

# Post-Communist Migrations in Europe and Gender

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ミリヤナ・モロクワシチ＝ミュラー教授は、パリ第5大学（ルネ・デカルト校）で1972年に社会学博士号を取得。リール第3大学準教授などを経て、現在はフランス国立科学研究センター教授兼パリ第10大学教授を務めている。

教育・研究範囲は、フランス、ヨーロッパを越え、北米まで幅広い。2000年7月から10月まで、ドイツ・ハノーバーで開催された国際女性大学（IFU）を設立・実施し、設立以来ヨーロッパ史上初の女性大学運営に深く関わっている。また、1984年、国際移動研究の代表的学術雑誌 *International Migration Review* が初の「女性と移動」特集を組んだ際には、編集責任者を務め、巻頭論文も執筆した。

主な著書には、*Bridging States and Markets: International Migrations of the Early Nineties* (1993)、*Migrants: Les Nouvelles Mobilités en Europe* (1996) 等がある。

2001年4月から9月まで、お茶の水女子大学ジェンダー研究センター外国人客員教授として赴任。本稿は、その間行われた公開講演会で発表された原稿に、加筆修正したものである。

The foreigner here is not the one often described in the past, the traveller who comes today and goes tomorrow, but the one who comes today and stays tomorrow—a potential migrant so to say, who, although he has not continued his trail, has not given up the freedom of coming and going. (Georg Simmel<sup>1</sup>)

Industrial countries will probably have an irreducible requirement in the years ahead for the kind of employment that immigrants are willing to undertake. Indeed, if globalisation expands the number of jobs at the bottom of the employment scale, particularly in services, it could well increase the demand for their labour. (Peter Stalker, p. 137)

The redrawing of the map of Europe in the aftermath of the events of 1989 and the collapse of the communist regimes involved an unprecedented mobility of persons and heralded a new phase in the history of European migrations. The clear distinction between sending and receiving countries has been blurred with former sending countries emerging simultaneously as receiving, as sending and as transit areas. Furthermore, the former predominantly labour migration pattern has become highly diversified: shuttle/commuter migrants, refugees, “repatriates,” undocumented and trafficked migrants are some of the numerically most important categories along with the traditional labour and family migration.

The new forms of migration are no longer male dominated: the post communist transition has put on the move a great number of women who are looking for an escape either from their new market conditions or from the newly dominant discourse of nationalist projects in their home countries or are simply attracted by the challenges of the newly acquired freedom of movement.

What are the main trends in this new European migration landscape? How are they shaped by the global trends world-wide and how gendered is this new migration pattern? What are the migrants' coping strategies of resistance to ever more restrictive policies?

These are some of the questions I wish to address. To do so, I will first define the terms I am using in the title. Second, I will argue that the issue I am addressing has to be seen in the global context of world-wide trends in migration. I will then describe the current diversified pattern of migrations in Europe, highlighting some gendered dimensions of the trends. Finally I want to reflect on possible issues for an Asia-Europe comparison.

## 1. Definitions

*Post-communist* has been used to denote the period after 1989 and the "transition to democracy" (Mink and Szurek 1993) in Central Europe and later in other former communist countries. *Post-wall* and *post-cold war* are other terms that are commonly used to cover the period of the nineties in that part of the world. I will be focusing on migrations taking place in, from or to former eastern bloc countries including the former Yugoslavia. Germany is the country of the European Union (hereafter EU) most concerned by these migrations and I will be referring often to it as well as to the German data to illustrate the trends. Russia is another country largely affected both internally and internationally by massive "post-imperial" movements of Russians toward their former "mother land" and abroad, but also by other migrants whose final destination is not necessarily Russia.

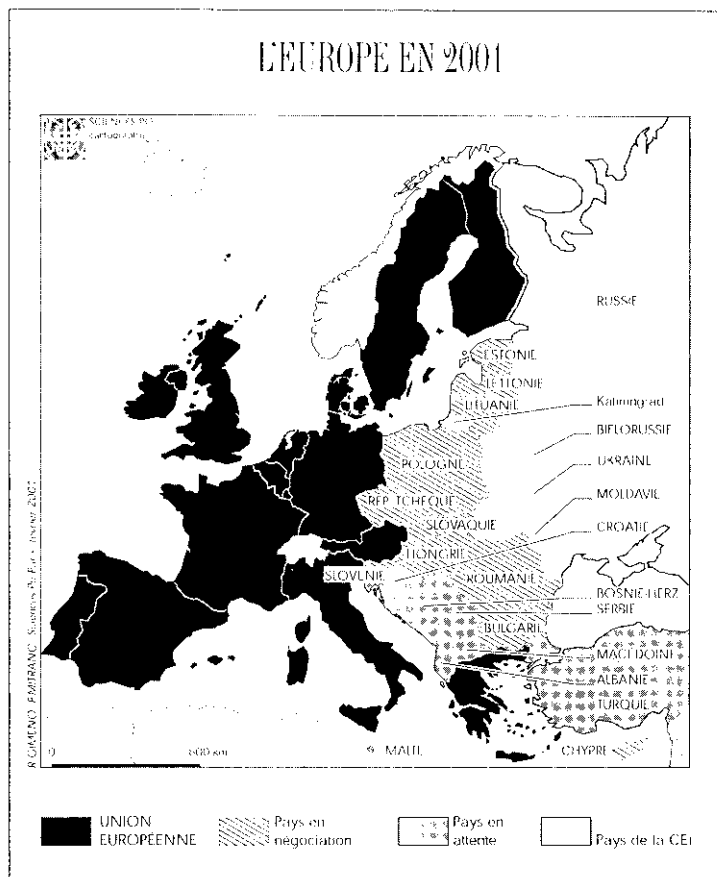
According to the most widely used definition, *international migrants* are persons who take up residence in a foreign country (*World Migration Report 2000*). Thus defined, international migrants do not include the variety of short term moves of tourists, business travellers, religious pilgrims, or persons seeking medical treatment who make millions of visits to foreign countries each year. Rather, only those foreigners who remain for an extended stay in a new country are counted as international migrants. However, migration processes actually cover a multitude of different patterns and do not necessarily lead to settlement and integration in only one place. The concept of international migration I am using here implies a one-way migration as well as repeated movements across nation-state boundaries, for permanent or shorter or longer term stays (sojourns).

*Gender* refers to asymmetrical power relations. It is a universal ordering principle, which, along with and in spite of other differentiations (class, ethnicity) and diverse cultural expressions, assigns more value to men's characteristics, behaviour, and beliefs than to women's. The result is a tendency for men and masculinities to dominate. Gender power distribution structures every aspect of human interaction: who will be socialised to become vulnerable or strong, who will have property,

political power, take decisions in the family and in politics, who will be excluded from privileges, who will be prone to mobility or denied the opportunity to move.

**Europe** refers to the continent re-united. The “iron curtain” no longer exists. However, any definition or self-definition of Europe entails a basic East-West dichotomy. “Europe” and “European” are usually constructed as referring to things “Western”, in contrast or opposition to other regions or cultures, which are characterised as “Eastern” (Stölting 2000). According to some thesis in which one can depict a kind of self fulfilling prophecy, Europe is also a theatre of the “clash of civilizations.” The line between the “west and the rest”, which cuts Europe in two is geographically only slightly to the east of the former iron curtain line (Huntington, 1996).

Map 1. Europe in 2001



Source: *Homme et Migrations* 2001, p. 7.

Map 2. The Iron Curtain



Source: Foucher 1993, p. 53.

And yet, it is impossible to draw a line between European East and West. For the French the East begins in Germany, for Germany in Poland, and so on. Russians have also their own East: Central Asia and the Chinese. The concept of East functions as a contrast to the West, with shifting reference points within Europe.

This dichotomy is present in the minds of all Europeans and is very important for the construction and recomposition of their identities, but also for the perpetuation of the myth of Europe as a non-immigrant society (Kramer 1993). It also has implications for attitudes toward migrants: when the iron curtain was lifted, the Europeans (*i.e.* those who monopolised the name of the continent for themselves only) feared “invasion from the East”, or from the “other Europe” (Morokvasic, Angenendt and Fischer 1993; Withol de Wenden and de Tinguy 1995). It also has implications for

migration policies: the policies that serve as a reference point and as guidelines for the countries of its Eastern part are those of Western Europe, of the EU (de Tinguy 2001).

## 2. The Global Trends

In our globalized world the population of international migrants has lately been increasing at a faster rate than the rate of global population increase—which was not the case some thirty years ago. Still only 2.6% of the world's population live outside their original country of origin: some 150 million people world-wide. This means that the propensity to move internationally, particularly in the absence of any violent pressure such as wars, is limited to a small proportion of humans. Most people prefer not to migrate if they feel that they can satisfy their needs at home. Those who move also have a high propensity to return if they have somewhere to return to.

The following are the principal trends that affect international migration and global responses to it. Developments in Europe have to be seen in that context.

### Growing Economic Integration and Globalisation

Migration is one of the constitutive processes of globalisation today. However the progressive globalisation of capital and many commodities has not been matched by the globalisation of labour. Whereas goods and capital move freely, people do not. The growing interconnectedness of the world also leads to more poverty, and increases the gap between rich and poor countries. In poor countries, the decline of traditional economic sectors, subsequent unemployment and foreign debt not only generate migration, but also force the governments of these countries to rely on the migration of their citizens and their remittances. The pressure to emigrate is met by protective walls on behalf of the powerful, rich states. Most workers remain firmly tied to the territorial world of the state system, with border controls restricting their movement remaining as tight as in the past and often tighter. Globalisation processes have precisely revitalised rather than diminished one crucial function of the nation state, namely that of controlling the movement of people across its borders (Nyberg-Soerensen 1998). Erecting walls around richer and therefore more and more desirable economies feeds and encourages illegal trafficking in people.

### Transnationalism

Transnational population movements may also be seen as part of the globalising tendencies in the modern world. The phenomenon of “workers without frontiers” (Stalker 2000), trans-national

Map 3. Huntington's Divide



Source: Huntington 1996, p. 159.

migrants or “transmigrants” (Glick-Schiller, Basch and Szanton-Blanc 1995; Faist 2000; Pries 1997; Smith and Guarnizo 1998) is spreading worldwide in spite of (or along with) the growing state and interstate efforts to control the movements and borders and halt unwanted migrations. For migrants, at least those who are free to move, it is now much easier than before to live in two societies at the same time, maintaining two homes and commuting between them. Circulatory migration is an important dimension of migration systems (Kritz, Lim and Zlotnik 1992) and this is the case in many parts of the world (China-Canada, Eastern-Western Europe, North Africa-Europe, Turkey-Europe etc). The flow of migrants’ remittances often exceeds revenue from tourism or other trade, investment or foreign aid to the source country and maintaining the flow of these remittances is often an important consideration in migration policy making. Dual and multiple citizenships are among the visible outcomes of transnational movements and transnational belonging. Though slowly and reluctantly, this change in reality can also be followed by changes in legislation (as recently in Germany).

### **Technological Advance in Transport and Communication**

Geographic distances count less and less: with ever cheaper and faster travel the likelihood of long distance moves increases. But migration no longer means a separation from the families for long periods of time nor a break with a past. Instant communication through the internet and inexpensive telephone services permits migrants to remain in touch with families at home. The internet may also facilitate job searching and access to labour. All this may facilitate migration or increase opportunities for moving. On the other hand, instant communications also create job opportunities locally, which in the long run may be a deterrent to migration. After moving production offshore, many large Western companies have been turning to the South for also delocalising their customer services.

### **International Relations in the Post-Cold War Era and Refugee Regimes**

The most profound effects on migration regimes are those relative to forced migration. Most current refugee policy was formulated after World War II with the lessons of the Nazi era in mind and the increase in East-West tensions. Refugee policy was seen as an instrument of foreign policy. Admission of refugees for permanent re-settlement and asylum were all part of the fight against communism. Ideological support for such a generous *non-refoulement* (i.e. not to reject entrants at the border) policy is no longer there and *non-entry* has become the guiding principle of a new agenda hostile to refugees (Joly, Kelly and Nettleton 1997). This implies a strategy of containment of threatened populations in the areas of origin or in their vicinity. A new category of IDPs—Internally displaced persons—has been coined to designate them. “Humanitarian interventions” may be carried out on their behalf. This highlights the growing inequity between those states which retain control over their destinies and have the power to intervene in other states or wage wars “in the name of human rights” and the weaker ones, whose state sovereignty is undermined,

incapable of exercising any such controls.

### Demographic Trends

Demographic trends affect international migration, they are an important factor in explaining emigration pressures from many developing sending countries with rapid population growth (Chesnais 1995). In most of the states of the developed world, on the other hand, fertility rates are below replacement rates, and the population is ageing, which may in the long run influence the receptivity of these states towards migration. The projected change in migration policy in Germany may herald broader changes in that direction.<sup>2</sup>

Related to this are the changing role of women in the society: women's education and their ability to generate income are essential in any strategy to restrain rapid population growth. As they gain more autonomy through education and work, they migrate not only as reuniting spouses but also as the main protagonists of migration and principal applicants for work visas. Women are also important actors in what Saskia Sassen has called "alternative circuits of survival" (Sassen 2000).

### Toward a Global Management of Migration

A number of regional and international mechanisms have developed in the past decades to deal with new realities of migration. Europe had the lead in establishing free circulation within the European community in 1968, the intergovernmental Schengen agreement was signed in 1985 and other regional consultation processes have been co-ordinated by the International Organisation for Migration (IOM) or United Nations High Commission for Refugees (UNHCR). This is a new development: states traditionally tend to see immigration policy as a matter of national interest and sovereignty. In the "Guest-worker period" of the 1960's and the 1970's the European states used to adopt unilateral policies or make bilateral agreements with the sending states. So far, the harmonisation of migration policies mainly relates to managing unauthorised migration and to border controls. This has not stopped migrants, but has redirected their moves, changed the migration patterns and contributed to the mushrooming of professional trafficking.

Even when the authority in this area shifts to regional or international institutions or regimes, these continue to exercise authority usually on behalf of the most powerful states. Although there is much talk about global migration and about trends toward *the global migration regime*, there is no emerging global governance of international migration and there is so far little global humane governance in sight. Compared to their efforts in the areas of global trade and investment, states have done comparatively little to try to renew or strengthen the international human rights regime (Collinson 1999). The international refugee regime and right to asylum, human rights and minority rights are meanwhile under serious threat, in particular since the attack on the symbols of US imperialism on 11 September. As the case of the Afghan boat people heading to Australia in September 2001 has demonstrated, it is increasingly left to the judiciary and to non governmental organisations (and sometimes to intergovernmental organisations) to invoke international human

rights instruments to protect migrants and refugees — usually in opposition to the governments concerned.<sup>3</sup>

### **Trafficking in People**

Trafficking implies the transportation of people across borders in an illicit way (it seeks to circumvent cross-border traffic regulation). It often involves also a forced recruitment for work and services and a use of violent means to do so. The new trend is the scale of people smuggling: it is estimated that some four million people are being trafficked in the world every year. Another trend is its increased professionalisation and more and more involvement of transnational crime networks in controlling the undocumented migration. This has an impact on the profile of smuggled people and the conditions under which they are transported — with minimum protection and safety,<sup>4</sup> as well as on their lives upon arrival in a destination where they are forced into prostitution or kept in virtual slavery in order to repay “debts” or are sold to businesses who cover the fees in exchange for indentured labour. Trafficking in women is mainly related to the sex labor and prostitution. It is an increasingly lucrative business — it is estimated that these human trafficking operations yield profits of about US\$ 7 billion per year.



### 3. The New European Migration Landscape

Map 4. Migrations in Europe since 1989



Source: Foucher 1993, p. 289.

#### An Overview

Most of these global trends apply also in the context of the Europe-Europe migrations. The demographic situation is however different from most of other geopolitical areas, where migratory movements are generated by the concentration of deep contrasts: on the one hand, economic abundance, political stability, social security and welfare and low birth rates in close connection with

economic poverty, political unrest and demographic explosion, on the other. Birth rates of the most European populations, East and West, are low and there is no *demographic* pressure from the poorer East.

As for gender roles, the Eastern European women had broad access to education and to the labour market in the period of socialism (Kosmarskaya 1999; Einhorn 1993). Therefore, their propensity to migrate, which is very high, is rather associated with their experience of a loss of previously held benefits and rights acquired under socialism, than with the recently changing roles enabling them to gain more independence.

The EU countries now have a foreign population of some 18 million. As part of the total population it varies from less than 2% in Finland or Italy to over 30% in Luxembourg, 8.9% in Germany, and 6.3% in France.

Table 1. 1990 census data

Country	Foreign population	Percentage of total population
Germany	7314.0	8.9
France <sup>1</sup>	3596.6	6.3
Great Britain	1972.0	3.4
Italy	1095.6	2.0
Belgium	911.9	9.0
Austria	728.2	9.0
Netherlands	679.9	4.4
Spain	539.0	1.3
Sweden	526.6	6.0
Greece	304.0	3.0
Denmark	237.7	4.7
Portugal	172.9	1.7
Luxembourg	142.8	34.1
Ireland	118.0	3.2
Finland	73.8	1.4
<b>Total</b>	<b>18413.0</b>	

<sup>1</sup> 1990 census data

Source: OECD, SOPEMI Reports, Eurostat

Germany is the primary target of East and Central European immigrants, migrants, refugees and undocumented residents. There are ten times more migrants from that part of Europe in Germany than in France, the second largest immigration receiving country in Europe.

The re-composition of the European migration landscape after 1989 concerns both the European South and its Central and Eastern part. This paper focuses on the latter, but I would like first to stress some similarities, in particular since the European South has become also a target of some migrations from the East. Both are originally sending areas and have turned within a very short time into transit and receiving areas with little previous experience and legislation in dealing with immigrants. Both have a large proportion of women migrants especially in more recent movements (Oso 1998; Campani 1993). This is a new “gender-even” or sometimes even female dominated

pattern, away from the male dominated guest-worker pattern characteristic of Europe in the 1970's.

In the Central and Eastern part of Europe the previously international migrations turned into internal ones (in case of Germany for instance), those that used to be domestic, internal movements became international (with the disintegration of the Soviet Union, Yugoslavia and Czechoslovakia into twenty two new states); the areas of origin, of destination and transit are interwoven; and border regions become centres of activity for some people and insurmountable obstacles for the mobility of others.

Transnational migrations from and to Eastern Europe are signs of the progressive incorporation of that region into the world system and more specifically into the enlarged European Union. They are likely to continue but will predominantly involve temporary moves of persons involved in short-term income generating activities. These persons do not move with their families and as far as social security, welfare provisions and education are concerned they draw on and depend on their home countries, not the host countries (Morawska 2000). This is an important difference to the migrations of the guest-worker period.

One can trace these migrations back to four moments that have earmarked these profound changes: the fall of the Berlin Wall, the German Unification, the violent disintegration of Yugoslavia and the implosion of the Soviet Union. These events triggered or accelerated already existing movements of Germans from the GDR (German Democratic Republic) of so-called "*Übersiedler*" (the Germans who had settled "across" in East Germany) and the so-called "*Aussiedler*" from the communist world (mainly USSR, Poland and Romania). Millions of *shopping and working tourists* are engaged in transborder movements not to go sightseeing but to engage in a variety of income generating activities (Wallace 1997; Morokvasic 1999; Cyrus 1997; Irek 1998). Finally, the nationalist projects and hostility towards minorities, including wars, displaced millions of former Yugoslavs, Russians and other groups towards the territories where their groups were in a majority.

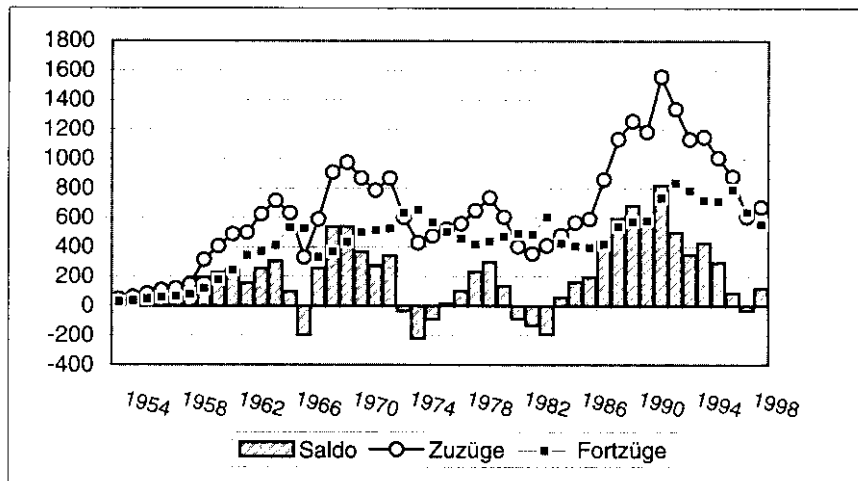
In the 1970s and the 1980s, departures from the countries belonging to the Soviet block were relatively rare in proportion to the total population of almost 400 million in that area. On the average, Western Europe received only about 100,000 persons per year from that area (Chesnais 1995). For Eastern Europeans at that time, emigration was equivalent to exile for good. Their departures accelerated, however, at the end of the 1980's. In the months preceding 9 November 1989, the citizens of the GDR "voted with their feet": they used their opportunity to travel to the neighbouring socialist countries, "occupied" Western Embassies. Czechoslovakia and Hungary let them pass to Austria.

Even before the fall of the Berlin Wall the Poles, benefiting from the lenient exit regulation of their country, used to come massively to Germany for seasonal work or as street sellers. In the south, Albanians loaded old ships and landed in Italy — the "Albanian *boat people*" was the expression immediately coined. The images of overloaded trains and boats were exploited by the media fuelling panic about invasion of prosperous Europe by poor East Europeans. It was feared that millions of Russians would leave the country as soon as they received their passports. A number of

opinion surveys on “potential migrants” from the East fuelled the panic, providing a scientific justification to irrational fears of invasion.

Fears in the West did not materialise. Although an unprecedented number of people was set on the move (the estimates are about 25 million annual border crossings just for the countries of Central Europe), it did not result in a massive exodus. About two million persons from the East were admitted in 1989 and 1990 and as many in the next two years. The main beneficiary was Germany and to an extent Austria. Other Western European countries were not important targets. And although Germany still does not consider itself as an immigration country,<sup>5</sup> No other European society has been as confronted with migration as Germany (Bade and Münz 2000). In the years following the Second World War Germany received millions of displaced and deported Germans from the Eastern Reich Territories. By 1949 when the Federal Republic was founded, they were over 8 million or 16% of its population. Over 30 million people (foreigners, ethnic Germans, asylum seekers, families) came to Germany from 1950 to 1998 and in the same period some 22 million left the country. Besides, almost seven million came from the GDR to the West, whereas a million and a half migrated in opposite direction. (Bade and Münz 2000).

Graph 1.



Source: Statistisches Bundesamt

The high percentage of women is an aspect which is characteristic of most post-communist movements. The most important legacy of state socialism was the institutionalised equality between women and men and a number of rights along with it, as well as paid employment as a norm for women: a majority of women of working age were economically active.

However the commitment to equality took place in societies which have preserved strong patriarchal norms and corresponding gender power relationships. Many women did not see the right to work as liberation. Rather, the right to work was degraded by state compulsion into an obligation to be endured (Einhorn 1993). It subjected them to the rigors of the double burden. They were the first to lose their jobs in the process of post-communist economic restructuring

(Heinen 1995, Rai Pilkington and Phizacklea 1992; Funk and Mueller 1993). However, they did not see in that loss something worth defending locally or possible to defend locally.

Thus they became a large supply of would-be migrants, readily available to respond to the demand in destination countries. Given the nature of job supply for migrant women (mainly in services), the irregular character of both their entry and of their subsequent income generating activity remains much more easily concealed than that of migrant men.

I will look at four main migration trends in the diversified pattern of migrations in Europe nowadays, highlighting some of their gender dimensions:

1. permanent migration (ethnic and family migration),
2. transnational work migration (official recruitments, circular/shuttle “tourist” migrations for the purpose of work and trade)
3. forced migration and refugee movements
4. undocumented migration and trafficking

These migration flows are often overlapping; the boundaries between formal and informal, between legal and illegal, between forced and voluntary being often blurred. For example: migrants can come as tourists — which is perfectly legal within the time limits of their visa or visa-free travel, but if they engage in an income generating activity and if they overstay their visa period, they become illegal. In some countries the legalisation procedures have enabled some undocumented migrants to legalise their situation as in France, Italy, Greece, Portugal or Spain. In some countries and at some periods of labour market conjuncture, asylum seekers may have access to the labour market. Otherwise they are not allowed to work, but are kept in the conditions which discourage them from staying in the country: in detention centres, with restricted mobility, and under prohibition of bringing families, or family reunion left to the discretion of the authorities in the receiving countries.

### **3-1. Permanent Migrations**

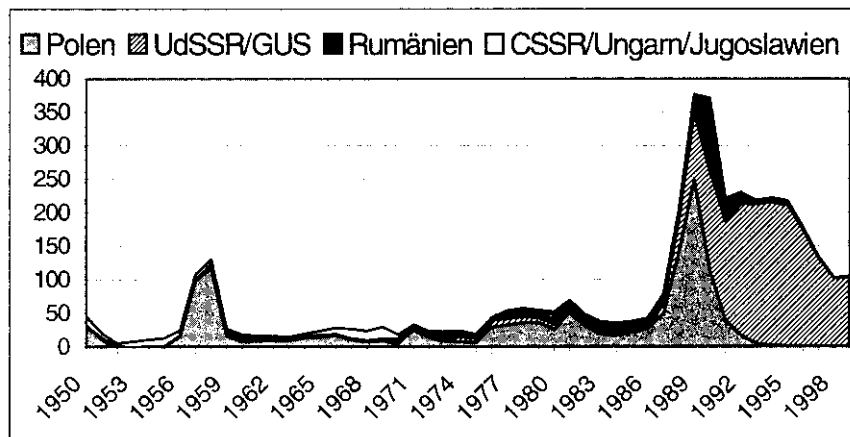
The enlargement of the European Union by twelve new members, with a further four countries joining in a few years, raises the question of the free circulation of persons. What will happen when the citizens of new member states are free to circulate, take jobs and settle wherever they wish throughout the Union? Will the poorer East “flood” the rich West? Such a perspective may be questioned for several reasons. Similar questions were asked when former sending countries of the South, (Greece, Spain and Portugal) joined the Union. The experience of the EU countries so far shows that intra European mobility has not increased but has diminished: only five million of some 300 million EU citizens have chosen to live in an EU country other than their own. Besides, neither Poland, though a traditionally emigration country, nor the Czech Republic nor Hungary became sending areas. Their citizens show little propensity to emigrate permanently, or — as far as Czechs and Hungarians are concerned — even to undertake short term moves. On the contrary,

these states of Central Europe are now receiving more foreigners both from the South and from the East than they are sending to the West (Jazwinska and Okolski 1996). Permanent emigration is also diminishing from other countries hoping to join the EU, Bulgaria and Roumania. But the propensity of their citizens to circulate remains high. They were the last to acquire the right to visa-free travel to the EU.

Most permanent migrations are *ethnic* in character and are politically treated as “repatriations” in the countries of destination: ethnic Germans or Jews from the former Soviet Union mostly heading for Germany (as well as Israel and the US for those of Jewish background), Russians from the former Soviet republics to Russia. As in permanent migrations usually, the sex ratio is even or women outnumber men slightly.

Up to 1987 a million and a half ethnic Germans (*Aussiedler*) came to Germany, mostly from Poland but also from Rumania and the Soviet Union. During the next ten years 2.5 million arrived, a majority from the former Soviet Union (see Graph 2).

Graph 2.



Source: Statistisches Bundesamt

*Aussiedler* benefited from preferential treatment and a number of integration measures which other immigrants did not have (paid language classes, professional re-training, housing allowances, etc.). But this preferential treatment was not gender-neutral: men and women enter gender-segregated labour markets with often inadequate qualifications. The re-training measures for instance, with their focus on skilled production work, have benefited men more than women who entered the service sector. Thus, as Quack has demonstrated (1993), three years after their arrival to Germany, men usually succeeded in finding jobs, though below their skill level, whereas women remained unemployed. This in turn had an impact on families because of the uneven integration of family members into German society, women remaining more isolated.

Russia has received almost seven million persons from the former non Russian Soviet Republics in the period from 1989 to 1996. Politically, they are regarded both as repatriations and as forced

migrations (Vishnevski 1996; Kosmarskaya 1999). The pattern of migration is family based and the move to Russia represents a loss of social status for both men and women. “Families” often however consist of single mothers and single, retired women who suffer discrimination in the process of resettlement (Kosmarskaya 1999). Thus, those who still remain in the former republics (it is estimated that there are some thirty million Russians and Russian speakers left in the Newly Independent States) have been slowly adapting to their new position of minorities. Further migration is discouraged by the negative experience of the former migrants.

The enlargement of Europe, the moving of Shengen<sup>6</sup> borders to the East and the introduction of visas by the new EU members and member-candidates for their Eastern neighbour citizens, may transform much of what is now shuttle migration from Ukraine, Byelorussia, and Moldova to Central Europe into a permanent one. It may also be diverted towards Russia.

*Family reunification* is another world-wide form of permanent migration. It is often a consequence of labour migration: those already in the country bring their families or marry in their country of origin and bring their fiancés and spouses. Depending on the country and on the definition of “family” it can be a cause of still further migration. The situation in Europe — it varies from group to group and from country to country — is however different from that in the US, where family members can and do sponsor other family members.

Family reunification is supported by international human rights law (Article 16.3 of the Universal Declaration of Human rights says that the family is “the natural unit of the society and entitled to protection by the society and the state”). In Europe, family is not only protected as the basic unit of society, it is also generally acknowledged that the family is changing: traditional family structures are breaking down, and new forms of marriages and partnerships are emerging. However, states usually have double standards when it comes to defining the families of their own citizens and those of migrants (Lutz 1997). There are no obligations on behalf of EU members towards the third country nationals. When it comes to family reunification of a migrant, it is not granted automatically, but is left to the discretion of member states. The eligibility to bring family is restricted for many migrant groups (such as asylum seekers and short term workers). Besides, potential beneficiaries of family reunification are forced into the most traditional family arrangements and ever-stricter adherence to family structures in order to be permitted entry. For instance, forced to live apart for periods stretching from one to three years, they are supposed to prove the stability of their marriage! The probation period continues even after their entry. The independent resident status is not granted to the spouse if the marriage breaks before that probation period.

Although the requirements to entry for the purpose of family reunification are formally gender-neutral, the wives and husbands and male and female fiancés have not been treated equally because of the prevailing gendered stereotypes about supposedly culturally determined sex roles. The restrictions based on the “male breadwinner” stereotype have long prevented women from bringing their family or their husbands. Those restrictions have been lifted but there is still a prevailing suspicion that men use marriages of convenience to enter the country for the purpose of work.

Women, on the contrary, find it much easier to enter on a spouse visa.

### **3-2. Transnational Work Migration**

#### **3-2-1. The Decline of official recruitments**

Whereas in the guest-worker period of the 1960s and 1970s migratory movements in Europe took place within the framework of official recruitment policies and migrants were brought to fill in the vacancies in manufacturing industries, since the 1980s, migrations are taking place in the context of closed borders, the increasing disintegration of protected labour markets and the casualisation of work. This creates a demand for foreign workers willing to accept “informal wages” on construction sites, in household renovation, agriculture, cleaning, repair and other services. Though cases of official new recruitment do exist in Germany in particular, they are still on a more limited scale than those thirty years ago. Most involve contract labour, mostly from Central Europe, in particular from Poland, and some other ex-communist Central-European countries. Such recruitment takes place as “an exception to the non-recruitment” policy adopted in 1974: 312,977 workers were recruited in 1999 and almost 350,000 in 2000. Such official recruitment concerns primarily men.

The educational and skill level of Central Eastern European migrants is high and their origin is predominantly urban: over half of those of Jewish background who left Russia for Israel or Germany had a university degree. Among the flows in Europe different survey data suggest a percentage of academics ranging from 13 to 23% (Morokvasic 1996). From 1990 to 1993 top German scientific institutions received 1257 scientists from Russia, Poland, and Bulgaria. A majority of them (some 80%) were men, reflecting the gendered demand and an uneven gender distribution in science in Germany, rather than an imbalance in the sending countries (Rudolph 1994a), where women used to be comparatively more present in scientific jobs.

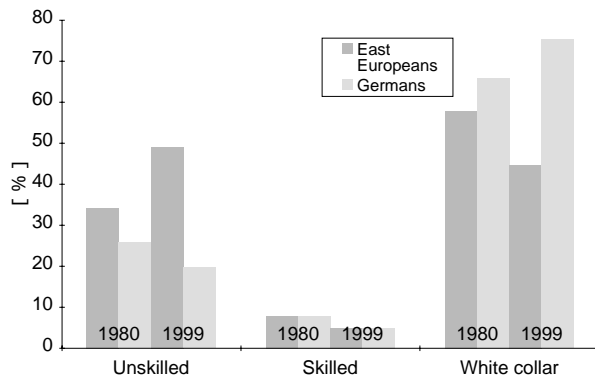
The scientists and highly skilled migrants who get a job close to the level of their qualification are a minority. Given the nature of the job supply one can speak of a de-skilling process, in particular in the case of women, only a minority in official programs, who often take jobs as domestic helpers or caretakers. But these jobs tend to be on a semi-regular basis and will be discussed in the last section.

A study of Czech transborder workers in Bavaria showed that a majority (two thirds) of the recruited were men. For both men and women, the work done was under their qualification level and less skilled than the work they had done in their country. Again, women were worse off: whereas all men had skilled jobs, only one third of women did (Rudolph 1994b).

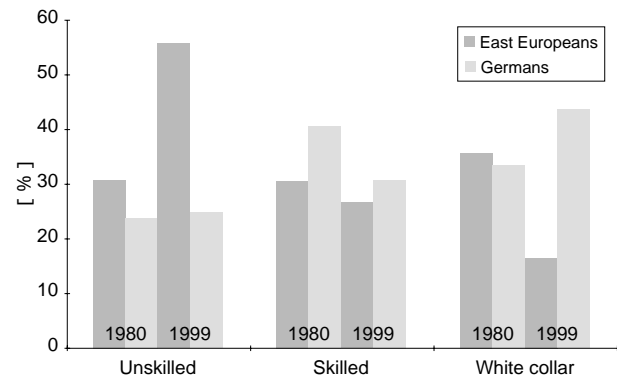
The employment data for Germany, however, show that the profile of East Europeans in Germany has deteriorated in twenty years. It seems also that the drop in the labour market position reflects to an extent the lower educational level of migrants now as compared to those twenty years ago.



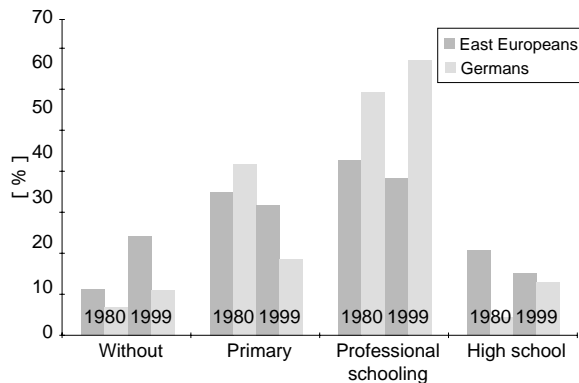
Graph 3. Position in Labour Market, Germans and East Europeans (women), 1980 and 1999



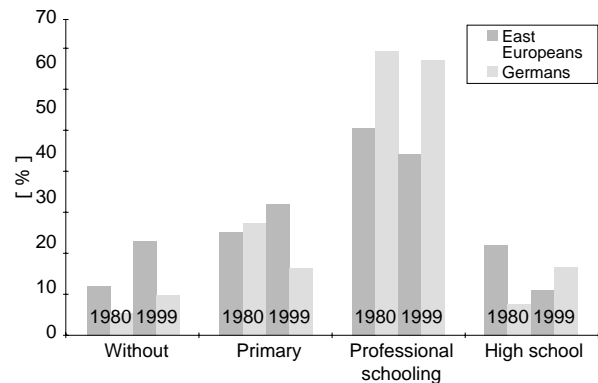
Graph 4. Position in the Labour Market, German and East European (men), 1980 and 1999



Graph 5. Educational level of Germans and East Europeans (men), 1980 and 1999



Graph 6. Educational Level of Germans and East Europeans(women),1980 and 1999



Source: Elaborated by me on the basis of German employment statistics, data presented in Bade and Munz 2000, p. 67, p. 69.

There is still a high proportion of Eastern Europeans with University education (among men even proportionally more than among German men).

As early as twenty years ago, about two thirds of German women were in white-collar jobs (employees), in 1999 76% had these jobs. As for the East European women the trend is reversed: the proportion of those in white-collar jobs diminishes and those in blue-collar jobs increases (Graph 3). One can observe a similar tendency among men: German men, much less in “employee jobs” than German women in 1980, tend to leave skilled blue-collar jobs for white-collar jobs. The percentage of those in unskilled jobs remains the same. As for East European men, who used to be proportionally better represented in white collar jobs than their German counterparts (over 30%), their profile deteriorated, with over 50% in unskilled jobs and less than 20% in white collar jobs.

In the same period the educational profile of German men and women has improved, whereas that of East Europeans has deteriorated: the number of those without any schooling has increased for both German and East European men. Fewer East Europeans now have professional training or higher education compared with twenty years ago. But twenty years ago, the percentage of those

with higher education was twenty times higher than among the Germans and today it is just slightly higher. As for the East European women, the majority used to have either professional schooling or higher education. Today, the proportion of both has decreased and those without education or with primary education has increased.

### 3-2-2. Circulation, Work and “Trade Tourists”

The most important feature in the new migrations from and in the Eastern Europe is not that people become “*free to leave*” but rather “*free to leave and to come back*” (Morokvasic 1996a; 1999). What used to be exodus (emigration for good) in the time of the cold war, could now become a *back and forth* movement, as it historically used to be. Departure no longer implies leaving forever and does not, as before, exclude return. These movements, variably called *commuter*, *shuttle*, *pendulum*, *colniki* remind of historical figures of commuting migrants called *golondrinas* (Moch 1996) and *colporteurs* (Fontane 1993), or *Preußengänger* (Bade 1982), increased tremendously in the post 1989 period.

They involve traders, seasonal labourers in agriculture and in construction, domestic helpers and workers in nursing and care who usually within their short visa-free period travel as tourists and engage in these different activities. Their circulation is facilitated not only by liberalised exit legislation, but also by the relaxed visa requirements for the citizens of the states who are candidates for joining the EU (visa requirements were first lifted for Poles as early as April 1991 and last for Rumanians on January 1st 2002).

Most mobile of all have been the Polish. Already in 1990 22 million Poles travelled abroad, which was 15 times more than a decade earlier (when travel “abroad” implied mainly to communist countries). This short term mobility, or, as some researchers called it “quasi migration” or “incomplete migration,” is a result of economic restructuring which has left masses of people without jobs. It cuts across all social strata: the people on the move are well-educated, often with university degrees; they take off for a short time to harvest grapes, strawberries or asparagus in Germany in order to supplement wages, preserve their standard of living at home or improve it. Paradoxically therefore, they migrate in order to stay at home (Morokvasic 1999). Their mobility is mainly an alternative to emigration. They respond to a persistent demand for cheap labour in a number of sectors, mostly in Germany where various measures to get the local unemployed to do the work remained unsuccessful.

Photo. Polish Market in Berlin 1991-92 (1)



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Photo. Polish Market in Berlin 1991-92 (2)



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Photo. Polish Market in Berlin 1991-92 (4)



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Photo. Polish Market in Berlin 1991-92 (3)



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Circulatory migration for the purpose of work and trading is a widespread form of migration throughout the Eastern part of the European continent and in Central Europe. Officially tourists, these post-communist migrants commute on a daily, weekly or monthly basis (Morokvasic 1992;

Photo. Polish Market in Berlin 1991-92 (6)



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Photo. Polish Market in Berlin 1991-92 (5)



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Wallace 1997). The fact that migration can be envisaged as a short-term move only, whatever the final outcome, increases the propensity to move, but also the likelihood of return and circulation.

The scope of this migration is difficult to estimate, as migrants usually move several times a year. Empirical evidence suggests that women are more likely than men to engage in this kind of short distance movement because of the division of labour in the household and women's mothering role (Morokvasic 1999). Migrant women create a transnational migratory space in which they try to optimise the opportunities and minimize the obstacles relative to their reproductive and productive work. Polish women have themselves set up a system of rotation so that they can go home at regular intervals, while their female substitute takes up their cleaning or other jobs in Germany in the meantime. They are usually a group of 4–5 sharing both employers and housing. This reduces costs incurred by double residence. The regularity of their commuting seems to be determined by their care for the family remaining in Poland. In the case of the males whom I interviewed, working mainly in construction or in agriculture, commuting takes place at less regular intervals and is determined by the seasonal nature of their jobs and by the needs of the employer.

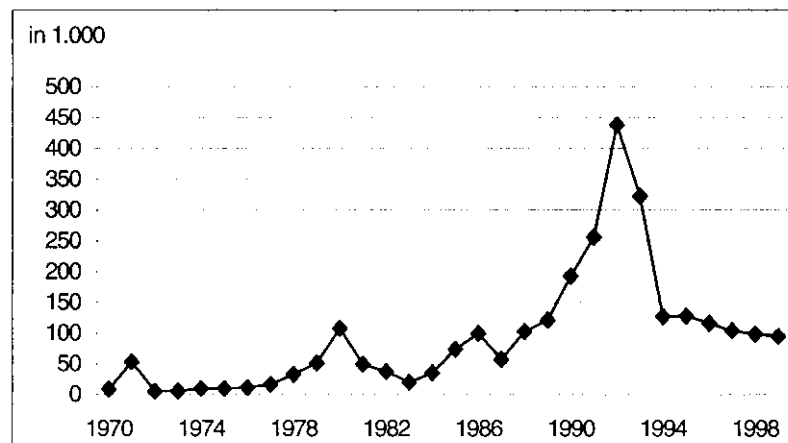
Women engaged in “self – managed” rotation also avoid being captured in an institutionalised form of dependency: not only they are not dependent on one employer, but their employers become dependent on their “self – managed” rotation system. Besides, their constant mobility enables them

to avoid illegal status.

Many of the East European “live-out” cleaners, baby sitters and care takers to whom the German middle-class, career-oriented women transfer the reproductive work that they would have done themselves, are themselves also middle class, academics or professionals in their own countries and are trying often to hold on to these jobs. Whereas the former engage in career-building, using their class and citizenship privilege to buy themselves out of performing reproductive tasks, employing other women to perform these tasks, the latter are de-classed (Frieze 1995). Thus, the increasing equal opportunities between German men and women in the outside world are overlapping with increasing inequalities among women: German on the one hand and Polish, Russian, Filipino etc. on the other. As for the gendered division of labour in the household, the presence of foreign female substitutes enables the status quo to be preserved.

### 3-3. Forced Migration and Refugees

Graph 7. Asylum Seekers in Germany Per Year

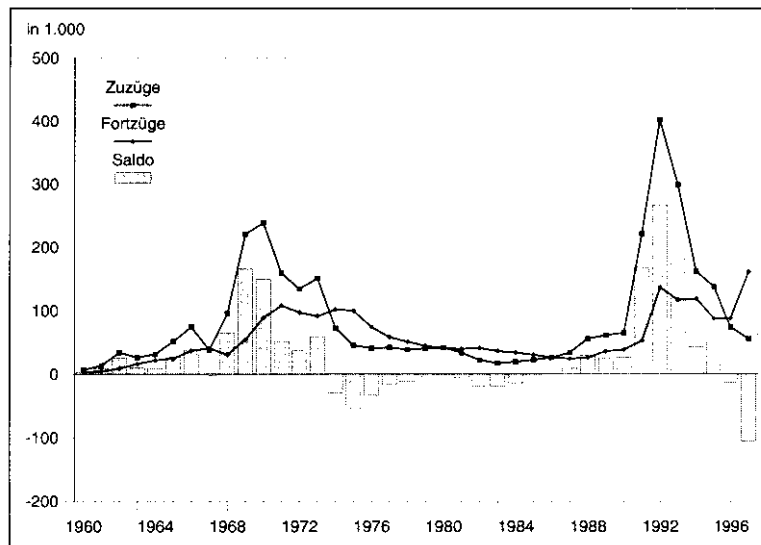


Source: Bade and Munz 2000, p. 21.

Whereas the central European countries were able to negotiate the lifting of visa requirements for their citizens in exchange for being gatekeepers of EU borders (the border guards who were used to prevent their own citizens from emigrating, are now asked to prevent third country citizens from getting in) the post-communist period did not bring freedom of mobility to everybody.

The disintegration of Yugoslavia and of the USSR and the creation of new ethnically-defined nation states created flows of refugees in a long and violent process of unmixing (“unscramble” in H. Arendt’s words) of populations. Whereas most of these movements were contained *within* the territories of the former two multinational states, creating voluminous ethnic resettlements, the “spill over” into western Europe occurred only in the case of those from the former Yugoslavia. But this took place before the post Yugoslav states were created and before the new visa regulations were imposed on their citizens (1992).

Graph 8. Entry and Exit of Yugoslavs into Germany Per Year



Source: Bade and Münz 2000, p. 34.

Yugoslavs had strong connections in Western European countries as former guest workers or families of guest workers and as holders of Yugoslav passports they did not need visas for travelling into Western Europe. However, immediately after the recognition of the new states in 1992, visas were imposed by the EU, and gradually other European countries, on their citizens, except Slovenians and with some privileges given to Croatians by Germany.

European authorities also implemented in 1993 a new regime for these refugees, that of “temporary protection.” The new legislation created a new category of people to whom the Geneva Convention would not apply. They were “tolerated temporarily” but did not have social rights, rights to family reunion or access to the labour market and were often restricted in their territorial movements. Germany received by far the highest number of refugees. Most were sent back to their countries of origin when the hostilities were over or the situation was considered to be “normal.”

It is generally acknowledged that women form a majority of the world’s refugees, some 80% (Gottstein 1995). However, they constitute a minority among the asylum seekers in the countries of destination. Why is it so?

The process of claiming refugee status is formally gender-neutral, but this means that the law does not respond specifically to women’s experiences. At its root is the ideology which makes a sharp distinction between public and private spheres with women’s roles viewed as being primarily within the private, domestic sphere. Politics is seen as public and therefore predominantly masculine. Women are rarely seen as political actors in their own right and therefore rarely as potential conventional refugees. Because of this lesser likelihood, the families and groups back home are also less likely to sponsor the emigration of a woman than that of a man.

Women arriving with their husbands are generally classified as dependants. There is evidence

from surveys in different European countries that this reinforces the existing power relations in the couple or family and facilitates the perpetuation of these power relationships in the country of destination. Women may be reluctant to report domestic violence for fear of jeopardising the family's asylum application.

According to the Geneva Convention of 1951 it is a persecution or fear of persecution on the grounds of race, religion, nationality, membership of a particular social group or political opinion that can be a legitimate motive for granting political asylum.

The recommendation of the European Parliament of 13 April 1984 to the executive committee of the UNHCR to include women victims of specific persecution and inhuman treatment was left to each state to apply or not.

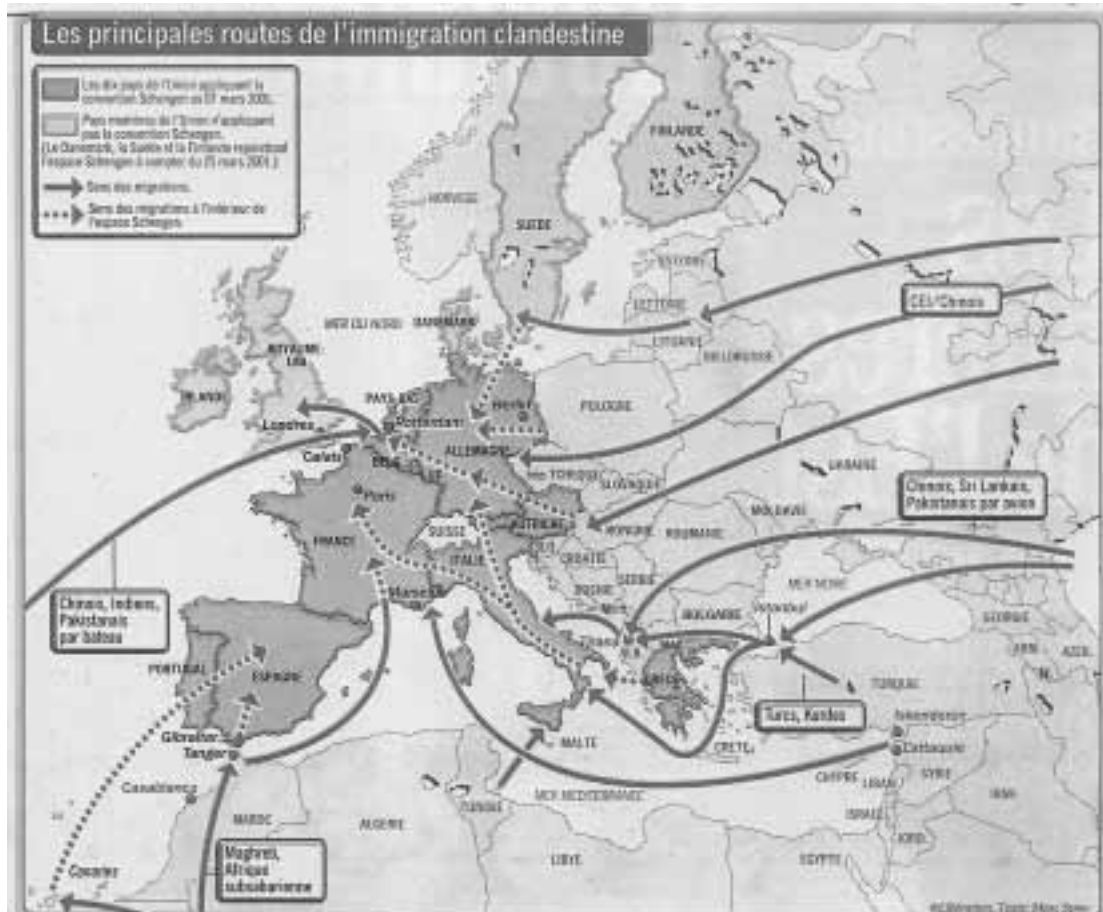
This means that persecution on grounds of sex is not included and to gain refugee status women must claim that they have suffered rape, sexual assault or some other violation, as a result of membership of one of the categories listed in the Convention. That is why some have argued in favour of having women classified as a "social group" for asylum purposes. This would however be problematic because it could lead to further exclusion and discrimination of women.

Perhaps more than ever before, the wars in former Yugoslavia have brought to the forefront the issue of violence related to warfare and concerning women: rape and forced prostitution. Before the media seized the issue, the cases were simply rejected, "rape and fear of war not being sufficient reasons for granting political asylum, rape being a normal criminal act and not a politically motivated one" (*Tageszeitung* (Berlin), 9 December 1992). After that, from 1993 in particular, the world wide debate focused on rape, but not so much as violence against women per se, but on ethnic rape, *i. e.* acts of violence against women of a particular ethnic group and as an instrument of war. It was strong on the agenda when it was instrumental in looking for justification for a military intervention. It is on those grounds that the International War Crimes Tribunal in The Hague came up in February 2001 with a historical and, from a feminist point of view, still very controversial judgement (Mishkowski 2001).<sup>7</sup> Indeed, the wall of silence around sexualized violence in wars has been broken and the convictions in the Hague are an important signal and empower women who accepted to witness for the first time in history, only a short time after the facts. However, a hierarchy of sexualized violence is established and it seems that the rape becomes of political concern only when it is not only a crime against women but also a crime against the group to which the woman is assumed to belong. Other "non strategic" violence against women becomes less terrible and normal, banalized. The gender specific dimension of rape, the underlying power hierarchies, the continuity of violence in peace and in war remain invisible. However, sexualized violence should be prosecuted always, wherever it takes place and whoever the perpetrators (the US and NATO included) and not only when it can be used for other political purpose ("humanitarian intervention" as in Bosnia).

### 3-4. Undocumented Migrants and Trafficking :

There is more and more trafficking with reliance on professional smugglers or traffickers. Such migration is estimated today to represent 30% of the flows of the third country nationals towards the EU. It has doubled in one decade in spite of the more and more restrictive measures to prevent it. Some 150,000 people are apprehended every year on the EU borders and the authorities in charge of devising policies of prevention estimate that this is just one quarter of the total “illegal migration”. This has been a constant trend in the post-war migrations world wide and suggests that the rich countries remain and will remain accessible whatever measures are taken to curtail migrations (Sassen 1996). Europe more and more resembles a fortress narrowing its gates of entry and people are looking for alternative ways to pass, modifying their migration strategies with the aim to undermine the impact of these new restrictions.

Map 5. Main Routes of Undocumented Migration in Europe



Source: Liberation, 7 March, 2001.



The increased participation of women in particular in some migratory flows does not necessarily reflect more freedom of movement for them. Rather, as in the case of trafficked women, their mobility may be totally restricted.

Women are smuggled into a fast growing sector employing almost exclusively women world wide: the entertainment industry and sex labour. This is often related to various forms of trafficking in women. The traffic in women and girls for the purpose of prostitution may be seen as one aspect of a transnational transfer of sex-affective labour from low income areas to high income areas, to fill gaps which cannot be filled by indigenous labour (Truong 1996).

It is a growing business for traffickers who understand that it is more profitable to deal in human beings than in drugs, arms or cigarettes, because it provides an opportunity for a long term extortion of money under pressure and is not an “one time affair” only as with other commodities. Trafficking into prostitution and into various forms of sex related entertainment relies sometimes on the system of “mail order brides” and arranged marriages through the internet to reach customers and for advertising (Varti 2002 forthcoming).

While women from South East Asia and Africa have been trafficked into Europe for a long time, women from Eastern Europe and the former Soviet Union are now the majority in this lucrative trade. In Central and Eastern European countries, proximity has lowered the costs of transport and made it easier and more profitable to traffic women from there.

The context in which women and girls are becoming more and more vulnerable to violence and exploitation has developed an internal dynamic and will be difficult to change. They come from fragile economies where structural reforms have adverse effects on their livelihood. Economic and social inequalities and limited opportunities for work in the former communist countries make women easy targets for professionally organised networks that recruit them and assist them in their emigration. Attracted by promises of “decent” and well-paid work through advertising of jobs that do not exist, or kidnapped and sold by their male relatives or boyfriends, these women are trapped in prostitution.

Map 6. Angela's Odyssey



Source: *Los Angeles Times*, 3 September, 2001.

At the same time as being an important source for capital accumulation for various smugglers and their networks, this has become a survival strategy for many households (in Albania, and Moldova, for instance). Besides, trafficking in women for the purpose of prostitution is related to different forms of male mobility: tourism, the mobility of executives (which is also a source of hard currency for the countries), but also to the military and to militarised peace-keeping. This male mobility creates a demand for sexual labour. Sex tourism is not as developed as in Thailand or the Philippines, but Russian girls are available to entertain Chinese or other businessmen on their trips to Russia, women from the Ukraine, Byelorussia, Bulgaria, Rumania are smuggled in/and through the Balkans where the large presence of military peace keeping forces creates a permanent demand for sex workers.

“Guestimates” of the number of prostitutes in Germany vary from 200,000 to 400,000 and a quarter are said to originate from Eastern Europe. In the Czech Republic 70% of the prostitutes come from the poorer ex-communist countries. German sex tourists now just have to cross the border instead of going as far as Thailand. Along the border between Germany and Czech Republic there is a several miles long strip of brothels where hundreds of ever younger and younger girls from Bulgaria, Belarus, Ukraine and Moldova cater for the needs of clients. According to the estimations of the joint EU police force this is a business equivalent to several billion dollars a year.<sup>8</sup>

Trafficked women are coerced into a totally dependent status *vis-à-vis* the trafficker who takes

their passports and their return tickets. Women are rotated across the European borders to prevent them from establishing long term connections with the outside world and keeping them within the three-month visa limit corresponding to status as a visitor or tourist. This artificial legality is possible often thanks to a complicity between modern slave traders and the border police of different countries involved in the trafficking route.

Women are usually indebted in their home country in order to pay the trafficker. They also have to pay the “pimp” and for their food and rent, they can keep only a small percentage of what they earn. If they try to leave the relationship or the job, they may be deported as illegal aliens. Most West European governments expel illegally trafficked prostitutes.

There has recently been a significant change in the approach to trafficked women and girls by the local police authorities in some European countries. Italy, Belgium and the Netherlands are taking measures to protect women who were trafficked into prostitution. Rather than being simply treated as illegal and sent back, they are offered shelter, a residence permit, the possibility to have a new identity, and to bring their family. It is expected in return that they will provide information on traffickers and their networks (*Times* 3, Sept 2001).

#### **4. Reflecting on some issues for a comparative Asia-Europe agenda**

Instead of a conclusion, I would like to raise some of the questions of interest for a possible comparison with Japan or other Asian receiving countries.

The migration context is similar: both are large geopolitical areas where the concentration of deep contrasts has generated and will generate migratory movements. Economic prosperity, political stability and low birth rates are geographically close to areas of economic poverty, political unrest and demographic explosion. In the receiving countries of both Asia and Europe the fertility rates are very low, and the population is rapidly ageing. Who will support the elderly, and who will do the unattractive jobs in future? To what extent is migration seen as a potential remedy to the situation and what are the policies, if any, that reflect that awareness?

Feminisation of migration is a trend even more apparent in Asia than in Europe with sex ratios that in many cases have reversed from the originally male dominated ones, due to the characteristics of labour demand. In female dominated migration the proportion of single women, at least in the beginning of migration flows, is high. What are the implications for the processes of integration and settlement in the two parts of the world, in particular knowing that family reunification is much more restricted in Asia than in Europe? What models of citizenship and of integration are the dual citizens or their offspring confronted with?

Transnational migration in its various forms is a phenomenon widespread in Asia and across the Pacific as well as in Eastern and Western Europe. Often the very permanent status (permanent residence, marriage with a national, acquisition of citizenship), enables these transnational travels and living in two places. Migration has intensified in the post-communist period and in Europe migration

patterns have been diversified, in particular with intensified circulatory, short-term movements. Transborder trading has dynamised economies in a number of Euro-regions. How does it compare with similar migration patterns in Asia (for instance in the Mainland China-Hong-Kong case or the Russia-China case)?

Trafficking and human smuggling, in particular of women for the entertainment industry, has been a comparable phenomenon in Europe and Asia. The European Union states are moving toward uniform legislation to combat human trafficking. So far the enforcement has been uneven. Some countries are starting to have a new approach to the victims of trafficking, offering them security and residence instead of expulsion. To what extent could that approach apply in Asia as well?

Labour recruitment has in European receiving (but officially non-immigration countries), consisted of a variety of “back-door” policies, exceptions, legalisations (amnesties) etc. How does this compare to the Asian receiving countries and what are the prospects for more open recruitment strategies?

The “fortress Europe” has developed a hostile agenda toward refugees. It implies preventing arrival in Europe, shifting the responsibility of assessment to other countries who have signed the Geneva Convention (most have signed it), the more restrictive application of the Geneva Convention, and the denial of social assistance (access to the labour market, family reunion). This multiplication of statuses, and difficult entry has eroded the image of the refugee, blurring the boundaries between migrants, the undocumented and refugees. How does this compare to Asia where a number of states have not signed the 1951 Geneva Convention?

## Notes

1. From Kurt Wolff *The Sociology of Georg Simmel*, (New York: The Free Press, 1950) p. 402.
2. The British Home secretary has recently declared that he was prepared to review the British asylum policy and the work permit system “to take account of worldwide economic migration” *Observer*, 12. 9. 2001.
3. Lawyers of the Victorian Civil Liberties Council who were arguing in a Court in Melbourne in September 2001 that the 400 Afghan boat people rescued by a Norwegian ship were within the Australian jurisdiction and should be brought ashore so that they can claim asylum, lost the case against the Australian government (*Daily Yomiuri*, 9. September 2001).
4. The Union of Moroccans in Spain has recently estimated that some 4000 Moroccans have drowned in the past five years trying to cross from Africa to Europe at Gibraltar in unsafe rubber dinghies.
5. This might however change: there is a new migration law proposal made public in July this year, *Bericht der Unabhängigen Kommission Zuwanderung* (Report of the Independent Commission on Migration) 2001.
6. The intergovernmental Shengen agreement signed on 14 July 1985 between France, Germany and the three Benelux countries defines external borders of the «Shengen space» (space comprised by the states signatories of the agreement) while gradually suppressing the internal borders. Italy, Greece, Spain and Portugal joined in later. The member states harmonize the external control of the borders, implemented a uniform visa for the citizens of third countries and cooperate on other issues relative to migration, circulation, asylum. The enlargement of Europe eastwards implies the capacity of candidates to comply to the Shengen regime.
7. Three Bosnian Serbs were convicted to 28, 20 and 12 years of imprisonment for rape on “Muslim Bosnian Women.”
8. Trafficking in Migrants, Quarterly Bulletin of IOM, Geneva, no. 19, 1999.

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