State, six months. If an asylum seeker is imprisoned this incarceration can be extended to one year and if an asylum seeker absconds this time limit can be extended to 18 months.¹⁰⁷ Poland has

¹⁰⁰ *Ibid.* p.51.

¹⁰¹ ECRE, *Report on the Application of the Dublin II Regulation* p.111.

¹⁰² ECRE, *Report on the Application of the Dublin II Regulation* p.113.

¹⁰³ UNHCR, *The Dublin II Regulation* p.52.

¹⁰⁴ This contrasts with earlier figures relating to the detention of ‘irregular immigrants’ in Slovakia between 2001-2005, where more than 10,000 people were detained, many of whom were apprehended when trying to cross the border (ERF, *Country Report on Slovak Republic* p.15). In 2001, for instance, 4006 people were detained (and the numbers decreased over time from 2387 in 2002 to a relative ‘low’ of 979 in 2005) (ERF, *Country Report on the Slovak Republic*, p.16).

¹⁰⁵ *Ibid.* p.30.

¹⁰⁶ ECRE, *Report on the Application of the Dublin II Regulation* p.163.

¹⁰⁷ Irish Refugee Council, ‘Information Note on the Dublin II Regulation’.

noted that several people were transferred to Poland outside the time limit, which meant that they had to be returned to the sender state.¹⁰⁸

There have also been problems with age assessment and identity. In one case, Slovak authorities took charge of a person who did not claim to be a minor in Slovakia, but claimed to be a minor elsewhere, despite this they assumed that they were dealing with an adult.¹⁰⁹ In another instance, the brother of an asylum seeker was transferred mistakenly to Poland in January, 2005, after the fingerprints of the person due to be transferred were destroyed. The decision was made on a picture only. Despite sending the wrong person, Germany refused to take him back.¹¹⁰

CONCLUSION

When assessing the relevance of King's 'buffer zone' thesis, two elements are of particular importance. The first is the notion that EU Member States within the 'buffer zone' protect other Member States, in this instance from the unwanted arrival of asylum seekers and other irregular immigrants. In terms of the Dublin system this is the case. Not only are Poland and Slovakia – alongside other recently admitted EU Member States – shouldering much of the so-called asylum 'burden' in terms of asylum applicants returned to their territory, they also face the prospect of increasing numbers into the future.

The second element of King's thesis which remains relevant is his claim that the 'buffer zone' reinforces an asymmetrical relationship between the parties, which Grabbe has described as similar to that of a 'client state' with regard to the CEE nations during the accession proceedings.¹¹¹ Both considerations remain valid in this discussion.

The Dublin system, as demonstrated by the statistics for incoming and outgoing requests for transfers, require more of the less developed Member States in the eastern and southern regions of the EU. Moreover, the fall of asylum applications among the more developed nations is greater than that

¹⁰⁸ UNHCR, *The Dublin II Regulation* p.38.

¹⁰⁹ *Ibid* p.24.

¹¹⁰ *Ibid*, p.43.

¹¹¹ Heather Grabbe, 'European Union Conditionality and the "Acquis Communautaire" *International Political Science Review/Revue internationale de science politique* , Vol.23, No.3, (July 2002), p.266.

in the new Member States suggesting that the Dublin system may be encouraging potential asylum seekers to avoid the EU territory because of problems in the CEE assessment and reception systems. Asylum seekers, it appears, may not be choosing to lodge claims in the knowledge that they will be transferred to CEE, where the likelihood of their receiving protection is largely negligible.

When formulating his 'buffer zone' thesis, King stated that his impetus was to investigate not only the 'what' but the 'why' behind moves to exclude asylum seekers and other irregular immigrants.¹¹² Through the Dublin II Regulation and the earlier bilateral readmission agreements is an emphasis upon exclusionary controls and non-entrée into EU territory. For this reason, despite the advent of post-Cold War geopolitical realities, King's 'buffer zone' thesis remains highly relevant in discussions of EU asylum policy within the EU and on its margins. As Hathaway stated in 1997, states are increasingly seeking to minimize their responsibilities in terms of international asylum law and taking the 'more brutal (yet less visible) step of keeping refugees as far away as possible'.¹¹³

¹¹² King, 'Fortress Europe', p.2.

¹¹³ Cited in O'Nions, 'The Erosion of the Right to Seek Asylum', Available at [2006] 2 *Web JCLI* <http://webjcli.ncl.ac.uk/2006/issue2/onions2.html>

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DIASPORIC GREEK-AUSTRALIAN WRITING DECONSTRUCTED: CHALLENGING EUROPE WITH NEW VOICES, NEW PERSPECTIVES

Anna Dimitriou

Contemporary Europe, culturally, historically and linguistically is filled with contradiction, silences and paradox.

Diasporic creative writers in Australia who are associated, either by virtue of their cultural heritage or through an intellectual engagement with Europe, can in fact provide a radical potential in contemporary European cultural analysis.

Deconstructing and interpreting narratives, prose and poetry of bilingual writers can open up unexplored areas which, up till now, have been either repressed or marginalised. This critical endeavour, drawing on recent post-colonial criticism, is a new way to interpret fiction, stories and even modern fairytales. It appears less threatening and confronting to venture into those cultural, psychological and subliminal areas which contemporary Europe perhaps wishes to forget or renounce. It is however an alternate method which can be used to compel criticism to puzzle over such areas and so open up new perspectives as well as allow for new voices.

In his book, *After Poststructuralism: Reading, Stories and Theory*, Colin Davies questions the future of poststructuralism because of its elitism and Eurocentrism. He asks whether it has passed its use-by date as a result of its narrowness in that it is only European voices that have dominated the field of literary and cultural studies. Further he questions whether it is inevitable “that an announcement of its demise is imminent,”¹ pointing out that there are new voices and perspectives in contemporary theory, which despite borrowing and using European theory, offer innovative, perhaps startling questions and new possibilities which could subvert the European dominance in literary theory.

¹ Colin Davies, *After Poststructuralism: Reading, Stories and Theory* (London: Routledge, 2004), p.172.

In *The Future of Theory*, Jean-Michel Rabate refers to these new perspectives which engage with poststructuralism and keep it alive.² Specifically, he deals with the area of contemporary literary and cultural theory, which includes diasporic criticism, testimonial studies, new textual studies, spectral criticism, hybridity studies and translation studies. These are postcolonial in their theoretical inflection, producing a counter discourse to a dominant European discourse. They allow for a challenging intervention querying European notions of origins, essences and a unified self. By revealing their own condition of heterogeneity, they are proof against myths of purity, homogenous nationality and tell a narrative of fissured origins, the fragmented amphora³ to use Benjamin’s metaphor where the postcolonial writer and translator tries to negotiate through writing, her/his identity from fragments. The impossibility and/or possibility of creating a clear sense of selfhood is being constantly undermined by the resistance created by narratives of the repressed, which disrupt any notion of a pure representation.

This paper will concentrate on a particular methodology which aims to deconstruct the literature of diasporic Greek Australian writers, mainly that written by Christos Tsiolkas and Vasso Kalamaras, and compare this with particular themes explored by the modern Greek writer, George Seferis. I shall then show how a new body of texts which is now emerging in Australia, specifically oral testimonials of migrants compiled in anthologies, can add further insights and contextualise the particular themes which this paper explores. This kind of research is relatively new as it involves a cross disciplinary methodology which deals with cultural analysis, together with literary critique, showing how literature and lived experience is an interpretative transaction.

Europe spawned a diaspora which no longer identifies itself as purely European. It has taken on a new and constantly developing persona in the antipodes, retaining parts of its roots but also recreating itself. A text that provides an exploration of these themes is Tsiolkas’s anti-Europe text, *Dead Europe*.⁴ It can be seen as a product of the postmodern era. Seferis on the other hand is a European Greek writer with strong affiliations with

² Jean- Michel Rabate, *The Future of Theory* (Oxford: Blackwell, 2002).

³ Tejaswini Niranjana, *Sitting Translation: History, Post-structuralism, and the Colonial Context* (Berkeley: University of California Press, 1992), p.173.

⁴ Christos Tsiolkas, *Dead Europe* (Sydney: Vintage, 2005).

modernity and humanism. When a comparison is made between the two there is an overlap. Both writers engage with a negotiation over a dark area of their life, but use a different genre to portray it. Historically they lived through similar social crises; the collapse of a Greek civil society post World War Two, and the end of the Cold War. Culturally, emotionally and politically these events signalled the arrival of a postmodern world in which the lines of separation separating friend and foe, self and other, would become obscure. In a postcolonial context Bhabha says that “the act of remembering is not merely an act of introspection or retrospection but rather a painful remembering, a putting together of the dismembered past to make sense of the trauma of the present.”⁵

The European obsession with the centrality of the *self* is challenged by postmodernity’s reflection on the *other*, and the recognition of difference. Using a deconstructive methodology, the discovery of the *other* is often found in the *self*. Whether stories are true or not is not of primary importance for poststructuralist Kristeva.⁶ Rather she stresses their importance on the basis of their effect in bridging the divide between trauma and representation and between ‘self’ and ‘other’. Tsiolkas’ storytelling reinforces Kristeva’s thesis and he uses the postmodern device of the lens of his protagonist and alter ego Alex. The images he reveals are starkly real, highlighting the trauma of personal as well as of national and racial histories. The narrative plot, however, treads a fine line between sanity and insanity, the search for identity in conjunction with the loss of selfhood, as well as the implicit need to believe in something in antithesis with the loss of any belief resulting in isolation.

When interviewed Tsiolkas pointed out that in the writing of *Dead Europe* he had begun writing a personal travel journal as well as a national story, incorporating the cultural and religious history of certain parts of Europe. The hatred he encountered shocked him and it is this theme which is pervasive throughout the narrative. He researched historical records as well as the Bible and the Qur’an as they were highly significant in defining the cultural groups which he re-presents. Tsiolkas retraces his own religious awakenings, which were fundamental towards his own identity formation. In essence he was returning to the place he was at as a fourteen year-old.

⁵ Homi Bhabha, foreword to F. Fanon, *Black Skin, White Masks*, trans. C. L. Markmann (New York: Grove Press, 1967), p. xxiii

⁶ Davies, op. cit. p.131.

He then had to confront his loss of faith as a consequence of his sexuality. Being part of a traditional Greek society, especially in the diaspora, failure to adhere to mainstream morality and sexuality meant exclusion from a communal experience. Religious rituals and feasts were closely tied to cultural festivals and communal gatherings. In telling his personal story, Tsiolkas dares to expose what is regarded as repressed.

Death and desolation are two images which recur throughout the story. The protagonist looks back and assesses his visual logbook, his photos, through which he negotiates his own sense of selfhood. He senses, in the images he has captured, the reflection of his own lifelessness and perhaps discovers his own self in the faces which symbolise Europe for him, “Dead photographs...the absence of life, of the heart and the blood and the soul...all my subjects were muted and still. Not calm, but inert.”⁷

Throughout the novel the tone is varied because the author is consciously trying to manipulate and influence the reader. Perhaps this is a device to show the contradictions/similarities, the allegiances/antipathies, the conflicts/ties that co-exist in Europe and how an outsider can identify with them when he can identify opposing forces co-existing in his own psyche and soul. “I will walk among strangers and take my photographs, feeling no connection with anyone...I am not ill, I still have clarity. Every photo I take is an apology, an act of contrition before a mocking malignant God...I am nothing in this world.”⁸ Further on he reaches the other extreme, “I want to be home, in pure, vast Australia where the air is clean”⁹ but recognising this absence of purity in himself he confesses “I was the Devil. I knew what Evil felt like, was, could be: the extinguishing of consciousness.” There is clearly a conflict of identity, traits of megalomania, decadence, racial hatred, the coexistence of light and darkness at war within him and he reaches the dangerous precipice of psychic dissolution “I am nothing.” Yet, whether he manages to bridge the divide between trauma and representation, of self and otherness, in his storytelling, is debatable. What he does, however, is to portray a different European historical narrative, its underside and he can do this because he occupies a border position, racially, socially and culturally and sexually. His own sense of isolation

⁷ Tsiolkas, op. cit. p.46.

⁸ Ibid. p.304.

⁹ Ibid. p.375.

highlights rupture and otherness.¹⁰ His style is postmodern, or even postwestern in the sense of non-western and possibly anti-western.¹¹ Europe is represented in a very negative way “That’s not Europe in those photographs...those photos are Hell. What Hell did Isaac see...Isaac had not photographed the past, he had captured the future”.¹²

Australia on the other hand is represented as the antithesis to Europe, a place where the exiled and cursed Rebecca could satisfy her need for “something else, which, for her, was the meaning of being Australian. *O neos kosmos*. The new world.”¹³ Obviously *place* means different things for different people. Identifying and aligning oneself with a place often depends on the position which one occupies, socially and culturally, according to Stuart Hall.¹⁴ Alex identified with Europe only in relation to seeing a part of himself, his lifeless self, through his lens. It was a mediated vision, an indirect experience. On the other side, the mother figure, a source of life in classical Greek mythology, trades her soul to the devil. Rebecca had given Alex his life, but now in order to maintain it, she must sell her soul to the devil. This is a direct and immediate experience in which a conscious choice is made. Metaphorically speaking, ‘mother’ symbolised as Europe becomes Dead Europe. Rebecca in Hebrew history was the wife of Jacob, one of the founding fathers of the Jewish race. Here she is a symbol of an ante-genesis tale. She desires the ‘something else’ but ironically, on her return to Australia, she pays the full price of being ‘something else’ with total exclusion from her religion, society and God, both in Europe and in Australia. “No. She was to be alone, forever alone.”¹⁵

The methodology used in deconstructing Tsiolkas’ storytelling is not simply revisionist, nor another colonial discourse with another version of detailing the situation of a migrant group in a first world country, in this case Australia.¹⁶ Rather, it allows for a constant and continuing interrogation and self reflexivity in which the diasporic writers find

¹⁰ Gerard Delanty, *Modernity and Postmodernity: Knowledge, Power and the Self* (London: Sage Publications, 2000), pp.142-150.

¹¹ Ibid, p.154.

¹² Tsiolkas, op. cit., pp.404-5.

¹³ Ibid, p.400.

¹⁴ Stuart Hall, ‘Cultural identity and diaspora’ in J. Rutherford (ed.), *Identity, Community, Culture, Difference* (London, Lawrence & Wishart, 1990).

¹⁵ Tsiolkas, op. cit., p. 411.

¹⁶ Padmini Mongia (ed.), *Contemporary Postcolonial Theory* (London: Arnold, 1997).

themselves occupying the fighting phase that Fanon refers to, the third phase in which the intellectual ‘native’ writers (in this case ‘the native could be the migrant’) force those who occupy the same space to expose, inscribe, write their stories, shake the status quo in literary circles and “reveal a hidden life, teeming and perpetually in motion.”¹⁷ Tsiolkas subverts and questions the notion of Europe as a culturally dominant place. Not all Greek Australian authors subvert in such a negative way. Other writers subvert the notion of Europe as an idyllic home, a Europe safe, secure, the hearth constantly drawing them back, even in the imagination. Their return home, however, shows up contradictions and reveals a rupture that can not be mended. Such a rupture is revealed by Vasso Kalamaras in her anthology of poetry and prose, *The Same Light*. In ‘The Anchorage was not Blue’, she relates the emotional turmoil of a return journey and shows the contradiction between what was imagined and how the disappointment in the home coming only magnified those repressed feelings she had stored, while in Australia, in her heart. There, the self had been imagined as “small, lost and unimportant” and she had shed tears that had become petrified. On the return to Europe, however, the tears that had been ready to be released “tumbled back inwards, directed at the heart.”¹⁸ She, too, felt grief in both places, and knew that she did not belong anywhere. It is part of the condition and contradiction of being both European and ‘other’.

If we compare Tsiolkas to Seferis we find that both make heavy use of the mythical to reveal the underside of Europe. George Seferis, the European Nobel prize writer, in his diary, speaks of a humanising light emanating from the Greek soil.¹⁹ He represents modern humanist ideals, writing in Greek and promotes a cultural awareness of a continuous Greek language and history spanning three thousand years. He is typical of a ‘universalist’ European voice, yet while maintaining such a position, his work also reveals ruptures. Classical Greek as well as modern lyrical poetry stressed wholeness, yet his work displayed the modernist tendency of fragmentation. There are both modern and postmodern techniques in his poetry. Beaton says that “Seferis uses an alter ego, Mr Stratis Thalassinos, which reminds us of T.S. Elliot’s *The Wasteland* and *Hollow Men*, with the London setting

¹⁷ Franz Fanon, ‘On National Culture’ reprinted from: *The Wretched of the Earth*, trans. by Constance Farrington, (Harmondsworth: Penguin, 1967).

¹⁸ Vasso Kalamaras, *The Same Light* (Fremantle: Fremantle Arts Centre Press, 1989), p.13-4.

¹⁹ George Seferis, *Days of 1945-1951: A Poet’s Journal*, trans. by Athan Anagnostopoulos, (Cambridge, Mass.: Belknap Press of Harvard University, 1974), pp. 44 and 53.

implicitly revealing a sinister mythology at work beneath the daily trivia.”²⁰ His style, however, particularly the poetry written after the civil war has a new note of grim foreboding for the future. There is a movement from the stoicism of “we who had nothing shall teach them serenity”²¹ to the emptiness and sense of disillusionment in *The Thrush*, “The sea will drain dry, shattered glass, from north and south your eyes will empty of daylight the way cicadas suddenly, all together, fall silent.”²² Both of these poems, although obscure, have a religious tone. According to Beaton Seferis’ religious mysticism is inclined to be an erotic mysticism.²³ He mingles the sacred with the personal and profane. Despite its form, or rather its emphasis which tends towards free verse, there is a movement towards bridging the gap between traditional and modern verse, between modern and postmodern expression. Delanty notes that “within postmodernist deconstructionist thinking there is a revival in religion texts” and Derrida and Vattimo explore the possibility of a link between religious experience and alterity.²⁴

According to Seferis, Greece, the place of light, also has many dark corners. He writes in his journal that he could not speak of these dark spaces during the period he was actually experiencing them, not even in his diary, let alone his poetry, although he alluded to their existence.²⁵ Later he did allow his readers to infer that the pain and the silences would appear in hidden forms in his poetry using ambiguous, unclear allusions that needed translation and interpretation. Part one of his poem *Gymnopaidia*, entitled ‘Mycenae’²⁶ “reverberates with the sense of a generation doomed to re-enact a cyclical pattern of violence.” This tone is carried over from the poem *Mythistorema* but intensified with a new note of grim foreboding for the future.²⁷ From, “We returned to our homes broken” in *Mythistorema*, to the hopelessness when writing; “Not even the silence is now yours here

²⁰ Rodrick Beaton, *George Seferis: Waiting For the Angel: A Biography* (New Haven: Yale University Press, 2003), p. 123.

²¹ George Seferis, ‘Here End the Works’ in E. Keeley and P. Sherrard (eds.), *George Seferis: Collected Poems*, (Princeton, New Jersey: Princeton University Press, 1981), p.59.

²² George Seferis, ‘The wreck Thrush’, in *George Seferis: Collected Poems*, op. cit. p.339.

²³ Beaton, op. cit., p.109.

²⁴ Jacques Derrida & Gianni Vattimo, *Religion* (Cambridge: Polity, 1998).

²⁵ Jonathan Cape in E. Keeley and P. Sherrard (eds.), *George Seferis: Collected Poems*, (Princeton, New Jersey: Princeton University Press, 1981), p. xi.

²⁶ Beaton, op. cit., pp.67-9.

²⁷ *Ibid*, p.129

where the millstones have stopped turning,”²⁸ we the readers become aware of a progression to total disillusionment, and see a parallel between the political and social situation of his epoch coinciding with his own personal loss of hope. Throughout his poetry there is a struggle between the need to “speak simply” and to “preserve the sources of his emotion.”²⁹

Ambiguity, allusion and mythic symbolism are tools which poets and story writers use to hide what they cannot put into words, although these repressed thoughts need to be expressed. Others, translating, reading and interpreting could perhaps be better positioned to understand, using a combination of disciplines such as history, sociology, psychology and cultural identity politics. This kind of research entails a search through the unofficial accounts, the oral testimonies now being written down, about the migrants who had left Europe, post war. They were the victims of the poverty created by the civil war. Having left the place of bad experiences, they would eventually, in their declining years tell their story to younger generations when interviewed.³⁰ Such accounts in collaboration with diasporic Greek Australian literature, but juxtaposed with European Greek literature such as Seferis’ often enigmatic poetry, can open it up. The transaction, in essence, is a dialogue crossing the time lag where memory, history and repressed thoughts are eventually brought together, even momentarily. The heteroglossic process in which oral testimony is put into dialogue with mythography in poetic form illustrates what Derrida refers to as the *mythos* becoming the repressed of the *logos* (which in this case are the words of oral testimony). Those who are prepared to fathom those areas which the first generation preferred to forget had to proceed beyond the outer layers. They had to dissect, analyse, revisit oral histories, narratives, poetry using a new lens, a deconstructive lens and then to rewrite these stories as literature, or retell them as a *paramythi* or inscribe them as oral testimony in anthologies.

²⁸ George Seferis, ‘Here End the Works’, pp.3 and 69.

²⁹ Beaton, op. cit., p. 99.

³⁰ Greek Orthodox Ladies Group, 2002, *Remembering Greece’s Occupation: An Anthology of oral testimonies of the Second World War in Greece*, Greek Orthodox Archdiocese of Australia. See also *Anthologia: Erga Ellinon Logotechnon tis Melbournis (An Anthology of Greek Writers of Melbourne)*, (Melbourne: Elikia Books, 1984); and Brunswick Oral History Project (eds.), *For A Better Life We Came: photographs and memories of sixteen Greek and Italian migrants*, collected and edited by the Brunswick Oral History Project (Brunswick, Victoria: Brunswick City Council, 1985).

This I argue is what interpretation of diasporic literature can show when researched by bicultural investigators who listen to both sides and understand both languages. Perhaps they are best positioned to understand the contradiction that is Europe today. They understand it because living in the antipodes, far removed by time as well as by location, they can see Europe another way. Seferis once wrote that ‘I learned my fairy tales or *paramythia* on ships...not from others waiting on the docks.’³¹ He could only negotiate his own experience and sense of selfhood through stories and whilst in transit. The diasporic writer has an experience which is unique and cannot ever be the same as those who have only known Europe. Once you cross the ocean and leave, once you travel south, Europe is no longer your only frame of reference. It cannot absorb the new parameters because they are wider now even though Europe does form a significant part of your pre understanding, prejudices and cultural ties. Europe is carried by the memory and revised and recreated in the mind and in stories but it is only a recreation because the self is continuously being formed by the present.

John Hughes writes “It is a peculiarly Australian experience that our personal heritage and sense of identity includes a place and a history not really our own, not really accessible to us? The fact that our sense of self-discovery and self realisation takes place in foreign lands is one of the rich and complex ironies of being Australian.”³² Perhaps Greek-Australian writing, involved in a postcolonial quest, can as Homi Bhabha says, transform our sense of what it means to live, to be, in other times and different spaces, both human and historical.³³ Derrida, in his work on the cultural identity of Europe, explores the theme of otherness and argues for a notion of identity instituted in responsibility stating that Europe must rediscover the difference within itself, for a culture never has a single origin; “there is no culture or cultural identity without this difference with itself.”³⁴ The diasporic writer and critic can fulfil this task and challenge Europe by deconstructing its own self, literature and ‘otherness’.

³¹ George Seferis, *Days of 1945-1951*, p.104

³² John Hughes, *The Idea of Home: Autobiographical Essays* (Artarmon, N.S.W.: Giramondo Publishing, 2004), p.24.

³³ Homi Bhabha, *The Location of Culture* (London and New York: Longman, 1994), p.188.

³⁴ Jacques Derrida, *The Other Heading: Reflections on Today's Europe*, trans. by Pascale-Anne Brault and Michael B. Naas; intro. by Michael B. Naas (Bloomington: Indiana University Press, 1992), pp.9-10.

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'THE THREAT FROM WITHIN' - REPRESENTATIONS OF THE BANLIEUE IN FRENCH POPULAR DISCOURSE

Kiran Grewal

This paper explores representations of the banlieue (literally translated as 'suburb' but used to refer to the poor housing estates on the outskirts of major cities) in French popular discourse. The banlieue is generally represented in France as a violent, highly masculinised space associated with immigrant communities. With immigration and ethnic relations holding prominent places in public discourses across Europe, the banlieue is used in France as an indirect means of discussing ethnicity and national identity. Furthermore, the banlieue has become a site where France's problematic relationship with Islam is played out, in a Europe struggling to define its relationship with Muslims both within and outside of its borders. In recent times a new 'voice of the banlieue' has emerged in the form of Ni Putes Ni Soumises, an association representing 'women of the banlieue', which has been given extensive media coverage and political support. However critics argue this association has done little more than reinforce dominant stereotypes of the banlieue, which in turn perpetuate and justify racist and patriarchal discourses in French popular discourse.

Introduction

The term *banlieue* literally translates as 'suburb' but in fact denotes a geographical area on the periphery of major cities and made up of poor housing estates. In recent times it has held a prominent place in French popular discourse, a recent example being its association with the 2005 riots. This paper asks two questions; how is the *banlieue* represented in French popular discourse? What is the significance of these representations? In attempting to answer these questions this paper will explore the extent to which a relationship can be identified between these representations and the constructed French national identity, its policy of integration and its relationship with its immigrant and ethnic minority communities. While this paper looks specifically at the situation in France, it is argued that certain points of convergence can be identified with other nations in Europe, many of which are also currently grappling with the

challenges posed to their imagined communities by immigration, Islam and the management of ethnic minority groups.

As Alec Hargreaves points out, “[t]he myth of a culturally distinct and homogenous nation-state has been central to the political history of modern Europe.”¹ With the decline in importance of the nation state, through the emergence of the European Union and the impact of increased globalisation destabilising the old economic order, nations throughout Europe have been faced with an ‘identity crisis’. One response to this crisis has been through the recreation of frontiers in place of the dismantled national boundaries and the affirmation of a ‘European identity’ in opposition to non-European immigration and cultural influences. The growing importance of immigration as an issue of public concern in European states has been identified by various academic commentators,² with the popular media across Europe playing upon insecurities within European societies through representations of an ‘immigration crisis’ with illegal immigrants, asylum-seekers and most particularly Muslims identified as a threat to Europe.

At the same time, the increased realisation that many of the post World War II non-European migrant populations can no longer be seen as temporary solutions to labour shortages but permanent features within the nation, many European societies are facing a significant internal challenge to their mythical homogenous nations. This challenge appears to have particularly manifested itself in the new prominence of Islam. In his analysis of Muslim immigrants in Italy, Stefano Allievi demonstrates how Islam, while long considered ‘the enemy’ to most European nations, now plays a significant role within Europe; “[f]rom the alternative ‘Islam or Europe’... to the juxtaposition ‘Islam and Europe’, we are now at the factual situation of ‘Islam in Europe’.”³

¹ Alec Hargreaves G., *Immigration, 'Race' and Ethnicity in Contemporary France* (London: Routledge, 1995), p.87.

² For example, see Friedrich Heckmann, ‘Integration Policies in Europe: National Differences and/or Convergences?’ European forum for migration studies (‘efms’) Paper 33, University of Bamberg, presented at European Research conference, *European Societies or European Society? Migration and Inter-Ethnic Relations in Europe*, Eurovillage d’Obernai, France, 23-28 September 1999 - http://web.uni-bamberg.de/~ba6ef3/pdf/efms_p33.pdf, accessed 15 November 2006; Ahmed Al-Shahi and Richard Lawless (eds.), *Middle East and North African Immigrants in Europe* (London and New York: Routledge, 2005); and Jonathan Laurence & Justin Vaisse, *Integrating Islam: Political and Religious Challenges in Contemporary France* (Washington D.C.: Brookings Institution Press, 2006).

³ Stefano Allievi, ‘Sociology of a Newcomer: Muslim Migration to Italy – Religious Visibility, Cultural and Political Reactions’ in Ahmed Al-Shahi and Richard Lawless (eds.), *ibid*, p.44.

In response, the ‘Clash of Civilisations’ discourse, also a foundation of many of Europe’s colonial enterprises, has gained new credence with a tendency in various European nations to firstly identify Islam as fundamentally incompatible with European values and secondly, blur the distinction between European Muslims and Muslim nations external to Europe. The reluctance to accede to Turkey’s request to enter the European Union demonstrates the extent to which there still exists resistance within Europe to the recognition of Islam as existing alongside a European identity. The assassination of the Dutch politician Pim Fortuyn, known for his highly critical stance on Islam has been argued to have directly contributed to illegal immigration becoming the focus of EU debates, particularly at the Seville summit in June 2002.⁴ So too, the controversy regarding the cartoons of the Prophet Mohammed printed in a Danish newspaper further aided the placing of Islam in opposition to secular Western democratic nations.

France provides a useful starting point for an analysis of the intersections of nationalist, anti-immigration and anti-Islam discourses in Europe as it is often the country referred to as justifying European fears. France has the biggest Muslim population within Europe (with an estimated 5 million Muslims – approximately 8% of the population) and through the infamous *affaires du foulard* of 1989 and 2004, has been representative of other state’s struggles between the espoused secularism of the state and the recognition of minority religious rights (most recently, the furore surrounding the Danish cartoons of the Prophet Mohammed and the British controversy regarding Jack Straw’s comments regarding the *chador*). Furthermore, following the riots in October and November 2005, the problem of the French *banlieue* and the issue of integration has served to fuel securitarian discourses across Europe.

However, in looking at the French example, it is important also to bear in mind certain specificities, for example; France’s colonial legacy which is closely tied up with the Muslim world, its particular tradition of citizenship based on French revolutionary Republican principles and its consequential rejection of the language of ethnic/race relations. It is argued that it is in the context of these specificities that representations of the *banlieue* must be interrogated. In doing this, it is argued that the *banlieue* can be seen as not

⁴ Al-Shahi and Lawless, *supra* note 2, pp.1-2. This is despite the fact that the assassin was actually a white Dutch man, associated with the animal rights movement.

simply representing a threat to French national and social cohesion but perhaps also as an opportunity for France to attempt to reinforce its particular founding national myths, in opposition to both its ethnic minority communities and the rest of Europe.

PART ONE: THE *BANLIEUE*

(a) Urban Violence

The *banlieue* has historically been a zone on the periphery; firstly separating the working classes and poor from bourgeois *intra-muros* society and later a zone of immigration. It has also long been spoken of in ominous terms; a site of the 'dangerous classes' who pose a threat to French society and social order.⁵ This language of threat has only gained in prominence with the increasing association of the *banlieue* with juvenile delinquency in media and academic discourse since the 1960s.⁶ However, it was in 1981 and the '*Été Chaud de Minguettes*' ('the hot summer of the *Minguettes*', a housing estate on the outskirts of Lyon where riots erupted in the summer of 1981 resulting in the mass burning of cars and wide-scale vandalism and property damage) that the criminalisation and stigmatisation of the *banlieue* became crystallised within media discourse.⁷ As Laurent Bonelli documents, from this time on there has been an increasing emphasis within both political and media discourse on the threat of the *banlieue* through representations of the high risk of crime and the need for greater police presence and tougher measures (most famously summed up by the current Minister for the Interior, Nicholas Sarkozy's reference to "cleansing" the *banlieue* of its 'scum'). Bonelli also notes the manner in which petty crime and delinquency have been presented within public discourses as the first step towards organised crime and terrorism, suggesting that even relatively minor acts of vandalism hold the potential for far greater negative

⁵ Henri Rey documents this history in his book, *La Peur des Banlieues* (Paris: La Bibliothèque du Citoyen, Presses de la Fondation Nationale des Sciences Politiques, 1996), and identifies the *banlieue* as previously referred to as the "Red district" due to its close association with communism.

⁶ Guy Lochard, 'La question de la banlieue a la television francaise: mise en place et evolution d'un conflit de representations', in Marilia Amorim, *Images et Discours sur la Banlieue: Questions vives sur la banlieue* (Paris: Editions eres, 2002), p.34.

⁷ Ibid, p.37; Christian Rinaudo, *L'Ethnicité dans la Cite: Jeux et enjeux de la catégorisation ethnique* (Paris and Montreal: L'Harmattan, 1999), p30; and Angelina Peralva & Eric Macé, *Médias et violences urbaines: Débats politiques et constructions journalistiques* (Paris: La Documentation française, 2002), p.18.

impact on French societal structures and security.⁸ This phenomenon has become known in France as the '*les violences urbaines*' (literally translating as 'Urban Violence' but holding wider reaching connotations, encompassing the various theories of "criminal spectrum" set out above) and has been shown to hold great sway within current French popular discourses.

(b) The Ethnicisation of the *Banlieue*

Alongside the increased association of the *banlieue* with violence and crime, the image of the *banlieue* has become increasingly ethnicised. This ethnicisation of the *banlieue* is partly based on demographic reality (as will be discussed later in this paper). However, while immigrant communities are proportionally higher represented within the *banlieue* than within the broader French society, the image of the *banlieue* as a site of immigration is also an image that has been exaggerated with popular discourses drawing on the American example of the ghetto, despite rejection of this comparison by scholars and sociologists.⁹ As Christian Rinaudo explains; "[d]uring the 'hot summer of the *Minguettes*', the media described an ethnicised universe in which the image of the immigrant and that of the "yob" became superimposed."¹⁰ Rinaudo goes on to quote from an article in the *Nouvel Observateur*, a respected, national mainstream magazine of the Left, which described the *banlieue* of Lyon as, "a hideout of young, angry Arabs, unemployed and more or less delinquent."¹¹ Similarly, Véronique de Rudder points out: "Not all the youth involved in the urban uprisings are of immigrant origin but amazingly we only see those with tanned skin."¹²

Eric Macé and Angelina Peralva, in their analysis of the phenomenon of

⁸ Bonelli, 'The Control of the Enemy Within? Police Intelligence in the French Suburbs (banlieues) and its Relevance for Globalization' in Didier Bigo & Elspeth Guild (eds.), *Controlling Frontiers: Free Movement Into and Within Europe* (Aldershot, England and Burlington, USA: Ashgate, 2005), pp.194-195.

⁹ See Rey, *supra* note 5.

¹⁰ Rinaudo, *supra* note 7, p.30: 'Lors de l'été chaud des *Minguettes*', les médias décrivent un univers ethnicisé dans lequel l'image de l'immigré se superpose à celle du jeune voyou.'

¹¹ Rinaudo, *supra* note 7, p.31: 'un repaire de jeunes Arabes en colère, chômeurs et plus ou moins délinquants.'

¹² Interview in Gérard Baudin & Philippe Genestier (eds.), *Banlieues à Problèmes: La construction d'un problème social et d'un thème d'action publique* (Paris: La documentation Française, 2002), p.114: 'les jeunes impliqués dans les révoltes urbaines ne sont pas tous d'origine étrangère, mais fantasmatisque ment, on ne voit que des jeunes basanés.'

'*les violences urbaines*' within media discourse, also note that the *Beur*¹³ movement which rose in the late 1980s to counter the effects of racism on the immigrant population served to further link the *banlieue* with those French residents of (predominantly) North African background within the public imagination.¹⁴ Thus, with the fragmentation of the *Beur* movement due to differences within its leadership and aims, the *banlieue* remained viewed as a site of social unrest with the young French residents of North African origin defined as those largely responsible. In this way, within current media and public discourse, the term *banlieue* has become a byword for areas inhabited by minority ethnic groups and particularly by 'foreigners', Muslims and most especially 'Arabs'. As Mireille Rosello describes it:

Those demonized *cités* are the symbolic crossroads where anti-Arab feelings crystallize around issues of housing: images of drug-ridden basements and of vandalized letter-boxes are ethnically encoded. Gradually, amalgams permeate French culture, certain types of housing are equated with violence or even terrorism, and immigration is reduced to a gendered caricature: to the menacing silhouette of armed young male delinquents.¹⁵

The fear of the *banlieue* has become a fear of the *étranger* in general, and more specifically a fear of the African, the North African/Arab first and foremost.¹⁶

In late October 2005, following the deaths of two young French men of Malian and Tunisian descent who were being chased by the police, riots erupted across France. While there was unrest in 274 towns and cities, the majority of the rioters were identified as young men from the *banlieue* around major French cities. Images of the riots served to reinforce the construction of the *banlieue* as a site of juvenile male delinquency and violence with the symbolic image of the *banlieue*, burning cars, once again dominating the public space. While expert responses to the riots focussed on the socio-economic conditions, such as the high levels of unemployment

¹³ A *banlieue* term initially used by the French-born children of North African immigrants to describe themselves but which has subsequently been adopted into mainstream French slang and as a result has diminished in its use.

¹⁴ Macé & Peralva, *supra* note 7, p.19.

¹⁵ Mireille Rosello 'North African Women and the Ideology of Modernization: From *bidonvilles* to *cités de transit* and HLM' in Alec G. Hargreaves & Mark McKinney (eds.), *Post-Colonial Cultures in France* (London and New York: Routledge, 1997), p.240.

¹⁶ Rey, *supra* note 5, p.11.

and stigma faced by *banlieue* residents (many of whom are second or third generation French residents of immigrant backgrounds), within popular discourses attempts were made to link the riots to illegal immigration, Muslim separatism and polygamy.¹⁷ The French essayist and literary theorist Tzvetan Todorov told a conference at Columbia University's Maison Française that the riots were the result of dysfunctional sexuality and obsessive machoism among Muslim youths.¹⁸ Hélène Carrère d'Encausse, a French scholar on Russian and Soviet history told the Russian media that the riots were caused by the polygamous marital practices of Muslim immigrants from West Africa, a theory supported by the French Employment Minister.¹⁹

When looking at the 2005 riots two further specificities relating to representations of the *banlieue* emerge more clearly. The first, as the above quote from Mireille Rosello also suggests, the *banlieue* is represented as a highly masculinised space. Women are for the most part excluded from representations of the *banlieue*, unless as victims (an issue which will be dealt in the next section). It is the *banlieue* man that is identified as the problem and most specifically the particular form of *banlieue* masculinity. The other important factor is Islam. It is not simply the immigrant origins of the *banlieue* residents that is identified as a problem but particularly their apparent adherence to Islam. In response to the 2005 riots Muslim leaders were dispatched to appease the rioters. Many academic commentators noted that this was unsuccessful because the rioters did not associate themselves with Islam.²⁰ However, regardless of this fact, the responsibility given to, and taken by, Muslim leaders served to reinforce the riots as a 'Muslim problem'.

(c) Gang rapists and 'Veilers'

The identification of the urban violence of the *banlieue* with a certain (deviant) form of masculinity and Islam is even more clearly elucidated in

¹⁷ Peter Sahlins, 'Civil Unrest in the French Suburbs: November 2005', Social Science Research Council (US) web forum, 24 October 2006 - <http://riotsfrance.ssrc.org/>, accessed 15 November 2006.

¹⁸ Hargreaves, 'An Emperor with No Clothes?' Social Science Research Council (US) web forum, 28 November 2005 - <http://riotsfrance.ssrc.org/>, accessed 15 November 2006.

¹⁹ *Ibid.*

²⁰ Jocelyne Cesari, 'Ethnicity, Islam and les banlieues: Confusing the issues', Social Science Research Council (US) web forum, 30 November 2005 - <http://riotsfrance.ssrc.org/>, accessed 15 November 2006.

public discourses on another highly mediated series of events involving the *banlieue*; the 'gang rape phenomenon'.

In late 2000, discourses on *les violences urbaines* took a turn and focused on a "new" phenomenon of sexual violence in the housing projects of the *banlieue*. With the release of the film *La Squale*, which depicts a group of young men from immigrant backgrounds who prey upon and gang rape young women in a Paris *banlieue*, the "*tournantes*" became a topic of regular media discourse. The year 2001 brought the first widely publicised criminal trials, and in 2002, the launch of the autobiography of a gang rape victim, Samira Bellil, received intense media coverage. Media and public attention culminated in a number of women's marches throughout France under the banner of a new association which appeared in the public space in February 2003, *Ni Putes Ni Soumises* ('Neither Whores Nor Submissives') who became the new 'voice of (women of) the *banlieue*'. The widespread use of the term '*les tournantes*', a term, which is *banlieue* slang literally translating as 'taking turns', identified the sexual violence as specifically connected with the *banlieue*. The graphic details of girls being subjected to gang rape in the dingy cellars of the dilapidated, vandalised, filthy tenement blocks of the housing estates have remained vivid images within French public imagination.

Aside from the close association of *Ni Putes Ni Soumises* with the issue of '*les tournantes*', its leaders and figureheads were also closely associated with the second 'headscarf affair' which became a source of intense public discourse in 2003. In December 2003 the magazine *Elle* published a petition addressed to Jacques Chirac and signed by a large number of left-wing intellectuals, artists and by the leaders and patrons of *Ni Putes Ni Soumises*, in which it was stated, "To accept the Muslim headscarf in schools and public administration is to legitimise a symbol of the submission of women in places where the State should guarantee a strict equality of the sexes."²¹ Further to this, Fadela Amara, President of *Ni Putes Ni Soumises* in her book of the same name, sets out to describe the situations in which girls in the *banlieue* wear the *hijab*. She concedes that certain girls wear it for religious reasons but notes that it is not always clear

²¹ Nacira Guénif-Souilamas & Eric Macé, *Les féministes et le Garçon Arabe* (Paris: Éditions de l'aube, 2004, p.9: '...Accepter le voile islamique à l'école et dans l'administration publique, c'est légitimer un signe visible de la soumission de la femme dans des lieux où l'État doit être garant d'une stricte égalité entre les sexes.'

whether this religious belief is assumed voluntarily or enforced due to pressure placed by family and religious leaders. Amara goes on to argue that in the context of the *banlieue* the *hijab* has become "like a protective shield against male aggression" for many women and girls,²² who feel compelled to wear it to avoid harassment and the threat of sexual assault. In the words of French sociologist, Eric Macé, who has written extensively on the *banlieue* and the phenomenon of *les violences urbaines*: "...first young people [of the *banlieue*] were equated with thieves; then with the revelation of the gang rapes, rapists; then, with the headscarf controversy, they were 'veilers'; and now finally they are considered scum that has to be simply scrubbed out..."²³ Macé's comments astutely highlight the links drawn between criminality, deviant masculinity, sexual violence, misogyny and Islam all of which converge to form the common sense understanding within French popular discourse of the *banlieue*. To be added to this is one further significant feature within representations of the *banlieue*; Islamic fundamentalism.

(d) Islam

A preoccupation with Islamic fundamentalism can be identified in France pre-dating the events of 2001. From his analysis of televised representations of the *banlieue* from 1951 until 1994, Guy Lochard concludes that from 1989 on not only did the *banlieue* receive increasing media attention, it was also increasingly associated with Islamic fundamentalism, as well as the 'un-integrability' of certain immigrant groups.²⁴ The expression, '*L'Islam des Caves*', used to describe a form of political Islam closely associated with both the *banlieue* and radicalism, has promoted an image of the *banlieue* as a breeding ground for Islamic fundamentalism. The first real French encounter with Islamic terrorism came in December 1995 with bombings in the Paris Métro allegedly by a young man born in France of Algerian origin.²⁵ However as the journalist and presenter of *Arret sur Images*, a weekly television programme dedicated to auto-critique of the media (similar to the Australian *Mediawatch*), Daniel Schneidermann sets out in his book, *Le Cauchemar Médiatique*, since the events of 9/11, "the

²² 'comme une armure censée les protéger de l'agressivité masculine'

²³ Eric Macé, 'Banlieues: des territoires abandonnées?' *Le Monde Chat*, 7 November 2005 - <http://www.lemonde.fr/web/chat/0,46-0@2-3226,55-706489,0.html>, accessed 27 November 2006.

²⁴ Lochard *supra* note 5, p.39, see also Daniel Schneidermann, *Le Cauchemar Médiatique* (Paris: Éditions Denoel, 2003), p.28.

²⁵ Cesari, *supra* note 20.

battle against Islamic terrorist groups is a subject of periodic sensationalisation.”²⁶ Schniedermann goes on to provide an example; shortly after 9/11, one of the main national television networks, France 2 reported a rumoured threat of a helicopter attack on the United States Embassy in Paris by Islamic terrorists.²⁷ Furthermore, he reports a linking of Al Qaida, Islamic fundamentalism and the ‘*malfrats des cites*’ (‘miscreants of the housing projects’) within televised news reports, resulting in the formation of what he describes as, “a united group of little devils who pose a silent daily threat to France.”²⁸

If it is accepted that the *banlieue* has been constructed as a space dominated by immigrants, violence, misogyny and Islamic fundamentalism, the next question, which must be asked is why? What is the significance of the *banlieue* as a site of chaos and the discourses on ‘reclaiming’ the *banlieue* through law and order and ‘cleansing’, promoted by politicians and widely reported within the media in France? Furthermore, if discourses on the *banlieue* are indeed about ethnicity, immigration and Islam, then why does it need to be done through such an indirect means? It is suggested that a possible explanation may be found through an interrogation of the principles underlying the French construction of national identity and its policy of integration.

PART TWO: FRENCH REPUBLICAN VALUES & INTEGRATION

(a) The myth of the ‘Old and Static Nation’

In contrast to many other European nations, which have transformed from countries of emigration to countries of immigration (see for example Italy), France has long been a receiving country, with large-scale immigration dating back to at least the middle of the nineteenth century. However, immigration has generally been excluded from France’s imagined national identity. Instead, France has seen itself as an old and static nation with the role of migrants seen only in terms of fulfilling economic needs, in part due

²⁶ Schniedermann, *supra* note 24, p.27: ‘la lutte contre les groupes terroristes islamistes est un sujet périodique d’emballement.’

²⁷ Schniedermann, *supra* note 24, p.28.

²⁸ Ibid: ‘un groupe homogène de diabolins, qui font danser les Français une sourde menace quotidienne.’

to low birth rates in France compared to other European nations.²⁹ Alec Hargreaves explains this erasure in terms of the relatively early establishment of the French state compared with other parts of Europe. In this way, the founding myths on which French national identity has been built pre-dated the waves of major immigration,³⁰ and are particularly tied up with the identification of ‘Republican values’ as providing the core to the French nation.

These founding myths have also impacted upon French conceptions of nationality and citizenship. In contrast with, for example Germany, which has based its construction of national identity on an ethnic concept of nationality, France has based its nationality and citizenship laws on a principle of socialisation, not ethnic origin.³¹ Through reliance on French republican values, French academic, political and other public discourses have preferred to rely on the language of equality through the sameness of ‘being French’ than through recognition of difference. This has led to a general disdain for the language of ‘multiculturalism’ and ‘ethnic relations’ which are seen as Anglo-Saxon imports inappropriate to the French context.³² Rather, France has followed a policy of integration, based upon a theory that, “In France, once you’re French, you’re French and that’s it”.³³ As Schnapper, Krief and Peignard put it; “The main implicit principle of the French republican model of integration is that the lack of a specific integration policy is the best way to integrate migrants, as they are simply considered as French citizens.”³⁴ National identity and belonging in France has been constructed around the ideal of fostering shared cultural values, through adherence to Republican principles and equal access to core institutions, such as the unified national education system.³⁵

²⁹ Pontus Odmalm, *Migration Policies and Political Participation: Inclusion or Intrusion in Western Europe?* (Basingstoke, England: Palgrave MacMillan, 2005), p.19.

³⁰ Hargreaves, *supra* note 1, pp.4-5.

³¹ Heckmann, *supra* note 2, p.9.

³² Rinaudo, *supra* note 7, p.7, Hargreaves, *supra* note 1, p.2.

³³ Tribalat quoted in Valérie Orlando, ‘From Rap to Rai in the Mixing Bowl: Beur Hip-Hop Culture and Banlieue Cinema in Urban France’, *Journal of Popular Culture*, Vol. 36, No. 3, Winter 2003, p.398.

³⁴ Cited in Heckmann, *supra* note 2, p.11.

³⁵ Ibid, p.8, Odmalm, *supra* note 29, p.25.

(b) The Reality of Integration

The reality has not however reflected the principle. For a start, the myth of a unified, cohesive nation masks the forcible erasure of regional identities in France, a fact which has not been without a sense of loss, as the assertion of minority cultural rights in regions such as Brittany demonstrate. In addition, throughout France's long history of receiving immigrants a resistance to the integration of *étrangers* (foreigners) has been documented. While currently most anti-immigration discourses in France, as with elsewhere in Europe, concentrate on non-European immigrants (particularly from North Africa), due to the perception that they are culturally incompatible (an idea that will be further interrogated later in this paper), these discourses have not always been limited to those external to Europe. Rather, in a sense they seem to accompany whichever is the dominant migrant group at the time. Initially the majority of immigrants to France came from other European nations, particularly Belgium, Southern Europe and (in the inter-war years) Poland. Michel-Louis Rouquette, in his book *La chasse à l'immigré: Violence, mémoire et représentations*, describes events in the late nineteenth century in Aigues-Mortes, a town in the south of France, which led to rioting and the murder by a mob of approximately 50 Italian immigrant workers, due to the perceived threat they posed to the local French community.³⁶ In the inter-war years, anti-immigration discourses focussed on the 'unintegrability' of Italians into France due to their Catholic beliefs³⁷ and criticism was levelled by many politicians in the 1930s against the Polish immigrant population in France for their failure to integrate and religious practices which were seen as incompatible with the French Christian tradition.³⁸

In this context, the current focus in French popular discourse on immigrant communities from the Mahgreb is not surprising, when it is noted that this has been quantitatively the most significant migrant group in France since the 1950s.³⁹ Furthermore, as Hargreaves also points out, the attacks on Italians in the late nineteenth century coincided with a period of economic downturn. With the most significant waves of immigration from the

³⁶ Michel-Louis Rouquette, *La chasse à l'immigré: Violence, mémoire et représentations* (Paris: MARDAGA, 1997).

³⁷ Catherine Wihtol de Wenden, in Hargreaves & McKinney, *supra* note 15, p.99.

³⁸ Gérard Noiriel, *Atlas de l'Immigration en France: Exclusion, intégration* (Paris: Éditions Autrement, 2002), p.53.

³⁹ Hargreaves, *supra* note 1, preface, xvi.

Mahgreb coinciding with a slowdown in economic growth, the climate of hostility can in part be explained by a general fear within certain sectors of French society regarding the security of their access to employment and economic and social mobility.

However, racism and colonialism cannot be excluded from the equation. The rhetoric of social rather than ethnic citizenship has not avoided the division in France between "the real French" ("*les Français de souche*") and the "foreigners" ("*les étrangers*") or "immigrants", terms which are also used to refer to French citizen children of immigrant origin and French citizens of the DOM-TOM ("*Département d'Outre-Mer*" and "*Territoires d'Outre-Mer*", the remaining French territories outside of the French mainland).⁴⁰ Political citizenship and adherence to French cultural values has been not demonstrated to be sufficient to overcome the distinction made on somatic differences. An example of this is provided by Amara, an anti-racism activist of Algerian origin, president of the *Fédération nationale des Maisons des Potes* and of the feminist association *Ni Putes Ni Soumises*, who remembers that;

It was in the cradle of the Republic - the school of my childhood - that I felt for the first time that I was an *étrangère* (foreigner/outsider), the day when one of the teachers wanted to count the foreign students and, certainly thinking she was doing the right thing, asked me to raise my hand. And yet, according to the laws passed under the Evian Accord, I had French citizenship.⁴¹

Amara's identification of the school as the 'cradle of the Republic' is not incidental. As noted above, one of the foundations upon which French integration policies have been built is an emphasis on the core institutions of a unified national school system and secularism.⁴² While Amara clearly subscribes to these principles (as detailed in both the previous and the next sections), her continued identification as an *étrangère* demonstrates the reality that true integration is not considered possible for certain groups within the French national space.

⁴⁰ Ibid, p.32.

⁴¹ Fadela Amara, *Ni Putes Ni Soumises* (Paris: La Découverte, 2003, p.19: '...c'est dans le creuset de la République - l'école de mon enfance -, que j'ai véritablement senti pour la première fois que j'étais une étrangère, le jour où une institutrice voulant recenser les élèves étrangers, et pensant certainement bien faire, m'a demandé de lever la main. Et pourtant, selon la loi issue des accord d'Évian, j'avais la nationalité française.'

⁴² Heckmann, *supra* note 2, p.8.

Similarly, the failed reality of France's integration policy appears to have been illustrated in the social and economic marginalisation of *banlieue* communities where, as noted in the previous section, immigrant populations have been disproportionately represented. While the housing projects of the *banlieue* were initially intended to provide low cost housing which could be used as a springboard for the working classes during a time of great economic growth, the economic downturn in the 1970s and increased unemployment established the *cités* as a permanent reality for their residents. This coincided with the settlement of first or second generation immigrants in these areas, following the dismantling of the *bidonvilles* (shanty towns) and transit centres initially set up for migrant workers who were ultimately expected to return home. As Jocelyne Cesari writes; "...immigrant families gained access to government-sponsored housing at the very moment when it became no longer a symbol of progress, but instead a trap for working-class families who did not have the financial means to leave".⁴³ Furthermore, due to the combined reality of racism against non-European immigrants in France and the stigma associated with the *banlieue*, the opportunities to leave have steadily decreased creating permanent sites of marginalisation for immigrant communities.

So why is there this divergence between the rhetoric and the reality of integration? The most oft-cited reasons for France's failure to integrate its immigrant communities, particularly those from the Maghreb are the new immigrants' apparent reluctance or even incapacity to integrate due to the incompatibility of their cultures and religion (Islam) with democratic Republican principles. The examples of Islam's opposition to secularism and the negative treatment of women versus Republican egalitarianism are often used to illustrate this basic incompatibility. The next section of this paper will therefore interrogate these Republican values, through which integration is meant to be possible.

(c) The Paradoxes of 'Republican Values'

This belief in the unwillingness of certain immigrant communities to be integrated is in stark contrast to the findings of sociological research.

⁴³ Cesari, *supra* note 20.

Scholars such as Jonathan Laurence and Justin Vaisse have documented a high level of cultural integration among second and third generation immigrants in France, particularly those of Maghrebin origin. They found that Muslim immigrant communities in France predominantly speak French, are open to inter-marriage, adhere to French cultural values and norms and have birth rates which increasingly mirror white French birth rates.⁴⁴ However, it is in terms of social and economic mobility that immigrant communities have had success: "If [open policies towards naturalisation] and other aspects of general integration can be seen as tendency toward the goal of "integration" or acculturation, housing policy seems to totally run counter to this goal. It clearly leads to a marked pattern of segregation."⁴⁵ As the *Beur* movement of the 1980s and subsequent pushes in the area of anti-discrimination have demonstrated, it is not through active attempts to maintain other cultural or national affiliations that, particularly second and third generation immigrants remain outside French society. Rather, the problem has been the wide-scale social and economic exclusion and stigmatisation of residents of the *banlieue*, particularly (although not exclusively) those of immigrant origin.

This would appear to lend weight to John Crowley's argument that, in direct contradiction to popular belief, anti-immigration and racist discourses emerge in response to the integration of immigrant communities rather than their failure to integrate. Crowley argues that it is not the *presence* of immigrants but rather their *place* that is the source of insecurity, which fuels these discourses. In the French context, while active recruitment of labour from the colonies began in 1916 and particularly following World War II, large numbers of immigrants from France's North African colonies were brought over as manual labour to assist with the extensive post-war re-construction, these migrants were seen as a temporary solution to a labour shortage. In contrast to active attempts to attract European family immigration to boost French demographic recovery, the colonial migrant workers were actively discouraged from bringing their families, through the provision of hostel-type accommodation. It was largely expected that the migrant workers would ultimately return home, similar to the German experience with the *gastarbeiter*, or 'guest workers' and far from attempts being made to integrate them into French society, they were kept external,

⁴⁴ Laurence & Vaisse, *supra* note 2.

⁴⁵ Heckmann, *supra* note 2, p.11.

in a similar manner to during colonialism albeit this time on the French mainland.

However, despite various attempts from the 1960s on to ensure this continued externalisation through attempted bans on family reunification (which was deemed unlawful by the *Conseil d'Etat*, the highest administrative court in 1974) and a policy of repatriation introduced in 1977 and the declaration of an 'end to immigration' in the 1980s, these migrant workers have become a permanent part of the French population. Their geographical and social exclusion was possible while they remained simply a manual labour force, with limited access to or need for French social institutions. With the arrival of families came the first proper contact with the broader French society and an increased visibility within the public sphere, where they were considered to pose a threat through their accessing of French resources and core institutions.

In light of this history, French republican universalism must be juxtaposed with its adherence to colonial ideology:

[t]he ideology of colonial domination was built on the alleged inferiority of non-Europeans. The widespread view that colonized peoples differed from the French to a far greater degree than Europeans helped to underpin the colonial system, and was reinforced by it in turn.⁴⁶

Thus, previous difficulties with integrating other European immigrants are downplayed and, regardless of the reality, the incompatible, usually backward, cultural practices of non-European immigrants are identified as restricting the possibility of these immigrants ever being completely absorbed into French society.

Closely tied to this discourse is the issue of Islam. As set out in the previous section, Islam in France has been problematised through discourses on the *banlieue* in a manner similar to other parts of the world and influenced by global events. However, the problematisation of Islam has a longer history than this. Since the time of the crusades, Islam has been viewed as a threat to Christian Western Europe. The construction of the debauched Arab appears often in European colonial literature, art, political and academic

⁴⁶ Hargreaves, *supra* note 1, pp.153-154.

discourse.⁴⁷ France's colonial enterprise brought significant contact with the Muslim world, resulting in representations of Islam and the Muslim being particularly prevalent. In the words of Nacira Guénif-Souilamas, "[a]lready in the glorious period of the colonial Empire, the Arabs were seen as perverted, a perversion tolerated by their religion, intrinsic in their moral code, transmitted and inherited."⁴⁸ She goes on to identify how many of these stereotypes can also be seen in current constructions of the young Muslim men of the *banlieue*.

France also subscribed strongly to the defensive colonial discourses of the 'civilising mission', which constructed the local population as inherently inferior and in need of managing. In particular the tool of *laïcité* was drawn on as means of establishing and maintaining colonial order.⁴⁹ Drawing on this colonial history, it becomes less surprising that within current popular discourses, the main obstacle to integration is often cited to be Islam, which is cast in direct opposition to the cherished Republican value of *laïcité* (secularism). This perceived opposition is not specific to France, as the Danish cartoon controversy has illustrated. However, as Ruth Mas identifies, through the use of *laïcité* as a form of domination in the French colonial enterprise, Islam became a potent symbol of subversion, resistance and dissent, particularly in the Algerian war.⁵⁰ In this context, the alleged battle between Islam and *laïcité* so often referred to in French popular discourse can be perhaps better viewed in terms of an exercise of (post-)colonial reassertion of dominance than a true case of irreconcilable opposites.

Furthermore, France more than other European nations has attempted to eradicate all connection between its Christian tradition and its construction of statehood. Indeed, as Mas articulates, while great emphasis is placed on the 1905 law secularising the education system and its reduction of the influence of the Catholic Church in France, the various exceptions to and

⁴⁷ As detailed by Edward Said in his classic work, *Orientalism* (London: Penguin, 1995).

⁴⁸ Guénif-Souilamas & Macé, *supra* note 22: 'Déjà, à l'époque glorieuses du centenaire de l'Empire colonial, les Arabes sont vus comme des pervers, une perversion tolérée par leur religion, inscrite dans leurs moeurs, transmise et héritée'.

⁴⁹ For example, Ruth Mas describes how citizenship was denied to Muslims – Ruth Mas, 'Compelling the Muslim Subject: Memory as Post-Colonial Violence and the Public Performativity of « Secular and Cultural Islam »', *The Muslim World*, Vol. 96, October 2006, p592.

⁵⁰ Ibid. See also the example of the wearing of the veil by Algerian women in Moussa Khedimallah, 'Corps et inconscient collectif voilés: Enjeux de la similitude et de l'altérité', *Cosmopolitiques*, Vol. 6, March 2004, p.79.

derogations from that law have generally not been given such primacy. As a result, "[t]he history that brought the Church under state patronage for most of the 19th century and the continuing influence that both this history and the Catholic Church have on public discourse, law and society in France is most often ignored".⁵¹ Thus, while secularism has provided a central feature in discourses on integration to the point that there has been a strong push within French ethnic minority and immigrant communities to identify themselves as 'secular Muslims', when seen in context France's commitment to secularism has not always been so clear cut nor innocent.

A final point worth noting is that the Republican myth of French egalitarianism is also in stark contrast with the reality of exclusion from access to political rights which impacted not just on members of the former colonies, but up until 1944 on the entire French female population. Indeed, the very concept of Republican citizenship based on egalitarianism is paradoxical as initially active citizenship remained the domain of the wealthier male sections of French society. This justifies a certain scepticism when "Republican feminism" is used in relation to discourses on immigrant communities and Islam.

PART THREE: THE *BANLIEUE* – BEYOND INTEGRATION?

So what is the significance of Republican values and their paradoxes to consideration of the *banlieue*? As identified above, the Republican model on which French national identity has been constructed is interpreted as rejecting the language of difference (ethnic, religious or gender) in favour of affirming equality through citizenship and shared cultural values. However, as the first part of this paper demonstrated, representations of the *banlieue* have been intricately woven with ethnicised, Islamicised and gendered imagery suggesting that while official rhetoric prohibits the identification of difference, in reality it is a central source of concern. At the same time, the *banlieue* is not simply an indirect manner of debating ethnic or religious diversity through the employment of a neutral geographical space. An analysis of the representations also highlights the *banlieue* as a highly charged environment, associated with criminality, misogyny, intolerance, religious extremism and violence. Thus, concern about the impact of ethnic and religious diversity and immigration on the

⁵¹Mas, *ibid*, p.590.

mythical cohesive nation become inextricably intertwined with fears regarding the threat to physical security and social stability.

The use of the language of 'threat' to describe immigrants is not new, nor is it limited to France.⁵² The French Right, as with many right-wing political parties throughout Europe, has drawn on this image and, along with re-asserting the "positive aspects of colonialism",⁵³ affirmed the fatalistic view of the 'unintegrability' of certain (backward, uncivilised, non-European) cultures. Meanwhile the Left has responded in terms of re-establishing Republican order in relation to the poorly integrated, badly socialised citizens of the *banlieue*.⁵⁴ However, what is clear across the French political spectrum is the unquestioning adherence to Republican principles. This has also been the case within much of the anti-racism movement. While Mas identifies this in relation to her deconstruction of the 'Secular Muslim' identity currently being negotiated in response to Islamophobia and racism in France, this paper will now look at the example of *Ni Putes Ni Soumises*, the association which has emerged as a major player in discourses on the *banlieue* in recent times.

***Ni Putes Ni Soumises* – 'The New Voice of the *Banlieue*'**

After great success in the 1980s, the *Beur* anti-racism movements appear to have lost mainstream French interest. *SOS Racisme*, which had emerged as the strongest force, has essentially disappeared from the public domain. By way of contrast, since its launch in 2002 the association *Ni Putes Ni Soumises* has received ever increasing media and political attention and features heavily in public debate on ethnic relations and *banlieue* issues. Indeed its launching march, the *Manifestation de la Journée des Femmes* on 2 Mars 2003 was used as a parallel to the highly successful 1983 March for Equality and against Racism (dubbed the '*Marche des Beurs*'). Whilst starting out with a general anti-racist, anti-sexist agenda identifying practical issues such as education, employment and support services, in reality *Ni Putes Ni Soumises* has focused on addressing the issue of sexist violence within the *banlieue*, perpetrated by *banlieue* men.

⁵² For a detailed account of this phenomenon with particular emphasis on the experience in Greece and Italy see Anastassia Tsoukala, 'Looking at Migrants as Enemies' in Bigo & Guild, *supra* note 8, pp.161-192.

⁵³ For more on this and the relationship between colonial discourses on the 'civilising mission' and current discourses on the management of Islam in France see Mas, *supra* note 48.

⁵⁴ Peralva and Macé, *supra* note 7, pp.21-23.

This is not incidental. In a television discussion on France 5 in 2005, Loubna Méliane, a representative of the association, stated that attempts had been made for a period of three years prior to the launch of the association and the march. She stated that they had received little interest from the media or social services on the basis that, "they said that there weren't problems with the girls [of the *banlieue*] – they did well in their studies and all was going well. It was rather with the boys that there were problems."⁵⁵ It was only after the launch of Samira Bellil's autobiography in which she describes her experiences as a victim of the *tournantes* and the highly mediated death of Sohane, a young woman burnt alive in the basement of a block of flats in a Parisian *banlieue*, that the movement attracted sufficient support. The leaders of the march were subsequently received by Jean-Pierre Raffarin with 3 other ministers at Matignon. Arguably; this 'voice of the *banlieue*' was only worthy of interest when it allowed for the further condemnation of young *banlieue* men.

It is also important to note that *Ni Putes Ni Soumises*' main platform has been the condemnation of violence and discrimination suffered by women in the *banlieue* through the reinforcement of Republican values. In particular, the association has closely allied itself with the French socialist party and with notable French republican feminists and declared a strict adherence to *laïcité* and equality between the sexes. The association has also been very vocal in its criticism of Islam. In her book about her experiences as a victim of '*les tournantes*', Samira Bellil does not explicitly refer to Islam or ethnicity as a direct factor in the rapes; however, a connection is implicitly made. In the preface to Bellil's book, the journalist Josée Stoquart states:

It seems that within these areas, euphemistically called, "sensitive", where the majority of the families are of immigrant origin, it is difficult to situate a place for the woman. Certain young men are pulled between the strict discipline of their cultural origins (religious fundamentalism, the untouchability of the woman, polygamy) and a cultural environment which is heavily eroticised...These adolescents have no point of reference and are not conscious of the gravity of their actions. For them, '*la tournante*' (gang rape) is a game

⁵⁵ *Arret sur Images*, France 5, 27 March 2005 – 'ils ont dit qu'il ne y avait pas de problèmes avec des filles - elles russissent dans leurs études, tout va bien, c'est plutôt avec des garçons qu'il y avait des problèmes'.

and the girls, the objects.⁵⁶

Thus, in her apparent attempt to find explanations for the phenomenon of *les tournantes*, Stoquart identifies the problem as one specific to the *banlieue* (also referred to in French as '*les quartiers sensibles*') and linked directly with ethnicity and Islam. This link was also made by various spokespeople for *Ni Putes Ni Soumises* around the time of the 2003 march. In an interview with the left-wing newspaper, *Libération*, Bellil was quoted as stating she would never go out with a *Beur*: 'With anyone else, fine, but not with someone of my own culture! They're either religious (fanatics) or scumbags.'⁵⁷

Similarly, Amara in writing about the *hijab* in the *banlieue* both stresses her commitment to secularism ('I, who places great value on fundamental freedoms, think that the religious practice is legitimate when it is freely chosen, without pressure or constraint, but above all when it is done in accordance with respect for the communal rule which is *laïcité*.'⁵⁸) and identifies the *hijab* as first and foremost a symbol of female oppression. She is dismissive of women she refers to as the 'green (Islamic) fascists'⁵⁹ who assert a feeling of liberation through wearing the *hijab* and argues that these women are in fact 'dangerous to democracy'.⁶⁰

The intense publicity *Ni Putes Ni Soumises* has received has had two major consequences. The first is the further association of Islam with the *banlieue*, through the conflation of *banlieue* women and Muslim women. In one of

⁵⁶ Samira Bellil, *Dans L'Enfer des Tournantes* (Paris: Denoël Impacts, 2002), Preface : 'Il semble que dans ces quartiers que l'on dit pudiquement 'sensibles', où la majorité des familles est issue de l'immigration, il soit difficile de donner sa place à la femme. Certains jeunes sont pris entre le rigorisme de leurs origines culturelles (intégrisme religieux, intouchabilité de la femme, polygamie...) et un environnement culturel très fortement éroticisé...Ces adolescents n'ont plus aucun repère et ils n'ont pas conscience de la gravité de leurs actes. Pour eux, la "tournante" est un jeu et les filles, des objets.'

⁵⁷ Luc Le Vaillant, 'Profil- Samira Bellil', *Libération*, 7 October 2002, quoted in Benabdessadok, Chérifa, 'Ni puttes ni soumises: de la marche à l'université d'automne', *Mouvements*, Vol. 1248, March-April 2004, p.67 : 'Avec toute la terre d'accord, mais pas avec quelqu'un de ma culture! C'est soit un religieux soit une racaille'. It is interesting to note that Bellil also uses the term 'racaille', used by Nicholas Sarkozy, Minister for the Interior in his controversial 'cleaning the *banlieue*' statement.

⁵⁸ Amara, *supra* note 40, pp.47-48: 'Moi qui suis très attachée aux libertés fondamentales, je pense que la pratique religieuse est légitime quand elle est librement choisie, sans pression ni contrainte, mais surtout quand elle s'inscrit dans une démarche de respect de la règle commune qu'est la laïcité.'

⁵⁹ 'les soldates du fascisme vert'.

⁶⁰ Amara, *supra* note 40, p.48.

many examples, a discussion on Muslim women's sexuality on the French television channel *Arte* on 8 February 2005 featured representatives from *Ni Putes Ni Soumises* as *banlieue*/Muslim women. Furthermore, the most visible faces of the organisation are women of Mahgrebin origin; in particular Bellil, the now deceased patron of *Ni Putes Ni Soumises* and famous survivor of gang rape and Amara, the President of the Association who is of Algerian descent. The second has been, through the association's often highly critical stance on Islam and its vocal support for the *hijab* ban, a reinforcement and perpetuation of the links currently drawn within French popular discourse between sexism, violence, Islam and the *banlieue*.

As a result, a number of academics and activists have been deeply critical of the association. As Nacira Guénif-Souilamas and Eric Macé argue, *Ni Putes Ni Soumises* has done little to challenge the racist and stigmatised representations of the *banlieue*. Instead, the association has further justified colonialist and racist discourses on the "Arab"/Muslim and reinforced French patriarchal order. Certainly, the association seems to have done little to address the fact that representations of *banlieue* women are reduced to one of two positions; that of victim or of pawn of male domination. Activist with the association, "*Femmes françaises et musulmanes engagées*" ('French women and active Muslims') and co-author of the book *L'une voilée, l'autre pas* ('One veiled, the other not'), Saida Kada describes how in the national left-wing newspaper, *Libération* she was accused in wearing the *hijab* of being, 'an accomplice to masculine domination and thus to gang rapes and other acts of barbarism'.⁶¹ She also quotes a journalist from the local left-wing feminist newspaper, *Lyon Femmes* who stated, 'the headscarf and the gang rapes come from the same contempt for women'.⁶²

By remaining within the paradigm of Republican values, *Ni Putes Ni Soumises*' attempts to address the issue of discrimination and violence against immigrant/*banlieue* women has been limited to that perpetrated by "their own" men. The *banlieue* is re-affirmed as a site of intersection between violence, misogyny, immigration and Islam thereby justifying its residents' continued marginalisation. So too, the blind adherence to Republican values without situating them within the context of France's colonial and racist past, the continued pre-eminence of dominant patriarchal

⁶¹ Dounia Bouzar & Saida Kada, *L'une voilée, l'autre pas* (Paris: Éditions Albin Michel, 2003), p.145: 'complice de la domination masculine et donc des viols collectifs avec actes de barbaries'.

⁶² Ibid: 'le foulard et les viols collectifs relèvent du même mépris pour les femmes'.

order and current anti-immigration and Islamophobic trends allows for the reinforcement of dominant hegemonic identity and power structures.

CONCLUSION

While official French rhetoric seeks to efface all racial and ethnic distinction, an analysis of representations of the *banlieue* demonstrate that indirectly through this highly problematised and stigmatised site, it is exactly issues of ethnicity and cultural diversity and their impact on mythical constructions of nationhood that form a central concern within French popular discourse. In this way, rather than France being distinct from other European nations, it can be seen to be caught up in many of the same struggles with managing the perceived threat posed by ethnic minorities and immigration to the constructed cohesion of French national identity. This is only made more complicated by France's deep implication in European colonialism.

While the popular understanding is that the *banlieue* represents a site of failure of French integrationist policies, I argue that it in fact provides a far more important stabilising force. It is true that the *banlieue* is a site of conflict between dominant French hegemonic order and marginalised communities. However, through the subtle, indirect conflation of the *banlieue* with, on the one hand immigrant communities and Islam, and on the other, violence, criminality, extremism and intolerance and misogyny, this unintegrated zone is legitimated. Indeed, the need for the *banlieue* and its residents to remain outside of French constructions of national identity and power structures is justified as to integrate it would be to allow negative influences to threaten 'good French order'. A closer look at the issues underlying the problematisation of the *banlieue* and most particularly its residents of immigrant, particularly North African Muslim origin, demonstrates that the cause of many of the problems can be found within the inherent contradictions in mythical Republican values. However, the legitimacy of these values is rarely interrogated and is accepted even within the anti-racist movement as providing the only possible basis for French constructions of national identity and national belonging. In this way, rather than the *banlieue* representing a weakness or a threat, it provides a useful means of reinforcing the myths upon which dominant hegemonic identity is built in France.

At a time when most European nations are struggling with their growing immigrant and ethnic minority communities and the re-assertion of the myth of homogenous national identity and the relationship between Europe and Islam both within and outside its borders is a source of intense debate, consideration of the French example provides an opportunity to identify similarities and differences with the broader European experience.

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NARRATIVES OF TERROR IN SPAIN SINCE 9/11: CONTESTING THE CONCEPT OF PERPETUAL WAR

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*This article seeks to explore the mass-mediated narratives that have been produced in the post 9/11 era in Spain to contest Hardt and Negri's compelling argument in *Multitude* that the September 11 attacks opened a new era of war and that 'war is becoming a general phenomenon, global and interminable' (2000: 4). This article posits that Spaniards do not consider themselves to be operating in a state of 'perpetual war'. Instead, the post-9/11 narratives on terror operate on a more fundamental "national" level, arguably leading to a re-awakening of las dos Españas (conservative and liberal Spains) that led to civil war (1936-39) and culminated in the Franco dictatorship. This article will explore two key events in contemporary Spanish politics: the March 11, 2004 attacks in Madrid that led to the ousting of the conservative government; and ETA's declaration of a 'permanent' ceasefire in March 2006. I argue that the mass-mediated narratives currently fomenting around these two events in Spanish political discourse override global and 'pan-European' narratives of terrorism, questioning the effectiveness of the global US-led 'war on terror.'*

THE 9/11 PARADIGM SHIFT

The attacks on the World Trade Centre in New York City and the Pentagon in Arlington on September 11, 2001, effectively positioned the 'war on terror' at the centre of global political discourse. The 'war on terror' can be considered as a US-led war that is intentionally broad enough to encompass so-called rogue states, declared 'failed' states, national liberation struggles, remnants of the Cold War apparatus, and any security issues that can be filtered through the 'terrorism' discourse. In effect, any 'threat' or 'violence' that is not 'state' sanctioned neatly fits into the 'war on terror' narrative, at least as articulated by the U.S. Government and its allies. State terror is a significant omission from this discourse: the crimes of states are generally not illegitimate unless they are committed by 'rogue' states such as Iraq, Iran or North Korea. This discourse has also crept into an array of other issues of global concern: mass migration from developing countries into the "west", the difficulties in "integrating" immigrants with different "values"

into western communities, and many such issues that are encompassed in national identity debates and struggles. Many political theorists thus argue that 9/11 was a paradigm shift in transnational relations, the start of a new era after a ten year interregnum period that began with the end of the Cold War (1991–2001). There are notable exceptions such as Noam Chomsky, who argues that a 'war on terror' was first articulated by former US President Ronald Reagan and that the only thing that changed on 9/11 was the identity of the victims. That is to say that, for the first time, it was the United States, the world's sole superpower that was under attack; a superpower with the power and communication reach to change the global security apparatus and re-articulate the global security discourse.

But most scholars and media pundits agree that some kind of ill-defined paradigm shift did begin with 9/11. One of the most infamous interpretations of this shift has been articulated by Michael Hardt and Antonio Negri in *Multitude* (2004), their follow up to their seminal text *Empire* (2000). Hardt and Negri argue that the unending nature of the new war (the global war on terror) takes on a generalised character with the result that war has become a permanent social relation.¹ By updating Foucault's conceptualisation of 'biopower,' Hardt and Negri claim that this new type of war has become the general matrix for all relations of power and techniques of domination. Unlike disciplinary power, which is addressed to bodies through instruments such as surveillance, training and punishment, 'biopower' refers to the control of 'life,' dealing with the population as political problem.² This technology of power, Foucault insisted, is not society, but a new body, "a multiple body, a body with so many heads that, while they might not be infinite in number, cannot necessarily be counted."³ The aim of this new technology of power is not to discipline the body, but "to take control of life and the biological processes of man-as-species and of ensuring that they are not disciplined, but regularised."⁴ One of the inevitable consequences of the process of biopower is that it spurs the installation of an array of security mechanisms around the random element inherent in a population of living beings.

¹ Michael Hardt and Antonio Negri, *Multitude* (London: Hamish Hamilton, 2004), p.12.

² Michel Foucault, *Society Must be Defended* (London: Allen Lane, 2003), p.245.

³ *Ibid.*, p.245.

⁴ *Ibid.*, p.247.

Thus, according to Hardt and Negri, in the twenty-first century, biopower remains a form of power that regulates social life from its interior, following it, interpreting it, absorbing it, and rearticulating it.⁵ This is because the global ‘war on terror’ has become a new threat against the human species, precisely because of its random nature. The terrorist threat has caused the state security apparatus to become a key institution in the control of the population. The significance of the ‘war on terror’ or ‘total war’ is that war itself has become a ‘regime of biopower’ According to Hardt and Negri, when power becomes entirely biopolitical, “the whole social body is comprised by power’s machine and developed in its virtuality.”⁶ Power is thus expressed as “a control that extends throughout the depths of the consciousness and bodies of the population – and at the same time across the entirety of social relations.”⁷ The post-September 11 era, despite its hyperreality (or perhaps because of it), has thus become deeply embedded in the political and social narratives of the state. Discourses of terrorism thus interconnect with state narratives, to the extent that they reproduce social and political life.

Yet despite Hardt and Negri’s compelling argument in *Multitude*, that the September 11 attacks opened a new era of war and that “war is becoming a general phenomenon, global and interminable,”⁸ local interrogations of the terror phenomena persist: do Europeans consider themselves to be existing in a state of ‘perpetual war’? And by extension, how do individual member states of the EU respond to the global war on terror, particularly member states such as Spain and the UK with a long history of terrorist attacks within their borders? Spain is particularly interesting because in that country this phenomenon is not new. For decades, the Spanish state has grappled with the dilemma that Basque terrorism has posed to Spanish unity. This paper argues that while September 11, 2001 might have delivered Spanish attention to the global field of terror, the March 11, 2004 attacks effectively returned the frontline to the Castilian heartland.

Yet the hegemonic mediated narrative of the September 11 attacks in the U.S.A. presented a challenge to Europeans. Europeans were told that they

⁵ Michael Hardt and Antonio Negri, *Empire* (Cambridge, Harvard University Press, 2000), pp.23-24.

⁶ Ibid, p.24.

⁷ Ibid.

⁸ Ibid, p.4.

too were under attack. The narrative script argues that it was not American imperialism under attack – not the Empire – but rather freedom itself. Europeans, just like Americans, were free people – democratic and heirs of the enlightenment tradition. Europeans were told that they were going to be next because they too represented modernity, rationalism and freedom. The ‘enlightened states’ are under attack by *those* against modernity and *those* who cling to outdated traditions that no longer belong in a globalised and civilised world. Europeans underestimated, however, the extent of the shock that the September 11 attacks had on the U.S. administration. After September 11, however, most European states “wanted a well-defined policy against Al Qaeda rather than on a range of real or potential state sponsors of terrorism”.⁹ Europeans were worried about being dragged into a wider, protracted conflict. Despite the oft-repeated claims by politicians and conservative commentators from both sides of the Atlantic that all Western states are under attack because of their ‘values,’ the only two serious bombings on Western targets since 9/11 have occurred in Spain and the United Kingdom, the two states that were the U.S.A.’s most fervent European supporters in the invasion of Iraq. According to many political commentators, the Madrid and London attacks have made Europe the frontline on the ‘war on terror’ Despite, or because of, the complexity of the post 9/11 era, the effects of these attacks are experienced differentially. In the UK, the London attacks prompted Prime Minister Tony Blair to rhetorically and militarily dismantle ‘Londonistan.’ Yet, in Spain, the new Socialist Prime Minister José Luís Rodríguez Zapatero’s has called for an ‘Alliance of Civilizations’. A proposal to fight ‘hostile perceptions’ is very different from the US led global war on terror that seeks to fight ‘terrorism’ with a military response. This article seeks to understand the Spanish response in terms of the constraints of its historical narratives.

NARRATIVES OF TERROR, NARRATIVES OF STATE

In the early twenty-first century few if any terms are as loaded with ideological and symbolic meaning, and yet difficult to pin down, as ‘terrorism.’ The concept of a ‘war on terror’ is similarly elusive. The ‘war on terror’ cannot (and should not) be reduced to a response to one ‘terrorist attack,’ even one of the magnitude of the September 11, 2001 attacks in the United States. Instead, the ‘war on terror’ as a concept should be more fluid

⁹ Anouar Boukhars and Steve. A. Yetiv, ‘9/11 and the Growing Euro-American chasm over the Middle East’, *European Security*, Vol.12, No.1, 2003, p.67.

and radical in its presumptions. This article posits that the best way to understand the concept of the 'war on terror' is to conceptualise it as a (meta)narrative. This approach will highlight that the 'war on terror', like any (meta)narrative, is unstable and articulated and contested in interesting and diverse ways throughout different parts of the world.

According to M. C. Lemon, narrative as a mode of theory is inherently "messy" for philosophical or scientific purposes.¹⁰ This is because narrative lacks the coherence of philosophy because its practitioners rarely examine their own premises, and it also lacks science's 'laws' of causality, determinateness and inevitability. Narrative is not a specific theory, but a set of assumptions about how people behave and how the world works.¹¹ Narrative is received through tradition and experience but need not necessarily embody a textual form. The importance of narratives lies in the fact that they often deal with those events in the histories of specific cultures that are 'traumatic' in nature and the meaning of which is either problematical or overdetermined.¹²

The discipline of historiography, in particular, recognises narrative (and narrativity) to be concepts of social epistemology and social ontology.¹³ That is, it is through narrativity that we come to know, understand and make sense of the social world, and it is through narratives and narrativity that we constitute our social identities. According to Margaret Somers, it matters not whether we are social scientists or subjects of historical research but "that we come to *be* who we *are* (however ephemeral, multiple and changing) by our location (usually unconsciously) in social narratives and networks of relations that are rarely of our own making."¹⁴ In other words, we are always embedded in social narratives; whether we recognise it or not, our social identities are constituted through narrativity. The debate about the role of narrative in historiography is therefore useful because it can help establish whether the 'war on terror' is intrinsically linked to the

¹⁰ M. C. Lemon, 'The Structure of Narrative' in G. Roberts (ed.), *The History and Narrative Reader*, London, Routledge, 2003, p.110.

¹¹ Ibid.

¹² H. White, 'The Historical Text as Literary Artefact' in G. Roberts (ed.), *The History and Narrative Reader* (London: Routledge, 2003), p.222.

¹³ Margaret Somers, 'Narrative, Narrative Identity, and Social Action: Rethinking English Working-Class Formation' in G. Roberts (ed.), *The History and Narrative Reader* (London: Routledge, 2003), p.362.

¹⁴ Ibid, p.360.

construction of knowledge, mythologies and national identities. Historiographical debates also highlight that narrative can be a practically oriented attempt to reshape effective collective understandings of the past.

For the purpose of exploring the 'war on terror', I am particularly interested in what Margaret Somers calls metanarrativity.¹⁵ Metanarrativity refers to the 'master-narratives' in which we are embedded as contemporary actors in history and as social scientists. Our sociological theories and concepts are encoded with aspects of these master-narratives – Progress, Decadence, Industrialization, Enlightenment – even though they usually operate beyond our awareness. These narratives can be the epic dramas of our time: Capitalism vs. Communism, the Individual vs. Society. They may also be progressive narratives of teleological unfolding: Marxism and the triumph of class struggle; Liberalism and the triumph of liberty; the Rise of Nationalism; or of Islam.¹⁶ This (meta)narrative category is akin to the postmodern conception of 'Grand Narratives' as conceptualised by the French cultural theorist Jean François Lyotard. Indeed, what Hardt and Negri call the 'regime of biopower' can also be embodied in the theory of metanarrativity since the global US-led 'war on terror' has become one of the epic dramas or 'grand narratives' of our time.

The narrative approach will therefore be useful in understanding Hardt and Negri's conceptualisation of the 'war on terror' as a 'regime of biopower' that produces and reproduces all aspects of social life. Put simply, war, according to Hardt and Negri (in the form of terrorism and/or counter-terrorism) is becoming the primary organising principle of society in our era, and thus, such a war to create and maintain social order can have no end.¹⁷ One cannot win such a war; rather it has to be won again every day. Rather cynically, Hardt and Negri add, "war has thus become virtually indistinguishable from police activity."¹⁸ But what I want to highlight here is that the social and political ramifications of 'total war' or the 'regime of biopower' can only be understood in narrative form. Theoretical knowledge cannot adequately explain the process whereby the unending nature of the war against terrorism becomes a permanent social relation. Narrativism, on the other hand, is better positioned to explore which public discourses are

¹⁵ Ibid, p.362.

¹⁶ Ibid.

¹⁷ Michael Hardt and Antonio Negri, *Multitude*, p.14.

¹⁸ Ibid.

socially predominant based on the existing distribution of power, and which discourses are politically contested. Moreover, a narrative approach will indicate whether ‘perpetual’ or ‘total’ war is a global as well as a pan-European phenomenon, or simply a narrative that works and fits in some states better than others. That is, does the US-sponsored ‘war on terror’ narrative work in Spain, a country whose former government supported the invasion of Iraq and consequently suffered the worst terrorist attacks on European soil since the Second World War?

This question leads to a more fundamental question. To what extent is the state itself ultimately just another narrative, a fiction imagined and imbued with material foundation? Phillip Abrams takes an alternative approach to traditional state theory and was one of the first theorists to argue that the state is a powerful illusion and should be approached as a ‘Mask’.¹⁹ For Abrams, the true mode of existence of the state is not material but ideological. The state does not exist; for him, what exists is the *belief* that the state exists. According to Abrams, the obvious reason for this misrecognition is the state’s legitimating function of concealing the true, social basis and functions of political power. Although Abrams’s conceptualisation of the state as ‘Mask’ is useful it is also problematic. When Abrams asserts that the state does not exist and assumes that the state is simply an illusion he fails to recognise the state as something with real social existence.²⁰ The critical task of deconstructing the state can, however, be used to explain and demystify the processes and practices that produce the state’s social existence. Such a deconstruction works to negate the state’s claim to universality and naturalness. Begoña Aretxaga posits that the state materialises not only through rules and bureaucratic routines (Foucault) but also through a world of fantasy so thoroughly narrativized and imbued with affect, fear and desire, that it becomes a plausible reality.²¹ Although the state is “an effect of a heterogeneous and contradictory ensemble of discourses and practices,” this does not mean that the state does not have any reality at all, that it is only an illusion.²² In Spain’s Basque Country, in particular, the state is experienced in all its materiality

¹⁹ Begoña Aretxaga, ‘Paramilitary Death Squads in Spain’ in B. Campbell and A. Brenner (eds.), *Death Squads in Global Perspective: Murder with Deniability* (New York: Palgrave Macmillan, 2002), p.52.

²⁰ *Ibid.*, p.63.

²¹ *Ibid.*

²² *Ibid.*, p.53.

and violence. The state might be an effect but it is not less real because of that.

Thus, if we also conceive the state itself as a narrative – a narrative that drives forward a national agenda – then it clearly intersects with the meta(narrative) of the ‘war on terror’. What is at stake, however, is the extent to which national or state narratives adopt the discursive parameters of the ‘war on terror’. In Jean Baudrillard’s quintessential book *America* he captured the US position in the international system by claiming,

Today, America no longer has the same hegemony, no longer enjoys the same monopoly, but it is, in a sense, uncontested and uncontestable. It used to be a world power; it has now become a model (business, the market, free enterprise, performance) – and a universal one – even reaching as far as China. The international style is now American.²³

The implication is that geo-political hegemony in the world is rather an unnecessary abstraction. ‘America’ has claim to something greater – it is the world model; it sets the trends, the agenda, and the ‘global narrative’ if you will. In contrast, the schemata of narrative concurrences outlined above posits that in the post 9/11 era even this monopoly of narrative power is no longer incontestable. ‘America’ might promote a (meta)narrative of ‘total’ war against ‘terrorism’ but it is by no means universal.

That is not to suggest that a US-led global ‘war on terror’ does not have far-reaching implications. Rather, it opens the possibility of determining the narrative implications of the ‘war on terror’ as operating in multiple locations around the world, always with distinct outcomes and processes. Hence, according to Suman Gupta in *The Replication of Violence*:

The spectre of ‘international terrorism’, which in its very turn of phrase conjures a threat that cannot be easily managed, that seeps across boundaries and cannot be restrained and may threaten the world eventually, has been anticipated with a sort of horrified thrill by the West as a contamination that may appear (much to the glee of xenophobes and conservatives) from *outside* – from ultra-left groups, from Islamic fundamentalist groups – but still reassuringly *outside*.²⁴

²³ Jean Baudrillard, *America* (London: Verso, 1988), p.116.

²⁴ Suman Gupta, *The Replication of Violence: Thoughts on International Terrorism after September 11th 2001* (London: Pluto Press, 2002), p.5.

More interestingly, Gupta continues:

That “international terrorist” acts have now *actually materialised with such all-too-tangible effect within the Western context* is a substantial shock: ‘international terrorism’ appears to have suddenly become more than a xenophobe’s or conservative’s nightmare or a media fad or a Hollywood fantasy, it appears to have become a serious and urgent and in some sense *within-our-zone* affair crying out for a renewed academic assessment and a concerted political effort. ... it is not simply the case that that which seemed somewhat far-fetched and fantastical before has proved to be quite real and tangible; instead the realm of the real and tangible has itself become indistinguishable from the fantastical and far-fetched. Too many scare-mongering theories and Hollywood fantasies that were reassuringly distant have simply moved in close, become real, without wholly losing the almost-virtual veneer.²⁵

The symmetry between large scale international terrorist attacks and Hollywood has been readily seized upon by many theorists highlighting the hyperreality of the real and – impossible to imagine – terrorist attack. Gupta highlights what has usually been a fundamental dichotomy: the unassailable division between *inside* and *outside*, as if a foreign external virus has entered *within-our-zone* defeating what was once a full-proof immune system. The ‘terrorist’ attacks in Madrid in 2004 and London in 2005 demonstrate the precariousness of the inside/outside division. In both cases, the “terrorists” were locals, and in the London case, even British citizens. Yet, there are also other fundamentals that must, for Gupta, be taken into account. To what extent has the realm of the real and the tangible become indistinguishable from the fantastical and the far-fetched? Perhaps the answer to this question cannot be objectively demonstrated and perhaps it is a question that applies differently in disparate contexts. It begs attention that, because the Spanish state has a long history of internal violence and terrorism, violence is not necessarily narrativised as *fantastical*. On the contrary, historical narratives of the Spanish nation(s)/state have a long trajectory of coming to grips with random violent attacks even if prior acts of terrorism in Europe, such as by ETA in Spain and the IRA in Britain (the two groups responsible for the most amount of deaths in Europe in the past 25 years), were clearly linked to nationalist or politically oriented goals.

²⁵ Ibid, p.6.

The random nature of the Madrid and London attacks, and the apparent lack of meaning behind the ‘message’ of these attacks, was indeed a challenge to the democratic governments of those states and the broader EU. Yet compared to the USA, European reaction to this ‘new’ type of terrorism is still contained in what are, in comparison, rather benign national scripts: terrorism is perceived as a challenge that must be overcome rationally by combining intelligence, police operations, and negotiation. As the next section argues, the Spanish experience indicates that although a global ‘war on terror’ narrative obviously impacts on state narratives, these narratives are by no means absolute and (over)determined. Rather, these narratives are in many disparate ways contested by various constituencies in Spain, with the overriding driving force being domestic or internal forces, usually linked to historical narratives. In sum, the narrative of the ‘war on terror’ does not have the same impact in Spain as it does elsewhere, because its population has been on the receiving end of various forms of violence for decades, if not centuries.

HISTORICAL CONTINUITIES, MYTHOLOGICAL DISCONTINUITIES

In *The Archaeology of Knowledge*, Foucault highlighted that the idea of discontinuity has assumed a major role in the historical disciplines.²⁶ According to Foucault, “for history in its classical form, the discontinuous was both the given and the unthinkable: the raw material of history, which presented itself in the form of dispersed events – decisions, accidents, initiatives, discoveries; the material which, through analysis, had to be rearranged, reduced, effaced in order to reveal the continuity of events”.²⁷ Discontinuity was the stigma of temporal dislocation and it was therefore the historian’s task to remove the discontinuous from history. According to Foucault, it has now become one of the basic elements of historical analysis. Foucault was thus rather prescient in the early 1970s when he stated that “The cry goes up that one is murdering history whenever, in a historical analysis – and especially if it is concerned with thought, ideas, or knowledge – one is seen to be using in too obvious a way the categories of discontinuity and difference, the notions of threshold, rupture and transformation, the description of series and limits.”²⁸ Indeed, Foucault was

²⁶ Michel Foucault, *The Archaeology of Knowledge* (London: Routledge, 2002), p.9.

²⁷ Ibid.

²⁸ Ibid, p.15.

referring specifically to the disciplines of ideas (the history of science, the history of knowledge etc.), disciplines that were more or less self-contained in an academic context. But in the early twenty-first century the role of discontinuity in history is more controversial than ever in some states, if only because the debate has extended beyond the academic frontier and into popular mass-mediated narratives that tell the story of the 'nation' to the 'masses.' This is especially true within the Spanish state where the battle lines between conservative and progressive views of history have been drawn exactly as Foucault foretold. On the one side, the Spanish left and regional nationalists are attempting to highlight the discontinuities of historical narratives that have until recently remained unchallenged. On the other side, conservatives and the Spanish right argue in a sense that the left is 'murdering' history by challenging long-standing historical narratives and the pacts of compromise that were enacted during Spain's transition to democracy.

The idea that political problems are best settled by violence is a commonplace of Spanish history and literature. Paul Preston, the most notable historian on modern Spain, highlights that historical writing by Spanish émigrés after the Civil War, but also in Spain itself since the death of Franco, has been an all-consuming quest for an explanation for the country's plethora of civil wars.²⁹ According to Preston, "the consequent cultural/national character interpretations provided implicitly, and sometimes explicitly, teleological versions of Spain's history, characterising the national past in terms of a propensity to pitiless blood-lust and savage discord."³⁰ A desire to reconcile national identity, even humanity, with the excesses of civil war and violence is not unique to Spain. What is unique, however, is that since Spain was denied liberation in 1945, "the question of coming to terms with the past has been rendered difficult by the fact that 'the past' continued for nearly forty years after the war's conclusion and indeed beyond."³¹ Preston is referring here to the Franco dictatorship that promoted a one-sided view of history and that stumbled into the 1970s like a parochial fragment of the past when the rest of Western Europe had left the politics of the 1930s in the dustbins of history.

²⁹ Paul Preston, *The Politics of Revenge, Fascism and the military in 20th Century Spain*, (London: Routledge, 1990), p.30.

³⁰ Ibid.

³¹ Ibid, p.33.

Indeed, Spain is not the only state with a traumatic history; much of Europe has a long historical trajectory of military dictatorships, internal and external wars and violent uprisings. Nor can one argue that Spain is unique in Europe with the presence of a violent 'separatist' struggle or a number of ideological 'terrorist' groups from both the left and the right. However, the particular configurations of terror and terrorism within its recent history, positions Spain as a clear instance where the effectiveness of the global 'war on terror' as a narrative of 'total' or 'perpetual' war is contested, if not outright rejected. In a modern country, where the violent materiality of the state is still very much a haunting presence (albeit through historical narratives), the 'war on terror' cannot function as a global inter-civilisational battle. Instead, the fight against 'terrorism' is very much a localised event that intersects not only with historical narratives but also with domestic politics that often do not coincide with the hegemonic 'global' narratives that usually emanate from the U.S.A.

This article does not have the scope to reiterate the complex nature of Spanish modern history (particularly the Franco dictatorship), nor the precarious transition to dictatorship that occurred in the late 1970s and early 1980s. Instead, by examining two recent events in contemporary Spain: the March 11, 2004 attacks in Madrid; and ETA's declaration of a permanent ceasefire on March 22, 2006 its remit is to argue that these two events contest Hardt and Negri's conceptualisation of 'perpetual' or 'total war'.

(a) March 11, 2004

For Europeans, the post-September 11 era is a further layer on top of a multitude of conflicting and ideological confrontations. After September 11, Europe stood side by side with the US not simply because of western solidarity but, as Gupta argues, because "a 'war against international terrorism' could be coherently understood as a war against an abstraction – one that had manifested itself in the happening world *as an abstraction* with such frightening consequences – that no political state could officially have any objection to fighting."³² For Spain, however, the participation in the 'war on terror' became problematic on March 11, 2004, when ten bombs blew up in and around Madrid's Atocha station, killing 191 people

³² Suman Gupta, *The Replication of Violence*, p. 27.

and wounding another 1500. The March 11 attacks were executed by thirteen Islamic ‘terrorists’, 911 days after September 9, 2001, who imitated the *modus operandi* of the 9/11 terrorists (four trains, four planes).³³ The attack occurred three days before the March 14 national election when it was generally believed that José María Aznar would lead the Popular Party (PP) into its third term in office. In a narrative of events that will go down in popular Spanish history as an iconic event in the ‘nation’s’ history, the PP promptly blamed the attack on the Basque Separatist group ETA despite evidence indicating that it was an Islamist group that had most likely perpetrated the attack in the context of the wider global war on terror. Three days later, in a climate of civil division and suspicion, the people unexpectedly ejected the government from power and elected the Socialists (PSOE) under the leadership of José Luís Rodríguez Zapatero’s Socialist Party. The PSOE, in turn, immediately withdrew Spanish troops from Iraq and in the process was perceived by conservative political commentators around the world, to have sabotaged its relations with the world’s sole superpower the United States.

In *Politics out of History*, Wendy Brown argues that “when constitutive cultural and political narratives are disturbed and undermined, insecurity, anxiety and hopelessness washes across the political landscape.”³⁴ This is the precise scenario that the conservative Popular Party (PP) government found itself in the three days between the March 11 attack and the March 14 national election in 2004. Any political party (especially when in campaign mode) communicates to the electorate a narrative that it hopes will convince the people to elect it into office. The effectiveness of this narrative is naturally challenged during times of national crisis. Yet it is conventional wisdom that people usually give their governments certain leeway during times of crisis or terror. The March 11 attacks need not have spelled political disaster for Aznar and the PP and it could be argued that the attacks could have presented the incumbent government with an opportunity to solidify its electoral position. So why did the PP’s ‘ETA blame narrative’ backfire?

Three days before the election, the PP government understandably did not want to admit that the Madrid attack had anything to do with the wider ‘war

³³ Enrique Gil Calvo, 11/14-M: *El Cambio Trágico de la Masacre al Vuelco Electoral* (Madrid: Adhara Editorial, 2005), p.9.

³⁴ Wendy Brown, *Politics out of History* (Princeton: Princeton University Press, 2001), p.5.

on terror’. Spain’s participation in the war in Iraq was controversial enough, but the government was loath to admit the possibility that somehow Spain was being punished for it. After all, the message that the PP promoted to the Spanish people was that the government was reclaiming Spain’s past ‘glory’ by aligning itself with the world’s superpower the U.S.A. and distancing itself from the European Union. Although much of the international community (and indeed some of the Spanish media as well) perceived the March 2004 elections as an act of cowardice in the face of the global war on terrorism, there was a general feeling in Spain that the election demonstrated the ‘maturity’ of the Spanish people that rejected the ‘manipulation’ of the event by the government. Paddy Woodworth also argues that the Spanish electorate responded quickly to a fast-changing and complex crisis.³⁵ Spanish voters did not vote out of fear; Spanish democracy has been intimidated for more than 30 years by bombings and shootings. Moreover, for Woodworth, the maturity of Spanish democracy was demonstrated by the Spanish police and intelligence services which refused to be misled by the government and quickly and professionally tracked down the most likely culprits.³⁶ But interestingly, it is the Spanish conservatives who offer more insight into those three days and how the attacks intersected with historically contested narratives.

In *Terrorismo y democracia tras el 11-M*, Edurne Uriarte, a conservative columnist for the right-wing Spanish daily *ABC* exemplifies quite well the Spanish right’s perception of the March 11 attacks and the subsequent PP defeat.³⁷ Uriarte argues that an emotional discourse about solidarity and the values and unity of the Spanish people against terrorism permeates the official narratives of terror in Spain and the strength of these popular narratives is such that neither politicians, the media, nor intellectuals dare to question them. According to Uriarte, the March 12 demonstrations throughout Spanish cities that were meant to condemn the attack; instead they became a condemnation of the government which was considered responsible for the attacks. Although the protesters claim that the people only denounced the manipulation of information by the government in the hours following the attack, Uriarte does not understand why the people wanted to know the identity of the killers and not more information about

³⁵ Paddy Woodworth, ‘Spain Changes Course: Aznar’s Legacy, Zapatero’s Prospects’, *World Policy Journal*, Vol.21, No.2, 2004, pp.7-26.

³⁶ *Ibid*, p.22.

³⁷ Edurne Uriarte, *Terrorismo y Democracia Tras el 11-M* (Madrid: Espasa e Hoy, 2004).

the act itself.³⁸ For the first time in the Spanish history of terrorism, Uriarte claims, the central point was not the crime itself or its perpetrators but the role of the government naming the identity of the perpetrators immediately after the attack. Thus, according to Uriarte, the context of panic in the people caused this 'obsession' with the 'truth' – as if knowing the identity of the perpetrators would alleviate momentarily the reality of the massacre.³⁹ For Uriarte, when fear wins, the guilty party is no longer the aggressor but those who were meant to protect us – the government.⁴⁰ After the attacks, the people wanted to return to a life of tranquility and security. Thus, they believed that the only way to achieve this would be to eliminate the factors that had provoked Al Qaeda – the presence of Spanish troops in Iraq. She argues that this reaction is a consequence of the role of the phantom of dictatorship that still dominates Spanish politics. Uriarte perceives the phantom of dictatorship as Spain's main weakness, leading Spaniards to want to stay on the margins of the 'war on terror'. According to Uriarte, the Spanish left abused this 'weakness' during the 2004 general elections by accusing the PP of being the 'inheritors' of Francoism.

In this instance, the global 'war on terror' narrative failed to galvanise and unite the Spanish electorate after the Madrid attacks. Such political unity in the face of terror was readily apparent in the U.S.A. after the September 11 attacks, in Australia after the Bali bombings and to a great extent in the United Kingdom after the London attacks. Yet, in Spain, the historical divisions between left and right, republican and nationalist, centre and periphery, re-emerged to split the Spanish electorate. To what extent the former Spanish conservative government was punished because it 'manipulated' the truth is debatable. However, what the March 11 attacks indicate is that the former Spanish government perceived a threat to its electoral chances if the perpetrators of the March 11 attacks were Islamists and thus argued against all evidence that the domestic terrorist group ETA had likely been the perpetrators. Moreover, the Spanish electorate saw the danger in participating in a US-led 'war on terror' that operates in a state of 'total' or 'perpetual' war and voted in the Socialist Party which had promised to remove Spanish troops from Iraq and re-align itself firmly with the 'peaceful' EU. Total war is a hard sell to an electorate who is already struggling to negotiate historical narratives and internal schisms and

³⁸ Ibid, p.17.

³⁹ Ibid, p.39.

⁴⁰ Ibid, p.17.

ruptures. The global 'war on terror' (meta)narrative cannot compete with or override domestic politics still coming to terms with the state's multiple histories.

(b) ETA and the Politics of Ceasefire

For over forty years, the conflict between the Spanish government and the Basque separatist group ETA has, mostly, dominated the political mass-mediated narratives of the Spanish state. Although the significance of ETA has recently been diminished due to successful police operations coordinated by Spanish and French authorities, it was the September 11, 2001 'terrorist' attacks in the United States and the March 11, 2004 attacks in Madrid that ultimately made ETA's strategy of targeted assassinations and attacks untenable. On March 22, 2006 ETA unilaterally announced a 'permanent' ceasefire, paving the way for negotiations with the Spanish government. This so-called 'peace process' is currently underway but has already been politicised by various constituencies in Spain, each politically invested in the outcome of this process. The Spanish mass-media is already pointing to a re-awakening of *las dos Españas* (conservative and liberal Spains) that led to civil war and culminated in the Franco dictatorship. The fact that political and media elites perceive this process in such historically contested terms is evidence that the ETA peace process is not just about the dissolution of a 'terrorist' group, but rather the dissolution of a spectral enemy that encompasses many of the historical conflicts within the Spanish state. For this reason, ETA's ceasefire announcement has pitted two 'Spains' against each other in a battle not for peace, but for a re-imagining of the (Spanish) 'nation.' According to Basque novelist Bernado Atxaga writing in *The New York Times*:

Now, after the cease-fire, no satellite can send us a map of the future, but everyone wants to be a weatherman or a prophet. Some lovers of metaphor speak of Pandora's Box and foresee great hatreds let loose. Others believe that pessimism is a sign of intelligence, and they recommend taking ETA's communiqué with many grains of salt. At the opposite extreme are those who call for a reconciliation, right this minute, between the country's two sensibilities...⁴¹

⁴¹ Bernado Atxaga, 'The Basque Spring' in *The New York Times*, March 29, 2006, p.23.

On the one side, the Socialist government, together with regional nationalists, and the outlawed Batasuna party (the alleged political front of ETA), view the ETA peace process as a stepping-stone to righting historical wrongs and reforming Spain's Statute of Autonomies. Of course, the Socialist government is treading carefully and is cautious in its public statements and noncommittal about any promises that it might or may have already made to ETA. But for the macho Spanish right (and perhaps many macho Socialist old-timers), this is mushy nonsense because a non-state 'terrorist' group can never be trusted. But Prime Minister Zapatero's conciliatory message has struck a chord with the electorate, which has grown tired of the right's confrontational politics (if the 2004 election result three days after the March 11 attacks is any indication). His ability to capitalize on ETA's demise could guarantee Zapatero a second term in office as well as his place in history and this prospect terrifies the Spanish right. There would be a satisfying symmetry, however, if a prime minister who was elected after a huge terrorist outrage wrongly blamed on ETA, secured re-election based on dismantling ETA. Zapatero's socialists absorbed the lesson that the Basque conflict, like most terrorist wars, is political, not just military, and requires a political solution.

On the other side, the conservative Popular Party [PP], victims of ETA terrorism, and a minority of Spanish citizens (at least for the moment) have increasingly used Francoist vitriol in its oft-repeated mantra that Spain must not pay a "political price" to the "terrorists," even for a peace agreement. Since the Socialists took office in April 2004, the Popular Party has had harsh words for Zapatero's approach to the entire Basque question, accusing him of surrendering to ETA. For two years, the PP and its media supporters (particularly the newspaper *El Mundo*) have persisted in promoting the most bizarre conspiracy theories about the March 11 bombings, suggesting that an unholy alliance of sectors of the PSOE, the police, Islamists and ETA members plotted to eject the conservatives from power. The opposition leader Rajoy has accused Zapatero of "betraying the dead." The split between the PP and the PSOE has shattered the bipartisanship, which had previously characterised Spain's counter-terrorism policy with an implacable hostility to any Basque peace process. This is exemplified by the PP's refusal to join any political talks involving ETA's political wing, Batasuna, which is currently illegal.

And what is the political price? Subsequent ETA communiqués have highlighted that ETA refuses to disarm until independence for the Basque Country is achieved (including the French Basque provinces and Navarre). The devil, of course, will be in the detail, in this case the detail of the definitions. Is it, for example, a political act to grant early release to terrorist prisoners? PP statements still maintain that any concessions to the prisoners would be a betrayal of ETA's victims, and of democracy itself. Is the granting of more autonomy to the Basque Country a political concession, when Catalonia, another Spanish 'nation' has just won more autonomy? Is it a political concession to relocate Basque prisoners back to the Basque Country even if it has been demanded by groups such as Amnesty International to comply with international human rights protocols?

A common view of the Spanish right is that the 'terrorists' should never be able to achieve their objectives just because they stopped killing. It would be a way of winning, to receive a prize for the cessation of violence without anybody demanding responsibility for their crimes. It would not be just or democratic. The ends cannot justify the means. How can you teach a child that violence is not an acceptable means to reach your objectives, if they see ETA achieve theirs? The Basque struggle must only be continued within existing democratic institutions.

The rhetoric of not paying a political price at any costs is a call to maintain the status quo because by insisting that the Spanish government not pay a political price it undermines any legitimate Basque national claims by Basque moderates. It has been widely reported by journalists from the Spanish left that the PP would prefer some degree of Basque violence rather than negotiating increased autonomy for the Basque Country. For the Spanish right, ETA's presence has meant that the greater problem of Basque independence has never needed to be addressed. ETA has served as a kind of internal spectral enemy that must be 'contained.' To an extent, this position is an anachronism, but it is a powerful one in a country that has worked so effectively to erase violence from its popular narratives. The PP position recognises that the disbandment of ETA ultimately means that the Spanish state will have to renegotiate the historical pacts of compromise agreed after Franco's death and Spain's transition to democracy, pacts that have served to placate Spanish conservatives and that have, up till now,

helped maintain a remarkable level of stability in a country once torn by a traumatic history.

The context of the massive differences between the left and the right in regards to the ‘peace process’ with ETA might be understandable. This is not just about the PP breaking all political ties with the government on the grounds that it is betraying the ‘dead’ by talking to ETA, and insisting that Batasuna remain illegal. After all, much of this can be attributed to the PP attempting to gain electoral leverage on these issues. But 60 years after the end of the Civil War, *las dos Españas* is still amply evident in much of Spanish political discourse, exacerbated by what an ETA peace process might mean for the future of the Spanish state. The political narratives circulating around these issues have been interpreted in the context of the long lasting theory of the two Spains. In *El País*, Félix de Azúa wrote that, “Slowly, and with understandable caution, we have been moving back toward the eternal order of things in this country, the intransigent division between good and bad, red and blue, Christians and Moors.”⁴² Even victims of terrorism cannot agree. The victims of ETA violence identify with the conservatives and their zero tolerance approach, whilst the victims of the March 11 attacks in Madrid identify with the Socialist government and blame the PP’s pro-American foreign policy for the attacks. Recently one of Spain’s most prominent victims of terrorism, Maite Pagazaurtundua said that we are back in the two Spains spoken of by the poet Antonio Machado: “One of them is supposed to freeze your heart, but now it seems that both are likely to do so.”⁴³

ETA’s declaration of a permanent ceasefire has once again shifted the domestic agenda within Spanish borders. Indeed, the Spanish right dictum of *not paying any political price* obviously aligns itself quite neatly with a Hardt and Negri conceptualization of ‘perpetual’ war. To a certain degree the narrative of ‘perpetual’ war is mobilised against ETA, but still this narrative in Spain is not all consuming since domestic practicalities ensure that ‘perpetual’ war can never interrupt more fundamental historical narratives. Dialogue or peace negotiations without political concessions will obviously be doomed to failure and the cycle of violence will once again be kick started. On the other hand, however, there is overwhelming support for peace in Spain, not just from the Socialist government, but from

⁴² Félix de Azúa, ‘Whose side are you on?’ in *El País (English Edition)*, 11 March, 2006, p.2.

⁴³ Ibid.

many constituencies in Spain who want to see the cycle of violence end, even if some political concessions are granted to ETA. The current peace process is facing immense obstacles but the dominant narrative in Spain is clear: the violence must end; not just the violence from rogue ‘terrorist’ groups such as ETA, but also the violence that comes from the state, both domestically and internationally.

CONCLUSION

The concept of ‘total’ or ‘perpetual’ war as articulated by Hardt and Negri as some kind of emerging police state has been immensely influential in the academic press over the last few years. There is a danger, however, of universalising this concept to the detriment of sound analysis. The narrative approach that this article utilised highlights that ‘perpetual’ war and the ‘war on terror’ operate discursively and thus are dependent on various national tropes to function successfully. In Spain, these concepts remain problematic due to the specific and traumatic histories of that state, and contest to a certain degree the functionality of total war in a society still in the process of reconciling deeply embedded ideological and regional divisions. There is no doubt that the (meta)narrative of the ‘war on terror’ is currently dominating global political discourse. Yet, national narratives are still the driving force of domestic politics. The Spanish experience highlights that the tension between (meta)narratives and national narratives potentially destabilise historical pacts of compromise that have served to provide political stability. It also highlights that the (meta)narrative of the ‘war on terror’ whilst potentially constructing a global police state is to a certain extent a contested narrative, and a narrative that fits better within some states than others.

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BELONGING IN AUSTRIA: CITIZENS, MINORITIES AND REFUGEES IN THE TWENTIETH CENTURY

Julie Thorpe

This article shows how a distinction was made between 'citizens' and persons of 'undesirable' nationality in the Austro-Hungarian Empire during World War One. It argues that citizenship was constructed along both ethnic and civic lines of belonging, not just for the duration of the war, but also in the interwar period as a way to exclude minorities, especially Jews, from the boundaries of the 'German' Austrian state. In so far as it examines the interactions between diverse groups in an ethnically pluralist region in Central Europe, this article seeks to contribute to transnational studies of national identity and citizenship in Europe.

The war in Yugoslavia during the 1990s was a turning point in the debate on Austria's national identity. Just as the fall of the Berlin Wall and German reunification had also been turning points in the debate on Germany's national identity, the disintegration of a multinational country whose history was entangled with Austria's own multinational past widened the peripheral vision of at least a few Austrian historians. In 1994, the American cultural historian, Michael Steinberg, threw down the gauntlet to Austria's historians to embrace the perspective of 'outsiders' in 'transcending the historiographical repetition of historical exclusionism'. Having already probed the question of nationalist ideology in Austria in his book, *The Meaning of the Salzburg Festival*, Steinberg now asserted that Austria's national identity had been founded on a myth of homogeneity that disregarded the stories of immigrants, minorities and refugees from the process of constructing that identity.¹ A number of other historians agreed with Steinberg. In a highly critical essay on contemporary Austrian history, Thomas Angerer pointed out in 1995 that the debate on immigration in Austria 'takes place in a historiographical vacuum' and called for historians to engage more rigorously with the history of migrants and minorities in order to de-mythologise the origins of nationhood and look instead to the

¹ See Steinberg's review of Gerald Stourzh, *Vom Reich zur Republik: Studien zum Österreichbewusstsein im 20. Jahrhundert*, Vienna, Atelier, 1990, in Günter Bischof and Anton Pelinka (eds.), *The Kreisky Era in Austria* (New Brunswick: Transaction, 1994), pp.250-51. See also Steinberg, *The Meaning of the Salzburg Festival: Austria as Theatre and Ideology, 1890-1938* (Ithaca: Cornell University Press, 1990).

political or psychological consequences of national identification.² Similarly, Gernot Heiss has advocated for a 'historiography transgressing borders' focusing less on the state and the nation and more on regional or cross-regional interactions.³ He has subsequently contributed to this historiography by co-editing a volume with Oliver Rathkolb on refugees and immigration in Austria from World War One to the collapse of communism in Central and Eastern Europe.⁴ The arrival of refugees in Austria from war zones in neighbouring Yugoslavia during the mid-1990s cast into sharp relief, in the minds of these historians, the exclusionism of Austrian identity since imperial days. Their calls for a transnational approach to national identity carried a greater sense of urgency following the collapse of another multinational state at the close of the twentieth century.

As Steinberg, Angerer and Heiss all pointed out, the debate on Austria's national identity has been insular and polarised to extremes. At times, it has assumed similar proportions to the West German *Historikerstreit* during the mid-1980s. But whereas the West German controversy was concerned with the apparent dangers of relativising the Nazi regime and the Holocaust through comparisons with other dictatorships and genocides, Austrian historians were divided on a far more preliminary question of Austria's place in German history. Austria's *Historikerstreit* was sparked when a German scholar, Karl Dietrich Erdmann, proposed in the mid-1970s that the history of Austria after 1945 should be included alongside the histories of West and East Germany. Most Austrian historians were on the side of Austria's separate historical development (and, consequently, separate national identity) from Germany, but a few called for Austria's inclusion within a broader German historiography.⁵ The problem was that this debate

² Thomas Angerer, 'An Incomplete Discipline, Austrian *Zeitgeschichte* and Recent History', in Anton Pelinka and Günter Bischof (eds.), *Austria in the Nineteen Fifties* (New Brunswick: Transaction, 1995), pp.226-27.

³ Gernot Heiss, 'Pan-Germans, Better Germans, Austrians: Austrian Historians on National Identity from the First to the Second Republic', *German Studies Review*, Vol.16, No.3, 1993, p.426.

⁴ See Gernot Heiss and Oliver Rathkolb (eds.), *Asylland wider Willen: Flüchtlinge im europäischen Kontext seit 1914* (Vienna: Jugend und Volk, 1995).

⁵ For a taste of some of the recent contributions to this debate, see Harry Ritter, 'Austria and the Struggle for German Identity', *German Studies Review*, Vol.15, Special Winter Edition, 1992, pp.111-29; Margarete Grandner, Gernot Heiss, and Oliver Rathkolb, 'Österreich und seine Deutsche Identität: Bemerkungen zu Harry Ritters Aufsatz "Austria and the Struggle for German Identity"', *German Studies Review*, Vol.16, No.3, 1993, pp.515-20; Harry Ritter, 'On Austria's German Identity: A Reply to Margarete Grandner, Gernot Heiss and Oliver Rathkolb,' *German Studies*

took place within the constraints of a nation-state approach that overlooked the interactions between diverse groups across ethnic, national and state boundaries and reduced the multiple layers of identity to a one-dimensional 'Austrian' or 'German' identity. The strong reaction against Erdmann by Austria's post-war generation of historians was understandable in the light of their attempt to break with the German-nationalist historiographical tradition of their predecessors. But in their efforts to create a new 'Austrian' national historiography, these historians have tended to steer away from the nationality question in the Habsburg Monarchy (leaving that to their Anglophone counterparts abroad), and have played down attitudes towards minorities in the Austrian state since 1918.

An approach that goes beyond traditional nation-state interpretations might provide a useful way forward for understanding the diverse historical processes and exchanges between Central Europeans.⁶ A transnational approach to national identity in Austria could explore the ways that Austrian Germans encountered Hungarians, Slovenes, Slovaks, Czechs, Ukrainians, Poles, Romanians, Italians, Serbs, Croats, Jews and other Germans in Central Europe, placing under closer scrutiny the relationship between multinational empires and their successor states (one can also include Yugoslavia and Soviet Union in the first category). It could explore the ways in which citizenship and national identity were constructed at particular moments and in particular places where these groups have encountered each other, whether voluntarily (through business, schools, communal councils, family contacts, or by reading about these groups in the press, for example), or involuntarily (through forced deportations and expulsions and other forms of involuntary migration). Ultimately such an approach could lead to a more nuanced understanding of identity, citizenship and conflict in ethnically pluralist regions.

Review, Vol.16, No.3, 1993, pp.521-23. There is also a debate among cultural historians about the inclusion of Austrian writers and artists in the German cultural nation. See, for example, David S. Luft, 'Austria as a Region of German Culture: 1900-1938', *Austrian History Yearbook*, Vol.23, 1992, pp.135-48.

⁶ Philipp Ther has developed a model of comparative German and European history that draws on what he calls the 'entangled' histories of relational processes and structures within similar units of historical analysis. See his 'Beyond the Nation: The Relational Basis of a Comparative History of Germany and Europe', *Central European History*, Vol.36, No.1, 2003, pp.45-73.

This paper draws on transnational historical methods by examining the construction of national identity in Austria through the lens of population displacement and minority politics in the First World War. The internment of refugees and prisoners of war, media censorship, denunciations and 'fifth column' accusations against 'enemy' groups, were not only directed towards winning a war, but they also enabled the state to homogenise the body politic and alienate entire groups by distinguishing between 'citizens' and any person of 'unreliable' nationality who threatened to tear apart the social and political fabric of the state. We will see how the state constructed the boundaries of citizenship along ethnic and civic lines, and how wartime policies of surveillance reinforced these boundaries between citizens and non-citizens at every level of mobilisation for total war.

By the end of September 1914, less than two months after the outbreak of war, between 60,000 and 70,000 refugees had arrived in Vienna from the Russian-occupied eastern front.⁷ By 1915, the Ministry for the Interior estimated that the number of refugees who were eligible for state support was 600,000, of whom 450,000 came from Galicia and Bukowina on the eastern front and 150,000 came from the southwestern front on the Italian border. Transported by train to purpose-built refugee camps in the German-speaking hinterlands, the Austrian War Ministry sought to group refugees according to nationality for ease and speed of repatriation, and to prevent their assimilation into the surrounding communities. In Gmünd, Lower Austria, for example, around 30,000 Ruthenes were housed together in military barracks; another 10,000 Ruthenes were interned in Wolfsberg and St Andrä, Carinthia; 30,000 Poles were interned in Leibnitz, Styria; another 20,000 Poles in Chotzen, Bohemia; 20,000 Jews were housed in Nikolsburg, Pohrlitz and Gaya, Moravia; and another 3,000 Jews in Bruck an der Leitha. Refugees of all nationalities and religious groupings were crammed together in the major cities and in provincial towns across the Empire, either fending for themselves or lodging in makeshift shelters. Around 200,000 of these refugees ended up in Vienna and another 100,000 in Prague, Graz and Brünn; 120,000 Poles, Jews and Italians were scattered throughout Bohemia, and the rest were dispersed across Moravia, Upper

⁷ Maureen Healy, *Vienna and the Fall of the Habsburg Empire: Total War and Everyday Life in World War I* (Cambridge: Cambridge University Press, 2004), p.93. For an overview of refugees in the Austrian half of the Dual Monarchy during World War One, see also Walter Mentzel, 'Weltkriegsflüchtlinge in Cisleithanien 1914-1918', in *Asylland Wider Willen*, pp. 17-44.

Austria, Lower Austria and Hungary. Around a third of the refugees had returned to their homes by the beginning of September 1915, but the number of refugees eligible for state support rose in 1917 to 760,000 (not including returnees). A 1930 report for the Carnegie Endowment for International Peace, examining the economic and social history of the war in Austria-Hungary, found that the increase from 1915 was due to two factors: firstly, the number of refugees applying for state support, who had previously been fending for themselves, increased with the duration of the war; and, secondly, refugees from the periphery of the Empire who migrated to the cities during the war, did not return home, but found work in the cities selling everyday goods and wares.⁸ The refugee situation worsened as the war progressed, and while the economic cost of housing and supporting refugees drained the war economy, the social and psychological consequences of displacement, both on the refugees themselves and on the surrounding population, had a dramatic effect on wartime relations between nationalities in the Empire.

If internment can be defined as ‘the concentration, within a camp, of a group, without trial, regarded as hostile, by a host or invading society’, then the War Ministry’s policy of interning refugees in camps reveals the hostility of the central authorities towards the non-German nationalities of the Empire.⁹ The internment of Ruthenes (Ukrainians), Poles, Italians and Jews by the Austrian War Ministry resembled the treatment of ‘enemy aliens’ in Canada, Britain and Australia during the First World War, where even those who had become naturalised found themselves behind barbed wire for the duration of the war.¹⁰ In Austria-Hungary, the majority of internees were citizens of the Empire. Prisoners of war (predominantly Russian) were also isolated and treated with hostility by the ‘host’ society, often being subjected to scientific experiments in the camps and forced to perform degrading tasks in front of cameras for propaganda purposes. One film, showing scientists making clay moulds of POWs with fellow prisoners holding the clay to assist, was shown along with photographs of

⁸ Wilhelm Winkler, *Die Einkommensverschiebungen in Österreich während des Weltkrieges* (Vienna: Hölder-Pichler-Tempsky, 1930), pp.25-26.

⁹ For this definition, see Panikos Panayi, ‘Dominant Societies and Minorities in the Two World Wars’, in Panikos Panayi (ed.), *Minorities in Wartime: National and Racial Groupings in Europe, North America and Australia during the Two World Wars* (Oxford: Berg, 1993), p.7.

¹⁰ Though the incarceration of naturalised individuals occurred less often in Britain than in Australia. See *Ibid.*, p.8.

live and plaster cast heads and bodies of Russian prisoners at the Vienna War Exhibition during 1916-17, seen by one million visitors throughout the year.¹¹ However, refugees had the opportunity of immersing themselves in a more familiar routine of attending school classes, going to church, baking bread, sewing clothes, and other everyday tasks that contributed to the running of camp life. The internment of war refugees was not an instrument of propaganda, as it was for POWs, but rather, a means of separating ‘citizens’ from ‘unreliable’ nationalities. Maintaining this line of separation was much more difficult in the major cities where refugees mingled with the local population. But the extent of prejudice against these refugees in the cities, and against non-German nationalities generally, showed that internment was only one of many forms of exclusion and hostility in wartime.

Denunciations were another tool of exclusion during the war that served to divide between ‘citizens’ and ‘unreliable’ minorities and refugees. Non-German nationalities were the target group of this practice with the number of denunciations of non-German nationalities disproportionately higher than those of Germans in Austria-Hungary. Sheila Fitzpatrick and Robert Gellately have pointed out in a comparative history of denunciation in modern Europe that denunciations can be against three main groups: individuals whom the state (and the population backing it) regards as ‘enemies of the people’; those whom the state defines as ‘aliens’ or outsiders; and, finally, ‘everyday’ victims, such as a neighbour, colleague or relative, whom the denouncer dislikes or has a personal grievance against.¹² The fact that the Austrian War Ministry singled out priests, politicians, and community leaders in eastern Galicia, Bohemia, Moravia, Carniola and other Slovene-speaking areas for denunciations and arrests, suggests that the authorities did indeed see Poles, Czechs, Slovenes and other non-German nationalities as ‘enemies of the people’ whose loyalty to the state could only be guaranteed by dissolving the religious, institutional and cultural ties of their communities. Instead, as one report on the Austrian war government revealed soon after the dissolution of the Monarchy, the victimisation of the non-German nationalities at the hands of the military and civil authorities fostered a deep discontent towards the Monarchy and towards the war among the peasantry in those regions. This double

¹¹ Healy, *Vienna and the Fall of the Habsburg Empire*, pp.113-14.

¹² Sheila Fitzpatrick and Robert Gellately, ‘Introduction to the Practices of Denunciation in Modern European History’, *Journal of Modern History*, Vol.68, No.4, 1996, pp.762-763.

discontent meant that none of these nationalities regretted the passing of the Monarchy when it did dissolve relatively peaceably in 1918.¹³

The third target group of denunciations identified by Fitzpatrick and Gellately – individuals denounced by acquaintances for unpatriotic behaviour – is particularly relevant to wartime refugees living amongst their fellow citizens in the cities and the countryside. Food scarcity, housing shortages, the disruption to family life caused by military service, convalescence or war fatalities, and the underlying psychological trauma of civilians mobilised for ‘total war’, gave citizens plenty of reasons to resent the presence of refugees in bread queues, overcrowded apartments, and side streets selling goods on the black market. Women who donated their gold wedding rings to the war effort might have felt pride in their valuable contribution on the home front, but the sight of a Pole selling metal wares for profit was just as likely to enrage even the most charitable person.¹⁴ Not only German Austrians, but their Polish and Czech-speaking fellow citizens who lived in the cities, having arrived one or two generations previously, were no less susceptible to anti-refugee sentiment. A nine-year-old Polish-speaking boy from Czernowitz, Stanislaus Grenddecki, was denounced in 1915 by an acquaintance of his friend’s mother after telling the friend (a fellow Polish-speaker) while watching a war film at the cinema that Emperor Franz Josef should be shot because his father was sick in hospital.¹⁵ Perhaps the mother was worried that her ten-year-old daughter was spending too much time with a boy whose father was absent, so she told her neighbour or a work colleague about her concerns. That person in turn wrote in to the authorities to denounce Stanislaus for his lack of patriotism to the Emperor. Denunciations of this ‘everyday’ sort, as Fitzpatrick and Gellately point out, can tell us a great deal about the relationship of citizens to the state, and of citizens to their fellow citizens.¹⁶ That the relationship between citizens of the Austro-Hungarian Empire was fractured in wartime along ethnic lines, as well as civic lines of assimilation

¹³ Joseph Redlich, *Austrian War Government* (New Haven: Yale University Press, 1929), p.90.

¹⁴ In return for giving their wedding rings, citizens were given commemorative iron rings that were consecrated by priests. By September 1914, 90,000 had already donated their rings or other valuable metals to the ‘Gold gab ich für Eisen (I Gave Gold for Iron)’ programme, a campaign that was replicated again in World War Two in Fascist Italy. See Healy, *Vienna and the Fall of the Habsburg Empire*, p.117.

¹⁵ *Ibid.*, p.103.

¹⁶ Fitzpatrick and Gellately, ‘Introduction to the Practices of Denunciation’, p.763.

and prejudice, suggests that citizenship itself was being negotiated as a dual ethnic and civic practice of excluding foreign and ‘unreliable’ groups.

This combination of ethnic and civic practices of citizenship in Austria-Hungary is important because it refutes a popular myth in nationalism and citizenship studies that ‘ethnic’ forms of nationhood are somehow distinct from ‘civic’ forms. This myth has grown up over a century of scholarship that regards Germany and France as the exemplar models of ethnic and civic nationhood. Since 1882, when Ernest Renan claimed in his speech at the Sorbonne, *Qu’est-ce qu’une nation?*, that nations are formed primarily by voluntary civic commitment to the collective political will, and since the publication of Friedrich Meinecke’s *Weltbürgertum und Nationstaat* in 1907, which distinguished between the German *Kulturnation* and the French *Staatsnation*, the ethnic and civic varieties of nationhood and citizenship have become synonymous with the German and French prototypes. Notably the ethnic variety has come to stand for the entire bloc of nations in Central and Eastern Europe. Scholars have only recently begun to see the ethnic-civic dichotomy as idealised types that do not exist in practice, and which essentialise the Central and Eastern European nationalities in particular. Tara Zahra’s important work on Czech nationalists seeking to reclaim children who had been raised in bilingual German- and Czech-speaking families, or who had attended German schools, demonstrates the presence of both ethnic and civic discourses, not unlike the attempts of nineteenth-century French republicans to create a centralised French-language primary education system that could socialise children into the nation.¹⁷ If nationalism can be redefined as a process that combines both ethnic and civic practices of exclusion and inclusion, then we will be better able to understand the multiple ways that citizenship is practiced at the official and the everyday level in multinational societies.¹⁸ The relationship between the state and citizens in Austria-Hungary in the

¹⁷ While Zahra does not explicitly link the actions of Czech nationalists to an ethnic-and-civic paradigm of nationalism, she does reject the binary understandings of liberal/illiberal, east/west and she makes the point implicitly in her conclusion, that ‘[a]t the heart of popular politics and everyday life, nationalist claims on children and reclamations of children were at the heart of Czech understandings and expectations of democracy.’ See Tara Zahra, ‘Reclaiming Children for the Nation: Germanization, National Ascription, and Democracy in the Bohemian Lands, 1900-1945’, *Central European History*, Vol.37, No.4, 2004, pp.542-543.

¹⁸ For a discussion of the ethnic-civic dichotomy, and an approach that seeks to overcome this dichotomy, see Oliver Zimmer, ‘Boundary Mechanisms and Symbolic Resources: Towards a Process-Oriented Approach to National Identity’, *Nations and Nationalism*, Vol.9, No.2, 2003, pp.173-93.

First World War is a case in point of the dual ethnic and civic mechanisms used to construct the boundaries of citizenship and national identity.

If citizenship can also be described as a 'spectrum' ranging from nominal rights, based on residency and state protection, to participatory rights in the public sphere, then we might also be able to see it as a trajectory of increasing contact with the state, or alienation from the state, as a result of mobilising for total war, for example.¹⁹ During World War One, women and children in the Austro-Hungarian Empire identified more directly with the state as a result of their wartime experiences, in spite of the fact that their citizenship was legally determined by marriage or patriarchal lineage. Children who lost their fathers during the war were encouraged to see themselves as heirs of the Empire, just as the three children of Archduke Franz Ferdinand and his wife Sophie, had also become royal orphans after their parents' assassination in Sarajevo on the eve of the war.²⁰ Women identified with the state through acts of charity, through the donation of their wedding rings, and by contributing labour to the state war economy. In turn they also made demands of the state to supply basic provisions for them to feed their families. The heightened contact with the state during wartime illustrates how citizenship was a personal and social experience defined not by legal rights, but by a contract between state and citizens.

However, for foreign-born residents, women married to foreign-born residents, and for non-German nationalities generally, citizenship in wartime was a more precarious commodity. Legal definitions of one's civic status could not be counted on in situations of extreme hostilities. We have already seen how internment and denunciations discriminated against non-German nationalities in spite of their full legal and civic equality alongside their German fellow citizens. But they were also vulnerable in other spheres of everyday life. Their written correspondence in wartime was more heavily scrutinised by censors, as were their newspapers, than the German-language correspondence and press, and they had greater difficulty obtaining work or state benefits, even if they were German by birth but happened to be married to a non-German. In 1915, a Serbian-born woman married to an Austrian citizen, and therefore herself an Austrian citizen by marriage, had her application for a translator's job in the police censor's department

¹⁹ On citizenship as a 'spectrum', see Nancy F. Cott, 'Marriage and Women's Citizenship in the United States, 1830-1934', *American Historical Review*, Vol.103, No.5, 1998, pp.1440-74.

²⁰ Healy, *Vienna and the Fall of the Habsburg Empire*, pp.218-19.

rejected on the grounds that she might have Serb loyalties. In a reverse case of discrimination, an Austrian woman who was married to a Serbian citizen, was ruled ineligible for wartime welfare payments from the Austrian government in 1915 after her husband was interned as an 'enemy alien' in Austria. But perhaps the most famous case of an Austrian citizen whose citizenship status was regarded as equivocal was the Italian-born Empress Zita, who became empress of Austria on the death of Franz Josef in 1916. In the eyes of women's journals and auxiliary groups, the extent of Zita's 'Austrianness' was determined not by her position or marriage to the Emperor Karl, but by such factors as national and political orientation, language proficiency, the military credentials of her male relatives, and whom she employed as her domestic servants.²¹ In all three examples, women of foreign birth and those married to foreign-born men were seen as 'unreliable' on the grounds that their alleged national loyalties lay outside the boundaries of 'German' Austria.

The boundaries between citizens and refugees had to be redefined again in Austria (and elsewhere) after the formation of new nation-states in 1918. International peace treaties after the war stipulated that nationalities of the former Austro-Hungarian Empire be allowed to opt for citizenship in one of the successor states in which they identified 'according to race or language' with the majority of the state's population. The ambiguity of this definition meant that legal practitioners could refuse to grant citizenship on the grounds of race alone. Thousands of Galician Jews stranded in Vienna after the war were thus ineligible for citizenship in the new Austrian state because they could not prove their affiliation with the German language (they had no way of retrieving the documentary proof that they had attended a German school in Galicia), and their chances of qualifying on racial grounds were slim to zero.²² It is important to note, however, that the majority of Austrian politicians, lawyers and journalists in the interwar period were not so much interested in racial differences between Jews and non-Jews, than in the differences between citizens and non-citizens in the

²¹ *Ibid.*, pp. 123, 139, 189-90, 193. On wartime censorship of the press and postal services in Austria-Hungary, see also Mark Cornwall, 'News, Rumour and the Control of Information in Austria-Hungary, 1914-1918', *History*, Vol.77, No.249, 1992, pp.50-64.

²² For an overview of citizenship laws in the new Austrian Republic, and the situation of Jewish refugees in Austria after 1918, see Margarete Grandner, 'Staatsbürger und Ausländer: Zum Umgang Österreichs mit den jüdischen Flüchtlinge nach 1918', in *Asylland Wider Willen*, pp.60-85. See also Beatrix Hoffmann-Holter, 'Abreisendmachung': *Jüdische Kriegsflüchtlinge in Wien 1914-1923* (Vienna: Böhlau, 1995).

Austrian state. The most salient and widespread stereotype of Jews in Austria after the war was the '*Ostjude*', the Eastern European Jewish immigrant. Jews were depicted in much of the popular press as illegal immigrants, fraudulent dealers, currency smugglers and passport forgers, who were connected to an international Jewish underworld with no allegiance to any one country and, therefore, a threat to every country. Politicians and public figures in Austria also had plenty to say on what should be done about the stateless Jews. Their claims that Austria's labour force, holiday resorts, neighbourhoods and public safety were under threat by the *Ostjuden* provided a reasonable and sound rationale for enacting policies that prevented Jews from being naturalised as Austrian citizens or from immigrating in the first place. Traditional animosity towards an allegedly corruptive Jewish influence on the economy and society certainly did not dissipate after the war, but it found new legitimacy and the appearance of respectability in the language of state protectionism. Despite a now flourishing body of scholarship on anti-Semitism in Austria, there still has been no serious attempt to explain this new pervasive stereotype of the foreign Jew after World War One. Historians have so far drawn only speculative links between the wartime experiences of Jewish refugees on the streets and in the neighbourhoods of their fellow citizens in the Austro-Hungarian Empire and the 'expulsion fantasies' of Austrians against the Jews in the interwar period.²³

The status of minorities in the interwar Austrian state was also uncertain after 1918. Austria's borders with Hungary and Yugoslavia (then the Kingdom of Serbs, Croat and Slovenes) were still contested up until 1920, and Hungarians in particular left Austria in droves. The issue of non-German schools in the mixed German- and Slovene-speaking regions of Carinthia continued to vex the local German-speakers who claimed that Carinthia was and always had been the 'cradle' of German civilisation. Notwithstanding a number of local studies of the Carinthian Slovenes, and the Czechs in Vienna, scholarship of this period has so far not grappled with the question of how these minority populations were integrated at a federal and local level, and what interaction (if any) they had with their

²³ Healy, *Vienna and the Fall of the Habsburg Empire*, pp.311-13, refers to the 'expulsion fantasies' in popular anti-Semitic rhetoric and in legislative practices after the war, but her case study of Vienna finishes in 1918. Her speculative projection of this phrase onto the interwar period is interesting and points to the need for future research to develop this theme of exclusionary nationalism in Austria.

German-speaking fellow citizens on a day-to-day basis.²⁴ If denunciations of non-German nationalities in wartime were an indication of the ethnic and civic lines of belonging in the Austro-Hungarian Empire, what avenues of research might point to the construction of national identity and citizenship along similar lines in the interwar period? Might we be able to see, for example, another form of denunciation in the sensationalist boulevard press that suddenly boomed in the interwar years with the lifting of press restrictions after the war? And what did pedagogical journals make of the private Slovene and Czech schools in Austria that were sanctioned by international laws on the rights of minority populations? It is these sorts of encounters that could shed light on the entangled histories of Central Europeans who share a common, yet contested past.

These interactions between Central Europeans also belong to a wider phenomenon of 'border crossing', which has come to the fore in recent efforts to understand ethnically pluralist societies from the perspective of 'transnational' history. Border crossers do not just describe refugees fleeing war zones, but they also refer to people who crossed imaginary ethnic and linguistic boundaries as part of daily life.²⁵ The latter, less spectacular occurrences of border crossing became much more significant after 1918 as nationalists in the successor states took over the public and ideological spaces left by their predecessors. Border crossing then moved from a localised everyday event to a large-scale international event involving mass movements of people and creating a spectacle of difference and displacement that endured throughout the twentieth century. When this happened, hysteria and paranoia set in and made it possible for nationalists to exploit the margins where people lived and experienced diversity. The examples shown here suggest that this hysteria and paranoia became entrenched as a result of the population upheavals during the First World War.

²⁴ On the Carinthian Slovenes, see Hanns Haas and Karl Stuhlpfarrer, *Österreich und seine Slowenen* (Vienna: Löcker and Wögenstein, 1977). On the Czech minority in Vienna, see, for example, Karl M. Brousek, *Wien und seine Tschechen: Integration und Assimilation einer Minderheit im 20. Jahrhundert* (Munich: Oldenbourg, 1980).

²⁵ While borders and borderlands have become a fast-growing interdisciplinary area of research, the phenomenon of border crossing is newer and still emerging in many disciplines, in history notably. See, for example, the recent contributions in Madeleine Hurd (ed.), *Borderland Identities: Territory and Belonging in North, Central and East Europe* (Eslöv: Gondolin, 2006).

Debates about citizenship and immigration have had a remarkable durability in twentieth-century Austrian history. Wartime policies of internment, surveillance and denunciations that deliberately targeted non-German nationalities, as we have seen here, suggest that exclusionary nationalism tends to crystallise in moments of acute social and political instability during war, or amid a threat to the country's borders, such as the wave of refugees from Yugoslavia and the former Soviet Union since the 1990s. That this form of exclusion preceded, and has outlived, the radical years of the Nazi dictatorship suggests that national identity in Austria has little to do with a post-1945 matrix in which 'German' represents the exact opposite of 'Austrian'. Rather, it builds on the legacy of the multinational Habsburg Monarchy, a legacy that continues to inform debates about identity and belonging in Central Europe at the end of the twentieth century.

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