Immigration Without Incorporation: EU Migration Policy in a Post-Citizenship Europe?

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1. Introduction

The increase and persistence of irregular migration in the EU is the result in large part from a labour market demand. In several EU countries various businesses, sectors and services such as tourism, agriculture, elderly care, cleaning and construction could not operate as currently without the access to irregular migrants’ labour (see e.g. Lutz & Palenga-Möllenbeck 2011). An important enabling factor for this development is to be found in the liberalization of the EU economy that got under way in the 1980s. Since then we have seen more deregulated and flexibilized labour markets, weakened labour unions and increased wage competition connected to a growing low-wage service sector and informal labour market (Schierup, Hansen & Castles 2006).

At first sight, there is thus a glaring contradiction between the EU’s stated objective of fighting ‘illegal migration’, on the one side, and its neoliberal economic objectives, on the other. That is to say, the latter objective's translation into more flexible labour markets, which often are made to rely on a steady increase of cheap and casual migrant labour, has acted to offset the former objective (see further Castles 2004). In this sense, what we are dealing with may not be so much of a contradiction after all. In 2002, as uncovered by The Guardian, Spanish authorities rounded up African migrants on the Canary Islands and flew them to the mainland where they were simply dumped off in areas where the agribusiness needed labour (Lawrence 2011). In most cases, of course, this procedure works in indirect ways, foremost through a more or less deliberate eschewal of systematic controls of employers and workplaces. In dodging the demand side this obviously checks the efficiency of ever so extensive migration barriers erected for the purpose of tackling the supply side of irregular migration.

Parallel to the EU debate on how to ramp up the fight against ‘illegal migration’, the past decade has seen an almost equally energetic debate on how to bring about a vast increase in ‘legal’ labour immigration to the ageing Union. Much discussion has thus also focused on the sustainability of the EU’s securitized migration policy. Several liberal scholars and pundits, business lobbies and various other neoliberal outlets have argued that the ever-increasing investment
in migration prevention in many ways runs counter to the EU’s economic and demographic demand for labour migrants. Instead of border guards and barbwire, they claim, more focus should be put on making demand and supply mechanisms the chief instruments in the EU’s migration management towards Africa and other poor parts of the world (see e.g. Becker 2011; Legrain 2007). Such a conversion would also be conducive to a realization of ‘circular migration’ on a large scale, that is, to have migrants circulate smoothly between jobs in countries and regions with the greatest demand for the time being – a policy concept that also the EU has been at the forefront in promoting in recent years (Venturini 2008; see e.g. CEC 2007c; 2011c). Just as there is a global market for capital, goods and services, the argument goes, it is now high time to also install a global migration market, liberated from protectionist borders and red tape. Some point to the EU itself and its longstanding regime of free movement for labour as a model for such a new global order (Legrain 2009). Very rarely though, does this perspective attend to the fact that this free movement regime – instituted during the heyday of the western European welfare state – formally includes numerous social rights provisions for those who migrate between the EU’s member states; this in order to prevent social dumping.

The issue concerning migrants’ social incorporation and, ultimately, citizenship thus constitutes the blind spot of the current debate. Rather than accounting for labour migrants as the social creatures they are, the tendency today is one of reducing them (even in the explicit) to human capital and production factors pure and simple, set to optimize the labour markets on which they should circulate. As the globally influential pundit Philippe Legrain (2009: 3) has it, migration is just “a form of trade”, from which follows that labour migrants make up a tradable commodity among others. But as Karl Polanyi demonstrated in his modern classic *The Great Transformation*, the notion of such a socially naked human being is a dangerous fiction, since every attempt at its realization, every attempt to actually treat a human being as was she socially naked and only dressed for the market, always risks having catastrophic consequences. “The commodity description of labor”, Polanyi (1944/2001: 76) explained, “is entirely fictitious”, since “[t]o allow the market mechanism to be sole director of the fate of human beings […] would result in the demolition of society”. This is so because “the alleged commodity ‘labor power’ cannot be shoved about, used indiscriminately, or even left unused, without affecting also the human individual who happens to be the bearer of this peculiar commodity”. When, under such a regime, a person’s labour commodity is discarded or treated as a disposable, one-use commodity, this would be tantamount to the elimination of this person’s entire being.

In accordance with the particular liberal perspective just recapitulated, migrants’ social conditions also constitute the blind spot in EU policy. There is