

Sparks of Resistance

On Monday November 17, 2014, the US President, Barack Obama, addressed the nation in a live televised speech on immigration. After waiting in vain for Congress to pass an immigration bill, Obama announced that he would use his executive authority to protect almost 5 million undocumented immigrants from deportation. The responses to Obama's address were suggestive of just how controversial his actions were. The leader of the House of Representatives, Republican John Boehner, had warned Obama before his address. In Boehner's view, Obama usurped power like an autocrat and went against the will of the American people: "If 'Emperor Obama' ignores the American people and announces an amnesty plan that he himself has said over and over again exceeds his Constitutional authority, he will cement his legacy of lawlessness and ruin the chances for Congressional action on this issue – and many others." Michael McCaul, chairman of the House Committee for Homeland Security, echoed none other than Malcolm X when he stated that the Republicans were going to stop the executive action "by any means necessary." Yet another Republican politician, Senator Tom Coburn, said that Obama's move might result in bloodshed: "This country's going to go nuts, because they're going to see it as a move outside the authority of the president, and it's going to be a very serious situation ... You're going to see – hopefully not – but you could see instances of anarchy ... you could see violence."

Obama's decision to provide relief to millions of undocumented immigrants was unprecedented in scale, but it was not unique. Many of his predecessors had used their authority to the same ends. Earlier in his administration, in 2012, Obama had also granted temporary status to 600,000 undocumented youths who had arrived as children (Deferred Action for Childhood Arrivals, DACA). Nor is the regularization of undocumented immigrants unique to the United States. Countries as different as the Netherlands and France have occasionally enacted legislation and executive decrees to regularize the status of some groups of precarious immigrants. The Netherlands enacted a broad regularization in 2006, and in 2012 it passed a law to grant permanent residency status to groups of immigrants who had entered the country as minors and their families. France has also enacted large and small measures to regularize the status of tens of thousands of immigrants in 1997, 2006, and 2013.

These regularizations are remarkable on a number of levels. The literature on immigration suggests that, since the 1970s, governments in the global North have embarked on an immense effort to reinforce national borders through the construction of massive "deportation regimes" (De Genova and Peutz 2010; Kalir and Sur 2012; Menjívar and Kanstroom 2014). The United States, France, and the Netherlands, among many other countries, have developed an extensive infrastructure to monitor immigration flows and block the settlement of immigrants deemed unwanted. The US government in the 1990s allocated more resources to enforcement, expedited deportation procedures, restricted judicial discretion during removal proceedings, and reduced possibilities for appeals (Durand and Massey 2003; Varsanyi 2008). The Dutch government similarly introduced a range of laws and institutions to stop the flow of so-called non-Western working-class immigrants. It also developed a fine-grained infrastructure for monitoring, registering, and secluding immigrants, and increasing its administrative detention capacity from around 1,000 units in 1999 to almost 4,000 units in 2007 (Leerkes and Broeders 2010: 835). Likewise, France introduced restrictions on migrating families and asylum seekers, while also rolling out a massive infrastructure to facilitate the detention and removal of unwanted people in the country. After 1993, a series of laws eliminated automatic citizenship to those born on French soil (later rescinded), introduced stricter criteria for family reunification and refugee status, placed restrictions on public services to undocumented immigrants, barred most nonprofit associations from providing support to undocumented immigrants in need, authorized identity checks of suspect immigrants, and expanded detention centers at airports, ports, and cities (Hayward and Wright 2002).

These restrictive measures arose in response to public worries concerning the place of immigrants in nations being transformed

by neoliberal globalization (Berezin 2009; Massey and Pren 2012). Prominent politicians and opinion makers suggested that immigrants drove down wages and further burdened the welfare state. They also argued that immigrants in Europe and the United States were so culturally different from nationals that they undermined social cohesion and posed a threat to national identity. There was extensive media coverage throughout Europe of immigrants “flooding” the region and living in inhumane conditions in camps, occupied buildings, and slum settlements. The “misery of the world,” as former French Prime Minister Michel Rocard once said, was descending on these countries, presenting a major threat to national ways of life. Responding to this perceived threat, governments across the global North pursued restrictions and laid out the legal, moral, and physical basis for powerful deportation regimes.

Given the hostile climate facing immigrants and governments’ frenzied attempts to secure their borders, one might have expected immigrants to adopt survival strategies that would allow them to remain hidden and under the radar. Engaging in assertive, highly visible, and sometimes disruptive political actions like protests, occupations, and hunger strikes would seem counterintuitive at best and unwise at worst. However, rather than hunker down and turn in on themselves, many immigrants have asserted their rights to have normal, visible, and equal lives in the countries in which they reside. While the general evolution has been in the direction of heated discourse and greater restrictions, some immigrant mobilizations have successfully swum against the tide and achieved important wins, including large-scale regularizations. How can we make sense of these seemingly irreconcilable trends: the general hardening of attitudes and policies toward working-class immigrants and the persistent struggles to extend rights and protection to this population? This book addresses the question by analyzing the geography of resistances and mobilizations in the United States, France, and the Netherlands over the past 40 years. We investigate the painful and contentious processes through which immigrants who were expected to work and disappear – Latino immigrants in the US case, North African and Turkish guest workers in the European cases – became resilient political subjects.

Where There Are Borders, There Are Resistances

One part of the answer is that the formidable efforts to close off the nation have generated resisting residues. If states want to seal their countries, they have to bring the border home and require local

officials and citizens to take a direct role in rooting out “nefarious” foreigners from their daily worlds. This means that the acts of bordering and deporting people require thousands of street-level bureaucrats to assume frontline roles in carrying out exclusionary acts. The multiplication and localization of border enforcers are the only ways in which countries can close the cracks that allow unwanted populations to settle in countries. In the Netherlands, doctors are required to report on the legal status of patients and bus drivers are encouraged to keep an eye out for suspicious populations. In France, mayors have become responsible for granting “housing certificates” to immigrants applying for family visas and voluntary associations have been forbidden from providing assistance to suspected undocumented people. In these and many other instances, the proximity of street-level border enforcers to actual immigrants has allowed them to better survey suspicious activities and deny immigrants the resources needed to ensure their physical survival. As many institutions and professionals have assumed greater responsibility for ensuring *national* borders in daily life, the border ceases to be a distant frontier zone. Borders are no longer implemented by specially designated border police and mobilized against a foreign population we don’t know or see. Maintaining and producing national borders now involves everyone – local police, housing officials, employers, teachers, voluntary associations – and is directed at real people engaged in countless daily practices. A border is no longer something that is geographically and socially distant but something that is proximate and carried out in daily life.

Many people assume their bordering responsibilities without second-guessing the rules. An employer rarely thinks twice about checking the immigration status of a prospective employee; public housing authorities and private landlords make it clear that they discriminate on the basis of immigration status; and so on. In these and many other instances, maintaining the exclusionary boundary between “legal” and “illegal” people becomes a banal part of one’s work life. The border enforcer ceases to interrogate the moral or ethical rationalities underlying their exclusionary practices because it is just normal, reflecting what Hannah Arendt once called the “banality of evil” (Arendt 1977). When confronted with a “heartbreaking” or morally troubling case, street-level border enforcers oftentimes continue the assigned tasks but attribute moral responsibility to distant bureaucrats and government officials (Kalir and Wissink 2016). Too much proximity reveals the humanity of people and raises morally troubling questions, but this kind of tactical distancing helps assuage the moral ambivalences of street-level border enforcers.

While many people faithfully execute their tasks, others balk and resist. The paradox that haunts deportation regimes is that it

is not only their efficacy that increases but also their vulnerability, as more and more local actors are called upon to participate in border enforcement. All these local actors may participate in border enforcement but they can also throw sand in the machine. Moral and professional ambiguities emerge when enacting exclusionary measures against real people who happen to be immigrants. The requirement to enact borders may conflict with other responsibilities associated with a job. Doctors in the Netherlands have pushed back on government measures, and some local police agencies in the United States have rejected partnerships with federal border enforcement agencies. Moreover, people who must witness the painful process of extracting and deporting people they actually know can produce moral shocks that spur resistances. Parents of school-age children in France, for instance, have had some of the most successful mobilizations to block the deportation of immigrant youths and their undocumented parents. The immigrant ceased being a distant Other on the outskirts of society but was now a friend or an acquaintance from school; somebody who had a face, a name, and a solid place in an actual community. Government policies aiming to extract immigrants thus have produced points of resistance and conflict with those being targeted by the measures (actual immigrants), those enlisted to carry them out (street-level border enforcers), and morally shocked friends, families, and supporters in communities. Thus, even – or perhaps especially – when immigration regimes are designed as hermetically closed systems, they generate countless local disturbances that can send tremors throughout the whole system.

One of our theoretical goals is to interrogate the limits of governmentality theory (Rose and Miller 1992; Rose 1999; Inda 2006) in the domain of immigration. Even though national governments try to reinforce their territorial power by developing deeply penetrating and far-reaching bordering strategies, we try to show that not all those involved in this process comply passively. Government measures to produce and enforce borders have had strong and somewhat unpredictable politicizing effects on immigrants and supportive nationals. Wherever power draws a line between the acceptable and unacceptable, the “legal” and “illegal” human being, those finding themselves on the wrong side of the divide can develop subversion tactics by evading detection, appealing decisions, or simply refusing to cooperate. Government strategies do not necessarily produce stable, clearly demarcated, and well-policed social orders where everybody has a neat place, as intended by governments. Instead, they produce a multiplicity of resistances and struggles, which can in turn have disruptive effects on the general order of things. “Where there is power,” as Michel Foucault once asserted, “there

is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power” (Foucault 1978: 95). Or, as Henri Lefebvre, concisely put it, “State-imposed normality makes permanent transgression inevitable” (1991: 23). Whenever powerful groups and institutions label outsiders as illegal and illegitimate, small resistances emerge and plant the seeds for larger struggles. We do not suggest that specific grievances and associated resistances alone explain large-scale struggles. However, they plant the seeds that can, under the right conditions, grow into larger and more complex mobilizations for rights and legal residency.

Where Small Resistances Take Root and Grow into Big Mobilizations

Our interest isn’t to inventory countless forms of resistance. It is to examine the mechanisms in which some resistances concentrate in certain places, harness energies and countervailing powers, and grow into large mobilizations that eat into and sometimes alter the bordering practices and rationalities of modern nation states. The power to restrict and interdict produces countless seeds of resistance, but not all resistances take root and grow into disruptive political mobilizations. Understanding this process requires us to investigate the geographical terrains in which seeds of resistance are planted and grow into big, tangled, and disruptive struggles for rights and recognition.

Seeds of resistance are born at the specific points where restrictions are enacted: undocumented immigrants protest deportation orders by initiating hunger strikes in the places they live; immigrant day laborers fight for their right to work in towns that ban such activities; local mayors provide undocumented immigrants with homeless services in conflict with national laws; doctors treat patients in hospitals irrespective of their status; parents and school employees protest deportation raids in their schools and neighborhoods. Enacting restrictive bordering policies locally therefore localizes and multiplies seeds of resistances wherever they are enacted. We do not suggest that resistance is automatic, especially considering the ability of people to banalize exclusion. We do argue that attempts to seal borders produce many ambivalences and cracks, and that some of these can become a new point of resistance and conflict in the system. These local conflicts are often limited in scope and time but, under the proper conditions, they can grow into systemic challenges when immigrants collectively – with the support of allies and supporters – assert their rights in the face of attack and exclusion.

Resistances may be everywhere that power is enacted, but all places do not provide the support needed to grow resistances into tangled and disruptive political mobilizations. Social movement scholars have long asserted that certain resources (recruits, organizations, money, skills, trust, etc.) are necessary in transforming seeds of resistances into large mobilizations (della Porta and Diani 1999; McAdam et al. 2001). We also know that certain environments furnish more resources than others. Resistances may arise in places where specific government powers are enacted but not all places provide sufficient conditions to grow small seeds into big mobilizations. Immigrant detention centers and prisons, for instance, are important sites for producing seeds of resistance but these environments are not necessarily the best to transform early seeds into broad and sustained struggles. Detention centers in the Netherlands are home to hundreds of hunger strikes each year but these strikes are largely ignored by the media, public, support groups, and politicians because they take place in environments that do not possess the full range of resources needed to nurture their growth and maturation. These resistances end up passing largely unnoticed, presenting only minor and uneventful disruptions in the circuits of state power. In other instances, early resistances may find more supportive and enriching environments, providing them with conditions for further growth.

Certain environments may be richer and more supportive than others, but outsiders cannot simply tap into and make use of these resources automatically. They must develop *relations* with more established actors in these environments as a precondition to tapping into and making use of embedded resources, knowledge, and information. This book examines the relational qualities of places that make it possible for deprived and stigmatized outsiders to tap into rich resource pools and build powerful struggles for rights and equality in inhospitable countries. These relational qualities are heavily concentrated in certain large cities and, within them, in specific neighborhoods. These places function as incubators for early seeds of resistance and provide *relational opportunities* for outsiders to contest their exclusion. In places with abundant opportunities to create strong and supportive relations, marginalized activists can connect to sympathetic supporters and allies and eventually tap into the resources, information, and knowledge concentrated in strategic places. Relations provide access to a diverse range of strategic resources, which then facilitate the growth of small resistances into large and tangled mobilizations. We are aware that cities do not have a monopoly on resources, strategic mechanisms, and opportune relations but some do tend have a higher concentration of these attributes than other places. The concentration of these qualities in particular places produces

environments that are better able to facilitate the growth of seeds of resistance into large and entangled struggles for rights, equality, and protections. This book investigates under what conditions cities do or do not perform this role of incubating resistance.

In the countries we investigate – the United States, France, the Netherlands – struggles for immigrant rights intensified in the 1970s in response to increasingly restrictive immigration policies. The fight for general rights of immigrants often emerged in response to deportations, police raids, the lack of decent housing, the unwillingness of officials to recognize residency claims, restrictions on selling labor or goods in public, and so on. While early struggles sprouted in many places across these countries, they took root and later flourished, especially in Los Angeles, Paris, and Amsterdam. These cities concentrated diverse resources and provided relational opportunities for pioneering immigrant rights activists to reach out and connect to a variety of supporters in possession of these resources. These supporters included leftist radicals, intellectuals, unionists, and humanitarians. Although these movements were national in scope and orientation, they relied on resources and relations that were spatially concentrated. In all three of our cases, immigrant rights activists in different mobilizations were able to assert their voice in the national political arena because of their ability to develop relations with people and organizations in possession of different kinds of resources. Cities are central arenas in the struggle for general rights and equality because they tend to be the frontline sites where exclusions are enacted *and* because they provide the resources and relational opportunities that can support emergent activists. While we show how these cities fostered large mobilizations in particular times, mobilizations morphed, collapsed, and re-emerged throughout the 40-year period under investigation here. The changing nature of struggles across time and cases provides us with unique insights into the factors that facilitate and block the contention in these cities.

The two central tasks of the book – explaining the persistence of immigrant rights struggles in spite of adverse conditions, and charting the geographies of these struggles – are two sides of the same coin. The mechanisms through which these immigrant movements (but not only immigrant movements) a rise or decline all have distinct and consequential spatial underpinnings. Our explanation for the evolution of immigrant rights movements thus examines *how* and *why* the networks constituting movements develop by tracing *where* they develop. By descending to the grassroots we hope to uncover some of the mechanisms by which movements take shape, grow, and fall apart.

Policing Resistance through the Urban Grassroots

Some cities provide rich environments for seeds of resistance to grow into robust mobilizations but activists in many cities do not always connect with others and develop productive political relations. Many factors impede such political relations. Some advocacy organizations may simply have sufficient resources of their own and may not need to develop partnerships with other organizations in their environment. Others may find themselves competing for the same recruits and sources of financing, which can exacerbate ideological and strategic conflicts. And still others may face institutional and discursive constraints imposed by local governance regimes. These different factors all play a role in shaping activism, but we draw specific attention to government efforts to rewire the networks making up the relational worlds of activists.

Los Angeles, Paris, and Amsterdam helped immigrant activists assert their rights in unpredictable and sometimes disruptive ways. In addition, anxious nationals demanded that government officials take action to protect public order against deviant groups and in unruly immigrant neighborhoods. Governments could not stand idle in the face of these demands because the demands called their legitimacy into question. Governments with more robust statist traditions (France and the Netherlands) became particularly active in rolling out new techniques to control the neighborhoods where immigrants concentrated and enlisted associations in efforts to integrate and police immigrant populations. While many organizations of immigrants had challenged discrimination, deprivation, and deportations in the 1970s, in the course of the 1980s governments attempted to enlist them as partners in efforts to promote integration and fight crime. Governments identified territories with elevated risks, monitored activities within them, identified influential organizations within these spaces, and introduced measures to control conduct and norms.

While recognizing that governments invariably attempt to perforate and steer relations in civil society, we show that these efforts have been very uneven over time and space. In the United States, for example, the rollback of federal urban policy during the 1980s coincided with a tradition of laissez-faire immigrant integration policies. This resulted in rather weak control mechanisms to address the growing population of immigrant activists in Los Angeles. By contrast, France's control strategies targeted first- and second-generation immigrants, left human rights non-governmental organizations (NGOs) unscathed, and did not grapple with informal, undocumented activist groups. This resulted in a whack-a-mole approach by the state in which one segment of the immigrant rights movement was brought under state control while another

segment was allowed to flourish for many years. Lastly, the flexible and pragmatic character of the Dutch state allowed it to respond to unanticipated threats by redirecting its attention from leftist radicals to Muslim organizations to counter radicalization and promote integration. Understanding the uneven strategies of government control helps account for differences in the form of national social movements and their power to achieve their goals.

Governments have a great capacity to disrupt productive relations between activists and supporters in the same city. However, the reach of government is always limited, even in a very effective governing context like the Netherlands. The constant enactment of bordering powers across a national space produces varied resistances. An effective and flexible government can anticipate, channel, and defuse many of these, but certain resistances inevitably escape its reach and give rise to destabilizing mobilizations. The book therefore draws inspiration from the governmentality literature because governments do reach into the life spaces and relational worlds of activists, modify subjective and strategic worldviews, and mediate exchanges. However, governments also produce resistance-generating interdictions, and some of these resistances can fester and grow beyond the gaze and reach of the state. Thus, the government asserts control over its national territory and activist relations in cities, but these measures are contradictory and imperfect, which provides interstitial openings for seeds to grow into potentially disruptive mobilizations.

Overview of the Book

This book stems from the individual and collaborative research performed by both authors since the early 2000s. For more than a decade, we interviewed many activists, political officials, and associations of various types. We used historical archives to discover new information and verify arguments made by informants. Archives from leading national newspapers (*New York Times*, *Le Monde*, *NRC*, etc.) were also used to provide information about conflicts, stakeholders, mobilization frames, and other details concerning different rights campaigns. Lastly, we made extensive use of secondary resources to provide greater context and detail for the campaigns and government measures in question. While we pursued our research projects independently over this period, since 2009 we have collaborated on a series of articles that form the foundation for this book.

This book addresses two major issues: how do precarious immigrants press for rights in increasingly inhospitable countries, and how

do particular places help or block their ability to engage in these struggles? We address these issues by following the evolution of immigrant rights struggles in Los Angeles, Paris, and Amsterdam from the 1970s to the late 2000s. The book is divided into three, roughly chronological parts. Part I examines the birth of immigrant rights activism. In spite of important differences between our cases, the 1970s marked the emergence of this form of activism. We suggest that the similarities reflect the intensification of resistances against new government measures to restrict immigration and increase deportations. The closing of borders and the creation of deportation regimes provided the common structural push that inaugurated the battle for immigrant rights in all three countries. These restrictions concentrated in cities because all three of our cities had the highest concentrations of immigrants in their respective countries and all three cities possessed a high density and diversity of activist organizations. The density, diversity, and openness of local activist milieus provided a new generation of immigrant rights activists with relational opportunities to create new friends and supporters. These relations were used to tap and appropriate rich resource pools for struggles unfolding at regional and national scales. Thus, in spite of important differences between these cases, we continue to highlight the remarkable similarities in the first immigrant rights struggles of this era.

Part II shifts the focus and begins to examine government control strategies during the 1980s and 1990s. It suggests that differences in these strategies helped to restructure immigrant rights networks and place movements on very different trajectories. Whereas the first part of the book stresses the similarities between our cases, the second part identifies the government control strategies that contributed to producing differences in terms of immigrant rights activists' capacities and methods to assert rights claims.

Part III examines the effects of government control strategies on mobilizations. It suggests that efforts to exert political control have not extinguished struggles. Rather, these strategies have morphed grievances, resistances, and mobilizations over the past two decades. In the United States, we show that a rather weak strategy of political integration during the 1980s and 1990s provided the space for rights activists and their union allies to consolidate into a new hub of rights activism. Grassroots organizations in the 2000s and 2010s have been able to use place-based relations as a foundation to assert themselves in national debates and struggles over immigrant rights. In France, political integration essentially marginalized older left-wing immigrant associations and their second-generation comrades. Following this, the movement has been split between two factions: one faction made up of professional, mostly white,

mostly male, and mostly national NGOs; and the other faction made up of informal, mostly undocumented, strongly female, and highly localized groups. In the Netherlands, political integration neutralized older left-wing immigrant associations and depoliticized the NGO sector. This has left a social movement field that provides aggrieved undocumented immigrants with a rather fallow field of support. Nevertheless, immigrants and their supporters continue to resist government restrictions but their battles have been highly individualized and scattered throughout the country. Thus, the third and final part of the book identifies the outcomes that result from the different government strategies.

Conclusions

There is a broad lesson that can be taken from this book. Resistance to exclusionary state power is not an exception but a constant. Even when confronted by sophisticated government strategies to pre-empt and neutralize resistance, our study finds that a pugnacious and forceful politics of rights persists. Every effort to silence or banish certain actors spurs innovations and alternative responses among targeted groups, producing constant struggles for rights and recognition. This does not mean that every configuration of resistance has the same chances of success. Under certain conditions, these resistances can evolve into struggles with greater reach and impact. Our exploration of the mechanisms that turn sparks of resistance into sustained mobilizations is a deeply interdisciplinary endeavor. Our own intellectual trajectories and the themes covered in this book span sociology, geography, political sciences, and urban studies. Our hope is that the book will speak to different audiences and serve as a bridge between the disciplines trying to understand how resistances emerge and why they succeed or fail.