Summaries

GODFRIED ENGBERSEN

The wall around the welfare state
International migration and social exclusion

This chapter advanced the argument that the current strengthening of the external border of the European Economic Area is accompanied by a strengthening of the welfare state border, in order to exclude unwanted immigrants from work and public provision and to prevent that increasing numbers of (temporary) labour migrants will rely on welfare state provisions. The new restrictions put special emphasis on illegal immigrants. It is also argued that the current attempts to regulate (temporary) labour migration will not substantially reduce the number of illegal immigrants residing within the advanced West European societies. A new situation is evolving in which granting social rights to foreigners has become more problematic, and the universal scope of welfare state institutions is increasingly being replaced by a bias towards selectivity. The Dutch Benefit Entitlement (Residence Status) Act is one symptom of this, as is the differentiated labour migration policy being pursued in advanced welfare states. They have not only raised the external wall around Europe, but also the walls around the welfare state. These new walls will generate severe inequalities within these countries through the selective treatment of immigrants. The paradox of globalisation persists: reduced barriers to the circulation of capital, consumer goods and information have not extended to human mobility and citizenship rights, at least not for substantial numbers of immigrants from poor countries.

ILSE VAN LIEMPT

The social organization of people-smuggling
Modifications to the image of people-smuggling as a large-scale organised
criminal activity

It is often assumed that people-smuggling is undertaken by huge criminal organizations. In this chapter the question is raised whether all people-smuggling organizations can be characterized as such. A typology is presented of ways in which smuggling can be organized. In doing so, earlier attempts to identify different types of smugglers are followed. But the migrant's perspective is added. What choices do migrants themselves make in the process of irregular

migration? Moreover, how does the relation between the agent and the migrant influence the entire smuggling process?

MARIJ LEENDERS

'If we treat them lavishly, things will get out of hand'
Emotion as a strategy in the asylum debate: 1938–99

In this chapter, the way in which politicians make strategic use of emotions in the asylum debate is analysed. For this purpose, three debates that took place in the Dutch Parliament between 1938 and 1999 were selected. The cases were studied on the basis of four questions: In what ways do politicians try to achieve their goals in the asylum debate? Do they deploy any emotions, and if so, how do they use them? What similarities and differences can be distinguished? To what extent is the position that the politician occupies on the political stage relevant? It was found that opposition parties usually react in a more emotional manner than do government parties; and that the number of debates about asylum has increased and has become more and more legalistic. Furthermore, it is striking that although the economic, political and international situation has changed considerably, the arguments for a restrictive policy remain constant. Finally, the emotions seem to be employed strategically in the asylum debate in advancing the case for both a 'mild' and a 'sober' policy.

NIENKE DOORNBOS

Separated worlds
The assessment of credibility in claims for asylum

Decisions on claims for asylum made by the Immigration and Naturalisation Department largely draw on statements the applicants give in a 'first interview' and a 'substantive interview'. The consistency between the individual's accounts and between the accounts of family members is assumed to be a reliable indicator of credibility, though this assumption has been contradicted by medical and psychological research. Furthermore, the conditions under which asylum interviews are conducted call in to question the appropriateness of this consistency testing. Drawing on an ethnographic study of ninety asylum interviews, this chapter offers insights into the complex institutional, intercultural and multilingual character of the encounters. In more than half of the interviews attended, serious communication problems were observed, which affected the fact-finding process.

PETER MASCINI

The changeability of doubt
Inequality in the implementation of asylum law explained

The goal of this research was to identify the factors that account for procedural and substantive inequality in the implementation of asylum law. Ninety-eight caseworkers of the Immigration and Naturalization Service were asked to decide on the same asylum application. These decisions were then related to their answers on a questionnaire. Employees differ to the extent that they take the information on an asylum application for granted and to their final decisions on it. These differences result from work pressure, the reputation of the caseworkers, their role definition, political opinions and professional background, and memo's and policy guidelines. Intensifying feedback and decreasing work pressure can achieve more consistent and careful decisions.

TESSEL DE LANGE & JEROEN DOOMERNIK

Labour migration in international perspective

This chapter compares regulations relating to the immigration and settlement of foreign workers in the Netherlands, Germany and the United Kingdom. From this comparison it becomes clear that all these countries are reluctant to allow the settlement of low-skilled workers, but generally applaud the arrival of highly skilled migrants. The marked exception to this rule appears to be the Dutch government, which tries to dissuade those migrants too from permanent settlement. Some hypotheses are offered for these different approaches, and for the Dutch inability to compete for highly skilled labour on the increasingly global labour market. We conclude that Dutch policy making is based on ill-informed assumptions, and disregards the realities of the globalisation process.

BETTY DE HART

Stories about law and identity
Experiences in relation to immigration law of Dutch women with migrant partners

This chapter describes the impact of immigration law on the everyday life of female Dutch citizens who have migrant partners. Based on interviews with Dutch women with migrant partners, the chapter addresses two questions:

what consequences does immigration law have for their everyday lives, especially in the fields of marriage and relationship, gender relations, and labour and care? And what are the consequences of immigration law for the identity of Dutch women with a foreign partner? The interviews show that immigration law excludes women and limits their choices in various ways. These experiences, combined with other social experiences of discrimination for example, make women reformulate their identity. They no longer feel 'Dutch' like other Dutch people, but formulate a new identity as 'Dutch women in a mixed relationship'. The stories women tell about immigration law are contradictory. They think immigration law is unjust and oppressive, but do not contest the legitimacy of immigration law. They do not resist the restrictive immigration policies, but they resist its consequences for their individual love and family life. Still, they take over the meanings of immigration law, and see its requirements as natural and justified.

JOANNE VAN DER LEUN & KATJA RUSINOVIC

No man's land in the Netherlands
Rejected asylum seekers caught between national and local policy

Since the early 1990s, the Dutch government has taken several measures aiming at a more efficient asylum policy on the one hand and the discouragement of illegal residence in the Netherlands on the other. One of the unintended consequences of the stricter asylum policy is that more and more rejected asylum seekers become illegal immigrants. They are supposed to leave the country, but they do not always do so. Because they have lost their residence rights, they are officially excluded from most public services. At the local level, in the cities where they stay, it is clear that policies-in-practice do not always correspond to the strict rules. Several organisations, both public and private, offer assistance to rejected asylum seekers for various reasons. This chapter focuses on the types of support they offer, and on the dilemmas that these organisations confront, as well as the tensions between different levels of policy making.