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The Securitization of Immigration
Multiple Countries, Multiple Dimensions

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Immigration policy has become a template for some of the key issues facing the West today. It links together what are conventionally regarded as diverse areas of public policy. These areas include national security policies concerning border controls; integration policies regarding assimilation and reciprocal acceptance of cultural rights; urban policies relating to housing and unemployment; and internal security policies linking the safety of societies with the equitable application of political liberties and civil justice. The definition of who constitutes an immigrant and the measures by which citizenship is attained have varied across time and now vary across space—in this case, the countries of the European Union (EU) and the United States.[1] These questions obviously pre-dated 9/11 but have become increasingly complex in the aftermath of the terrorist attacks in the United States and Europe. These attacks re-ignited concerns about the failure of border controls and the need to improve immigrant integration in a context characterized by the blurring of external and internal security. The clustering of these issues means that these countries all face a new challenge in reconciling the requisites of public safety with the foundations of the "open society" upon which political and social relations have been constructed.

While some aspects of the problems highlighted in this book have been more widely studied, including the tension between public safety and the adjudication of civil rights, some aspects are indeed novel and their coalescence is quite original. Countries in a state of war have often resorted to limiting immigration and have suspended or constricted the legal rights of select members of the population (including Japanese Americans and European refugees in the United Kingdom during World War II). Anti-terrorist measures were also adopted before 9/11 in the United States as well as in Europe (at the EU and national levels).[2] But jihadist terrorism threatens public safety in novel ways, particularly because of its nongeographically based membership and operational base, strategy of attacking targets on a global basis, and expressed primary intent to inflict injury to civilians. The novel dimensions of jihadist terrorism coupled with the significant Muslim and Arab populations in the EU and United States have created a series of threats that have rarely, if ever, been aligned. The contributors to this book identify at least four such threats: (1) the threat to national security posed by enlarged borders; (2) the threat to political and civil rights posed by an unprecedented number of noncitizen residents; (3) the threat to racial, ethnic, and religious tolerance in civil societies posed by a potential "enemy inside"; and (4) the threat to the capacities of these countries' economies to generate wealth and redistribute it through effective social policies for second- and third-generation immigrants. These successive generations often remain economically excluded, if not destitute, and are potentially amenable to recruitment by foreign terrorist groups.

The net effect is that while policymakers often resort to rhetoric that labels the enemy as an outsider (such as George W. Bush's preferred label, "Islamic fascists"), we are reminded of the cartoon character Pogo's famous aphorism, "I have seen the enemy, and it is us." In democratic societies, it is only "us" who can constrain our civil liberties and generate both policies and prejudices that can feed the intolerance upon which political extremism grows. Furthermore, it is members of those same polities who have often been recruited to carry out terrorist attacks. They may be doing so for the foreseeable future, if the revelations—and prognosis—of Eliza Manningham-Buller, former head of Britain's MI5, about the growing threat of domestically organized and implemented terrorist attacks in Britain are correct.[3] The consequence of this twofold, interrelated problem—the external threat to security and the simultaneous internal threat to democracy and civil order—is a formidable challenge to the stability of Western states. No book can comprehensively address the multiple dimensions of this issue because the threads are too numerous. But the contributors to this book explore three aspects of this

problem, highlighting the policy challenges posed by immigration to border control and public safety, to racial and ethnic relations, and to civil liberties.

In piecing together these issues and contemplating some of the major linkages, the central questions that the contributors were asked to consider were also threefold. The first concerns the historical antecedents of the dilemma posed by terrorism and immigration. For an American audience, the temptation is to assume that the events of 9/11 provided a demarcation point between old and new policy problems. One set of authors attempts to trace trends to before 9/11 in both the United States and Europe in order to assess elements of both continuity and change in the early years of the twenty-first century.

The second question the authors address is the tensions generated by the new constellation of security issues both between and within Western states. In the interregnum period following the demise of the Cold War system, scholars and policymakers searched for an adequate, if temptingly oversimplified, formulation of "the enemy." American policymakers have clung to a traditional conception, attempting to crystallize the new enemy as foreign and geographically situated, in terms of both their rhetoric and their security strategies (e.g., "Islamic fascists" based in Afghanistan, Iraq, Iran, and Lebanon). But the transit bombings in London and Madrid have made it increasingly evident to European policymakers, analysts, and academics that the source of the threat is both transnational and domestic in character. It is diffuse globally, but it also exists within the borders of the EU nations and is growing. This view has often led to differences in policies, with an American focus on the use of military forces and a European emphasis on a mixture of internal policing and co-optation strategies, with the result being a well-documented friction between Europeans and Americans.[4]

The third question inquires about the consequences of the "securitization of immigration policy." Not surprisingly, the answers provided by the authors vary. But the implications are evident. Essentially, if governments choose not to recognize critical situations or fail to rectify them, the current version of the problem poses a historic challenge to both the safety and the liberty of civil society in the EU and the United States. Despite the different policy approaches employed in Europe and the United States, carrying out policies designed to stymie the threat to public safety often involves a selectively targeted erosion of long-standing civil liberties against migrants on both continents. The results are harmful for both legal and illegal migrants, as well as those seeking asylum. In the final chapter of this volume, we attempt to highlight for both scholars and policymakers the lessons derived from the preceding chapters.

Common Issues, Different Policies

While facing similar issues, American and European policymakers have differed in their worldviews over the course of the last decade. Robert Kagan, author of the book *Of Paradise and Power,* is only the most notable among those who criticized European policymakers as being overly reliant on diplomacy rather than material power.[5] Kagan buttressed the view expressed by former U.S. Defense Secretary Donald Rumsfeld that "Old Europe" pursued policies distinct from those of the "New United States" because they no longer shared common interests. Rumsfeld's view was epitomized by the statement that "it is time to stop pretending that Europeans and Americans share a common view of the world, or even that they occupy the same world."[6] According to Kagan, these differences are fundamental: "When it comes to setting national priorities, determining threats, defining challenges, and fashioning and implementing foreign and defense policies, the United States and Europe have parted ways."[7] Timothy Garton Ash, the British historian, gave a vivid summary of this common variant of American anti-Europeanism: "if anti-American Europeans see 'the Americans' as bullying cowboys, anti-European Americans see 'the Europeans' as limp-wristed pansies. The American is a virile, heterosexual male; the European is female, impotent or castrated. . . . The word 'eunuchs' is, I discovered, used in the form 'EUnuchs.'"[8] Tony Judt presents an alternative caricature of European anti-Americanism: "The U.S. is a selfish, individualistic society devoted to commerce, profit, and the despoliation of the planet. . . . The U.S. rides roughshod over laws and treaties and threatens the moral, environmental and physical future of humanity. It is inconsistent and hypocritical in its foreign dealings, and it wields unparalleled military clout. It is, in short, a bull in the global china shop."[9] Rather than simply attacking the United States, responses defending Europe's policies have varied. They range from Jeremy Rifkin's denial of the normative values espoused by people such as Kagan to T. R. Reid's provocative suggestion that "the United States of Europe" will grow to rival the United States of America as a superpower.[10]

It would be easy to view the immigration debate through the same lenses, implying that contrasting policies are based on differing perspectives, but it would be a mistake. The purported transatlantic divide shrinks if we examine the commonalities on this issue. Politicians on both sides of the Atlantic seize upon the images of rioting youths, human and drug traffickers, and terrorists. They do this to generate domestic political support for the securitization of immigration policies, intent as they are on patching holes in the fabric of their civil societies. Their policy prescriptions are somewhat varied but nevertheless

predictable: the consistent coercive themes invoked are to secure the borders and to expel or incarcerate illegal, criminal, or suspect migrants. This coercive response is coupled with the demand that those in residence throw off their headscarves, swear allegiance to the governing authority, and accept the values of the postmodern societies in which they now live.

The evidence drawn from this book, however, offers some surprising findings. The first surprise is that the historical origins of the current measures debated and invoked in both Europe and the United States often pre-date the events of 9/11. Commentators and policymakers frequently claim that these measures were a watershed in the treatment of migrants. As contributor Martin Schain's comparative chapter on France, the United Kingdom, and the United States demonstrates, many of the shifts toward securitization were accelerated by these events rather than initiated by them. At the EU level, as demonstrated by Ariane Chebel d'Appollonia's chapter on the EU, the shift to these more security-conscious policies began in the mid-1990s, with the adoption of a series of counter-terrorism measures by the EU's Justice and Home Affairs (JHA) Council.

The second surprising finding is that there is neither an overall pattern of policy convergence nor diffusion in Western countries. The variants are more subtle, the areas of respective convergence or diffusion more compelling. While there is evidence of the divergence in both immigration and integration policies between Europe and the United States that commentators such as Kagan would anticipate, there is both a notable degree of policy convergence between some European states and the United States. There is also an unanticipated degree of divergence among the countries of Europe despite the adoption of common EU regulations. The convergence is most evident in the largely uniform process of the securitization of immigration. However, in contrast to conventional notions about a "clash of civilizations," Michael Minkenberg's findings suggest that there is no coherent "West," based on religious doctrine, when it comes to immigration policy. Catholic countries have some proclivities, Protestant countries have others. But there are no discernible common patterns. Yet this finding of policy divergence is challenged elsewhere in the volume. Schain's chapter, for example, provides evidence that the security measures invoked as new and original by the United States after 9/11 owe much to the experience of their European counterparts.

The third point is perhaps the most disconcerting: immigration policies often produce paradoxical and unforeseen consequences on both sides of the Atlantic. Although the possible combinations of rules in immigration, integration, and security policies seem unlimited, some results seem common— and counterproductive. Migrant populations feel themselves to be under

siege. They remain abject about what they perceive as racial profiling and are often subject to a xenophobic and racist backlash as they struggle to reconcile their traditions with the expectations of their host societies.[11] They frequently suffer a loss of civil and political rights as well as increased alienation, even as they demand greater sensitivity and tolerance toward their cultural and religious differences. The product of this process is often the heightening of racial and religious tensions, unmet demands for greater participation in governmental processes and economic opportunities available to other citizens and residents, and a greater susceptibility to the radicalism that these governments claim to oppose.[12] For example, Jack Straw, then leader of the House of Commons, called for Muslim women in Britain to discard their niqabs (the veils they wear to cover their faces) in October 2006. The public debate that followed "unleashed a storm of prejudice and intensified division," according to one commentator.[13] His call for assimilation therefore had quite the opposite effect. In sum, the history, diversity, and unforeseen consequences of choices play a far greater role in the current dominant policy than political rhetoric might suggest.

Areas of Debate

The contributors to this book, drawn from both sides of the Atlantic and across multiple disciplines, find much to agree about and just as much to disagree about. Essentially, they collectively identify four key areas of debate.

The first concerns the different character of the narrative adopted both on the western side of the Atlantic and within Europe. The authors address the issue of whether responses to the immigration/security debate are functional and proportionate as well as if they are consistent with traditions of human rights and civil liberties. The authors find much to debate about these normative issues. Although this debate extends throughout the book, we point to one notable voice. Ilya Prizel highlights the differing metanarratives between Europe and the United States. He contrasts a more functional and coherent American sense of identity with a European moral relativism that has been thrown into crisis by the debate on immigration and security. Prizel's relatively benign interpretation of the American position contrasts, however, with that offered by Didier Bigo. Bigo contrasts the American narrative that characterized 9/11 as an act of war with the European one that treated the bombings in much of Europe as criminal acts. This difference in framing, he suggests, had startlingly different results. The product of the former was war in Afghanistan and Iraq; the product of the latter was greater policing and tighter surveillance. Similarly, the chapter by Jennifer Chacón demonstrates

how the framing of the new "national security myth" has linked terrorism and security in a new method of law enforcement.

The second thematic debate that runs through the book concerns reliance on the policies of border control and the filtering and surveillance of immigrants as security techniques. Clearly, the United States has opted for a greater reliance on border control than have its European counterparts, who have invested more in filtering and surveillance. While the overall propensities might be clear, however, the balance is contested. Some authors, for example, point to greater U.S. efforts at internal surveillance (Anil Kalhan) while others point to the EU's efforts to stop potential immigrants at the border (Francisco Javier Moreno Fuentes).

A third area of disagreement concerns the likelihood of cooperation across and within states. While it is tempting to assume a greater degree of cooperation among the governments of the EU, for example, some authors point to the problematic normative and structural constraints of various countries' efforts to do so. Jolyon Howorth is notable for sketching out such limitations in the context of EU security policy. Yet Kalhan points to the tensions that exist regarding such efforts within the United States between various levels of government.

The fourth and final area of debate reveals no common position on the prospects for the successful integration of new immigrants. The prototypical view is that the American "melting pot" model more readily accommodates new immigrants than the variety of European models (such as assimilation or multiculturalism) that have been characterized as failures for leaving an alienated migrant population with a potentially radicalized fringe. Yet the contributors' case studies of Europe paint quite a varied picture. Jonathan Laurence's discussion of the integration of Muslims in France suggests active measures to create new institutions of representation that offer grounds for optimism. Likewise, Moreno Fuentes's chapter on Spain depicts a responsive state apparatus—all the more unanticipated in the aftermath of the Madrid transit bombings. Yet this relatively "optimistic" characterization contrasts with other chapters that offer a less than sanguine view of the prospects for immigrant integration. Sylvain Brouard and Vincent Tiberj, for example, note the high degree of suspicion felt by large sections of the French population toward Muslim immigrants and their native-born children. This discomfort has, ironically, reached the point where the immigrant community is more optimistic about its capacity to integrate than is the general population. Correspondingly, Manlio Cinalli's chapter comparing Britain and Italy portrays two countries where, in both cases, governments have proven reluctant to recognize claims made by weak elements in the pool of immigrants and asylum seekers.

Major Findings

The contested areas are therefore both theoretical and empirical in character. Yet there are, nonetheless, five major identifiable findings in the project that formed the basis for this book.

The first finding of this study is that both the EU and the United States introduced measures in the policy areas of counter-terrorism, immigration, and asylum seekers well before the events of 9/11. The implications of this finding may be more meaningful for an American audience, fed on a daily dose of news that suggests that the "world turned" on that date. The rhetoric of the war on terror sparked new military offensives in Afghanistan and Iraq. But understanding that the 9/11 attacks, together with the London and Madrid transit bombings, increased the momentum of provisions in these other areas, rather than marking a shift in direction, may be a key component in assessing the motives behind these measures as well as their consequences. Arguably, these sad events may have helped consolidate changes sought by policymakers on both continents rather than requiring them to embark on a wrenching shift in policy.

The second finding is related: measures to tighten border controls on both sides of the Atlantic clearly pre-dated the same series of events. American concern about illegal migrants and the "war on drugs"—in the context of the growing trade engendered by the North American Free Trade Agreement (NAFTA)—had already generated the political pressures needed to lobby effectively for a shift in resources. Governmental concerns about criminality and population flows, often fomented by the media and growing disquiet in public opinion surveys, led to the same in Europe. On both continents, however, this shift in policy focus (and the accompanying resources) was to the detriment of efforts to integrate already domiciled immigrants through economic and social policies. Keeping more immigrants out therefore took precedence over effectively incorporating those who had arrived (in the context of scarce resources) on both continents.

Third, we have previously noted that the shift toward initiatives regarding terrorism, immigration, and asylum seekers pre-dated the terrorist attacks of 9/11. Yet these attacks had a similar impact on both sides of the Atlantic in terms of consolidating the shift toward linking immigration with security. Immigration became part of a war in the United States, just as poverty and drugs had under prior presidential administrations. In Europe and the United States, immigration was no longer primarily an economic or cultural issue about the safety of vulnerable domestic populations. The immigration issue now had long tentacles that reached into a variety of policy domains.

We have identified two areas of divergence that are just as worthy of note. The first was the most obvious: the American focus on the external enemy—through wars in Afghanistan and Iraq and the support of regimes, such as Pakistan's, that are engaged in the conflict with Al Qaeda—justified by the U.S. claim that it preferred to fight the enemy abroad rather than at home. This focus is in direct contrast to the European preference for focusing on the "enemy within," in which the EU did not view limiting immigration as a means of preventing terrorism at home. One of the attendant consequences of this approach, however, may have been both a heightened xenophobia among the general population as well as the further alienation and isolation of the minority populations within these countries.

The second area of divergence was in the substance and process of counter-terrorism policies. Indeed, the differences were clear early on but may have proliferated after 9/11, both between the EU and the United States and among the EU member nations. European national governments, in differing national contexts, pursued contrasting policies with regard to their use of surveillance techniques to collect data, conduct espionage, and infiltrate groups in their own societies. European governments disagree with U.S. authorities on several issues, such as the death penalty (which limits the enforcement of the agreement on extradition concluded in 2003 between the EU and the United States), the protection of fair trial rights in criminal proceedings, and the jurisdiction and role of international courts.

Connecting the Dots and Analyzing the Arguments

Arguably, the relationship between immigration, integration, and security has never been so complex nor its linkages as poorly understood. It connects the issues of terrorism, rendition, and torture to that of human rights. It associates security policies with policies dealing with urban issues and against discrimination. It links the governments of countries spanning Europe with the U.S. government as they face both common and disparate challenges. If unaddressed, this conundrum forms the basis for the shredding of the cloth that weaves societies together, resulting in urban violence and terrorist attacks. It is not preposterous to suggest that governments have never faced the type of challenge posed by the novel relationship between human flows, demographic aging, domestic stability, economic abundance, external and internal security, and civil rights. The dynamics of these relationships, and the consequences of the policy choices made in the aftermath of 9/11, are explored in the pages that follow.

The book is conceptually organized to cover four areas of interest, pro-

ceeding from more conceptual questions about coherence and fissure in the West to the concrete policy challenges that the securitization of immigration poses for governments, individuals, and the societies in which they live. The first two chapters consider the cultural, intellectual, and religious foundations of the EU and the United States. The next three chapters are devoted to the evolution of emergent security frameworks and their implications for regional and national policymakers. Four chapters then examine questions about the regional and national administration of immigration policies, and their implications for the integration of migrants, in the United States. Five chapters then do the same for migrants in the European Union.

The authors of the first two chapters—Ilya Prizel and Michael Minkenberg—consider the question of whether there is a "West" from two perspectives. Prizel writes from a philosophical perspective, whereas Minkenberg examines empirically whether there is a homogeneous view reflected in the relationship between the dominant religious practices in a country and policies regarding immigration and integration. The former suggests a clear transatlantic divide and the latter, a far greater degree of fragmentation.

Prizel examines how the constitution of identity unites and divides the countries of the EU from the United States. Tracing their differing historical lineages, Prizel focuses on how a European conception of identity was formulated and reconstituted in the second half of the twentieth century. He sees three stages in that process: postwar amnesia, thus avoiding the guilt for having collaborated with Nazi Germany; a post-1968 rejection of identity politics and the concept of a metanarrative; and a subsequent guilt-ridden response to the trauma of imperialism. The aggregate intellectual effect of all three was to exclude notions of both ethnicity and religion from public discourses about identity. The practical effect was either to welcome immigrants, even if their cultural proclivities and economic interests could not be accommodated, or to ignore their presence on the pretext that their stay would be temporary.

Prizel suggests that the ambivalence of that process, coupled with the terrorist attacks in London, New York, and Madrid (and with the murder of Theo van Gogh in the Netherlands), has left European policymakers and scholars with a quandary. It forces them to figure out how to accommodate the demands of immigrants and new citizens while mounting an effective resistance to external security challenges posed by jihadists. The political left, in crisis, has—Prizel contends—responded in multiple ways but notably often by retreating from notions of multiculturalism and "moral relativism." The right has withdrawn from a pan-Europeanism to a decidedly "Christian" definition of Europe.

Prizel is more optimistic about both the durability and the efficacy of America's "metanarrative." While there have been several stages of evolution, its Anglo-Saxon Protestant creed has endured. Paradoxically, this creed has historically made it not only more accommodating to immigration, because of its multicultural proclivities (at least in terms of a variety of European cultures) but also currently more responsive to and better placed to now accommodate immigrants, many of whom may no longer originate from Europe. But these immigrants are overwhelmingly Christians (predominantly from Central and Latin America). Indeed, the current messianic and evangelical character of American Christianity means that migrants are not only accepted but also aggressively sought in order to bolster the membership of religious communities. While the events of 9/11 created a fissure between American and European practice, they did little to interrupt (and indeed Prizel claims they may have galvanized) that spirit in regard to the export of capitalism and democracy and the import of immigrants receptive to the "Word." Although this reading supports the notion that there is a "right" immigrant and a "wrong" one, Prizel's conclusion is that the overall environment for immigration is far more hospitable in the United States than in the EU.

If Prizel finds a transatlantic fissure that confounds notions of a Western civilization, Minkenberg's assessment in his chapter on the relationship between religion and both integration and immigration policies suggests both fracture and fragmentation. Examining nineteen Christian, democratic European, and "settler" countries (such as Canada, Australia, and New Zealand), Minkenberg examines how religion has shaped integration policies in Western democracies. He does so with regard to both the religious legacies of the host countries and the (predominantly Muslim) religion of immigrant groups. Dating his analysis from the early 1990s, Minkenberg demonstrates that cultural legacies such as Christian denominations, in combination with more political factors such as the role of religious parties, play an important role in shaping a country's readiness to accommodate non-Christian immigrant groups. He demonstrates three important findings: that there is enormous variation in policies across what might appear superficially similar cases; that these variations are steeped in long-term historical choices; and that therefore the effects of 9/11 can be demonstrated only at the level of the mass public rather than at the policy level—with few signs, therefore, of policy convergence.

The next group of chapters examines the historical, conceptual, and policy dimensions and dynamics of the new security environment as well as its impact on migrants in the light of recent changes. Didier Bigo lays out the shifting contours of the new security environment, how it has been defined, by whom, and for what purpose. Jolyon Howorth outlines the problems be-

setting the EU and United States as they attempt to share intelligence in a context where their understandings of the problem are fundamentally different. Martin Schain evaluates the regulation of the changing security environment by comparing national policies regarding terrorism in the United States and Europe, both synchronically and diachronically.

Bigo's chapter opens this section by examining changes in the definition of security after September 11 and the subsequent transit bombings in Madrid and London. He explains how these shifts have helped frame the debates about the primary form of the new threat, who constitutes the enemy, which forms of violence are considered legitimate, and what the most appropriate policy responses might be. He demonstrates that the scope, domain, and primacy of the new war on terror have been contested. Ultimately, however, the paramount political needs of the most powerful states are to show that they can respond effectively in a "crisis" and that they can assert a continued element of sovereignty.

Bigo's analysis identifies three key components in the emergence of a new security framework designed to achieve these goals. One is the claim that terrorism is the primary threat and that it has redefined the scope and domain of conflict. Simultaneously, the proponents of the new security framework have modified the geographic frame of reference for violence from the national or regional to the global or transnational—necessitating a global response. The threat of a terrorist attack exists everywhere, but tighter and more numerous border controls coupled with global preventative measures are a means to enhance domestic security.

According to Bigo, new threats also require a new, broader definition of the enemy in order to generate a shared interest—and subsequently a new security order. Global terrorism is carried out not only by Al Qaeda but also by a variety of associated groups and sympathizers. The new enemy thus extends beyond rogue states to include individuals. Everyone is potentially suspect, although profiling narrows the pool. While the new terrorism is therefore global, the enemy may be local. The lines between external and internal security have thus been obliterated.

Finally, Bigo argues, the new dynamics require an attendant new linkage between security and freedom. Instead of defining freedom conventionally in terms of civil and political liberties, which conflict with new security measures that extend to surveillance and regulation at the local level, Bigo suggests that freedom has been redefined by some proponents as "safety." He thus implies that the two concepts of freedom are not only reconcilable but, indeed, complementary.

Having successfully framed the new security conundrum in this manner

is key to understanding the dilemmas faced by immigrant populations. The U.S. and EU member governments portray these populations to an increasingly receptive domestic audience as pools from which are likely drawn potential perpetrators of illegitimate violence. Recognizing the "new reality" created by this depiction, the remainder of this chapter examines the varied dynamics created for the processes of both immigration and integration in America and Europe, respectively.

Rather than emphasizing the overall trends, Jolyon Howorth examines specific areas of security policy and highlights the areas of disagreement between the EU and the United States and their policy implications for effective cooperation and burden-sharing in the realm of intelligence. America and Europe, he argues, adopted different strategic approaches in attempting to find both a suitable response to the short-term threat of terrorist attacks and a long-term set of policies designed to address the causes of terrorism. The United States made the short-term threat its policy priority, while European policymakers emphasized a long-term focus on the latter.

Howorth argues that the two sides differ over both their assessment of the threat posed by modern terrorism and its differences from earlier forms of terrorism. Europeans see the modern threat as a continuation of the more traditional nationalist threats (at least operationally) while their American counterparts consider it a "global war" involving states as well as transnational movements. The United States has centralized its anti-terrorist operations while the structure of the EU constrains such activities. Perhaps not surprisingly, the United States has focused on measures involving the use of military hardware while their European counterparts have tended to invoke "softer" approaches, with a special concern for the importance of international law. The American debate over the use of torture only serves to highlight Howorth's point in that regard. Despite the array of cooperative security agreements instituted between the United States and EU since 9/11, Howorth concludes that serious structural and normative differences still exist, undermining the ability of the two sides to cooperate effectively.

Martin Schain's chapter focuses on the linkage between anti-terrorism policy (both the legislative creation and administrative application of extralegal powers) and immigration at the level of national governments in Britain, France, and the United States. Examining the legislative process in all three nations both before and after 9/11, Schain argues that the more recent reactions to terrorism have been shaped by long-term historical responses and the comparable historical relationships between terrorism and immigration policy.

Schain notes that the effect of policy in all three countries post-9/11 has been to compromise civil liberties through the expansion of security meas-

ures. Furthermore, in all three countries, despite these measures, immigration policy has become more expansive even as the security focus on immigrant populations has grown. "Thus, increasingly," Schain suggests, "anti-terrorism actions are also actions that inevitably implicate immigrant populations." He concludes that the European countries have converged in their concerns about terrorism, while the United States has changed the most in this regard through the use of executive powers. The greatest areas of convergence have been the surveillance of and actions taken against immigrant populations. In Europe, immigration has thus perhaps been replaced by integration as a central security issue.

Subsequent chapters of the book are area specific, examining aspects of immigration and integration in the United States and Europe, respectively. Four chapters are devoted to the United States. One focuses on the linkage between criminality, terrorism, and migration, and three examine aspects of the legal and administrative consequences of linking security and immigration within the context of the United States' federalized democratic polity.

H. Richard Friman's chapter focuses on how immigration policy has intersected with security policy in the United States since 9/11. He scrutinizes changes in the rules of entry and in the operation of administrative regulations as applied to immigrants regarding arrest and deportation. Importantly, Friman points out that "immigration" as a term has been used loosely, having been linked to legal permanent residents and individuals in a variety of situations, including persons who overstay their visas or gain entry illegally. In discussing the linkage between security and immigration, he notes that there is a similar lack of distinction between criminals and terrorists.

Friman identifies two long-term trends in American policy. The first is that the effort to make immigration a security issue is not a new phenomenon in the United States. He employs Barry Buzan, Ole Wæver, and Jaap de Wilde's definition of securitization as something that constitutes "an existential threat requiring emergency measures and justifying actions outside the normal bounds of political procedure."[14] American policymakers employed rhetoric positing such "existential" threats two centuries ago. Friman notes, however, that the debate over the rights of migrants has a more recent vintage, originating with the wave of new arrivals that occurred in the 1960s, and has resulted in lobbying, legislative initiatives, and judicial rulings.

Yet it was not until the 1980s, Friman suggests, that a watershed event occurred: the Immigration and Nationality Act was rewritten to incorporate a slew of amendments. These new features resulted from an expansion of justifications for state preventative measures to incorporate a new class of aggravated felony offenses. Detailing the ways in which this process continued

through the 1990s, he outlines ways by which the categories and processes have expanded in the aftermath of 9/11. Friman remains agnostic about the security benefits derived from a subsequent expansion of the categories.

The three chapters following Friman's examine the consequences of post-9/11 changes in the security environment for immigrants to the United States. They analyze these consequences in terms of the rights and responsibilities of states and municipalities in the United States' federalized system; the civil and political rights of migrants both as entrants and in domicile; and the identification of refugees or asylum seekers as a distinct subgroup of migrants.

Jennifer Chacón's chapter both mirrors and complements Friman's. Friman examines how the external environment has shaped the substance of regulations regarding the entry and domicile of migrants. Chacón focuses on how the new "national security myth" has added terrorism to the traditional concern about crime control in regard to immigrants, leading to "more vigorous law enforcement." Potentially effective options for reform were passed over in favor of consolidating many of the immigration administrative institutions within the Department of Homeland Security.

These measures, Chacón argues, were buttressed by a rhetoric that emphasized the importance of national security and thus insulated the department from the constitutional constraints that would have applied had these measures been considered part of the criminal justice system. She then details how recent legislative changes have converted aspects of immigration enforcement into parts of crime control and how the bureaucracy charged with immigration enforcement has assumed newly expanded powers since 2001. The legal implications that these enhanced powers have for the civil and political rights of migrants, she argues, are both significant and deleterious for a large and growing section of the American population.

In her chapter on asylum policy in the United States and Europe, Elena A. Baylis points out that the United States has had a historic commitment to honoring the legitimate applications of asylum seekers as an instrument of foreign policy. This obligation was, prior to 9/11, consistent in substance with the principles of international law, the United States having generally been responsive to the needs of political refugees.

This long tradition of accepting refugees from hostile countries changed in the aftermath of 9/11, as the primary source of asylum seekers has shifted from the communist bloc to failed states with large Muslim populations. Instead of accepting them because it served the United States' geostrategic interests, the United States has adopted a new position. This new stance prioritizes a vision of national security built on the notion that the nation

needs to insulate itself against the possibility that a terrorist posing as an asylum seeker may apply for entrance to the United States. The new American vision of national security is therefore buttressed by anecdotes claiming that the asylum system is a means by which terrorists enter the United States. This vision persists even though, as Baylis notes, none of the September 11 attackers, all of whom had entered the United States legally, arrived through the asylum system.

In practice, Baylis argues, these new limitations on asylum were introduced in 1993 and thus pre-dated the events of 9/11. They have been generated and implemented incrementally, often spurred by unrelated domestic events (such as the Oklahoma City bombing) rather than by jihadism. These measures now allow the United States to refuse asylum to those who have unwittingly assisted terrorist groups or did so only as a result of coercion. Furthermore, it raises the standard of proof required of applicants, including the need to provide more exacting corroborating evidence. Baylis contends that the effects of the additional "sweeping breadth" of the provisions introduced since 2001—notably the PATRIOT Act of 2001 and REAL ID Act of 2005—have been extensive and severe. Baylis notes that this development is in sharp contrast, explicitly and empirically, to measures applied to those seeking asylum in the EU.

Furthermore, Baylis concludes that the new rules governing asylum applications now place the United States in conflict with its own international legal obligations; with the rationale for, and practice of, asylum law by the EU itself and in (at least part of) Europe by national governments; and with the institutional precedent of evidence and the principles of administrative law on which the United States' own asylum system was historically built. Baylis argues that all of these new security-conscious rules do little to enhance American security.

Anil Kalhan's chapter addresses a further dimension of the legal and political conundrum generated by the new security threat. The tension within Europe over immigration and internal security generally plays itself out between the governance structures of the EU and national governments. National policies often contradict EU directives. In the American federalized system, this problem is most evident in the federal government's attempts to employ the apparatus of state and local government in the enforcement of new security measures because of the constitutional division of powers.

The integration of the Immigration and Naturalization Service (INS) into the Department of Homeland Security has been accompanied by the federal government's attempt to expand its regulatory powers. These initiatives include efforts to mandate that states (on an unfunded basis) monitor the activ-

ities of immigrants and report them to federal agencies and that they enforce federal laws. The police, highway patrol, corrections officials, and even welfare agencies, educational institutions, and hospitals have been asked to collect data on immigrants, deny services, or report suspected illegal or suspicious immigrants to federal agencies. Such activities may potentially usurp the legal powers of subnational authorities or even contradict state and local laws regarding civil liberties, the right to privacy, or the jurisdictional authority of state and local governments.

Kalhan's examination points to the clear dangers in the expansion of federal powers to make immigration status and unlawful presence a routine issue. These dangers include the legal and illegal migrant communities' increased distrust of and alienation from all levels of government; their concomitant reluctance to engage those authorities by reporting illicit or suspicious behavior; the enhancement of racial and national profiling; and an abrogation of both civil liberties and jurisdictional authority—all without a demonstrable enhancement of security.

Five contributors examine comparable problems of security, immigration, and integration in Western Europe. Their approaches range from a cross-national analysis of the linkage between migration and security in several European countries to a detailed analysis of the attitudes of both the general public and the immigrant community in the aftermath of the French riots of November 2005.

Ariane Chebel d'Appollonia scrutinizes both the way in which the EU has linked immigration and security and the discriminatory impact of EU policies. Analyzing the shift toward the "Europeanization" of national policies through the mechanisms of the EU, she suggests that the construction of immigration as a security issue took place in three stages. Each stage contributed to the developing notion of immigration as a security threat. From the mid-1970s to the mid-1980s, immigrants were both depicted and perceived as posing a threat to the job security of natives. As a result, the main objective was to limit the number of "newcomers," even among countries with differing immigration histories. Unable to curb illegal immigration and asylum applications, EU member states gradually moved away from unilateral national policies toward intergovernmental cooperation. This second stage, dating from the mid-1980s, was marked by a growth in prejudicial attitudes and discriminatory practices by anti-migrant groups who accused them of perverting national identity and threatening social cohesion. This period was notable for the signing of the Schengen Agreement and the introduction of new restrictive immigration measures designed to support the development of a single EU market.

Since the mid-1990s, the situation has become more complex. The Area of Freedom, Security, and Justice (AFSJ) under EU law has combined the former immigration and asylum policies with both the old security issues and the new humanitarian measures; these measures were intended to balance the exclusionary effects of the so-called "Fortress Europe." As a result, a long-standing commitment of the EU to support the equal treatment of all residents was strengthened by the adoption of two major anti-discrimination directives in 2000. However, the success of the EU's fight against discrimination and xenophobia has been limited, largely by the reluctance of its members to implement the provisions that were intended to assist in the integration of minority groups.

Furthermore, both the EU and its member states adopted additional counter-terrorism measures in the aftermath of the terrorist attacks in New York, London, and Madrid. Chebel d'Appollonia argues that these security measures not only fail to address the issue of internal security but also threaten human rights and civil liberties in Europe. European countries are so obsessed with border controls that they neglect to address critical issues designed to assist in the social integration of immigrants and minority groups. European governments still emphasize the external dimension of terrorism by using border controls and restrictive asylum policies as a way to improve their internal security. They continue on this path despite strong evidence—those who committed the London and Madrid transit bombings were mainly nationals—that the failure of integration is the main root of political radicalization and terrorist violence. As a result, there is a gap between rhetoric and action in both EU and national policies in this area. Governments argue against prejudice and discrimination but, through their security policies, encourage both. This gap is expected to last as long as European governments refuse to acknowledge past policy failures and remain reluctant to address the deep-seated social malaise from which their nations suffer.

Among the authors of these chapters on Europe, Jonathan Laurence perhaps strikes the most optimistic note. He rejects the proposition that authority for integration policy has moved either up to the EU or down to subnational actors. On that basis, Laurence compares and contrasts the efforts of a number of European states—including Belgium, France, Germany, Italy, and the United Kingdom—to incorporate the official religious organs of the Muslim religion into the broader state apparatus. The goals, he suggests, are to achieve interreligious dialogue, some degree of representation for the Muslim community within the democratic process, and integration of Muslims into a broader political and social milieu.

Laurence's chapter therefore examines how different national interior

ministers have sought to manage the "transnational threat" posed by Muslim extremism, given the incapacity of political parties and the apparent inability of the education system in these countries to do so. He contends that states in these countries are engaged in a process of effectively incorporating Islam into pre-existing institutional state-church relations. This process, he suggests, has involved the prioritization of national law over religious texts and the separation of church and state. The effects have been to guarantee equal access to the exercise of religion, to establish principles of transparency, and to integrate religious representatives through the establishment of councils.

While these bodies cannot legitimately claim to represent each Muslim, they have assisted in a steady movement toward molding these communities into coherent, homogeneously organized units—comparable to the process successfully undertaken by other religions. The benefits of such efforts are tangible, claims Laurence. This process constitutes, he says, an important step toward both the construction of "political opportunity structures" and the reconciliation of Islam with the values of liberal democracy. The result has been a measure of success, with disputes such as those over the Danish cartoons of the prophet Mohammed being handled lawfully and peaceably where national religious organs have been more fully developed in Europe.

Francisco Javier Moreno Fuentes examines the case of Spain. Spanish authorities have been confronted with a series of major challenges as the country shifted from being a traditional country of emigration to one of immigration. Indeed, the influx of foreigners, notably from Eastern Europe, Latin America, and North Africa, has been unprecedented in scale, particularly since the turn of the twenty-first century, with census data suggesting the number has more than doubled in that period to more than four million.

At its closest border point, Spain is only a few miles from Morocco, constituting the world's two most proximate countries with the biggest disparity in wealth. Added to the problem of this influx is the tension created between the relatively liberal immigration policies that have been instituted by successive Spanish governments since the 1990s and the impetus of the EU's policy directives. Spanish governments have implemented measures designed to legitimate undocumented immigrants, signed bilateral agreements with many sending countries, and extended economic and social rights to new immigrants. EU directives, meanwhile, have moved in the opposite direction, with measures designed to provide disincentives for migrants, regulate immigration flows, harmonize policies on asylum and family reunification, and introduce stricter border controls. Most Spanish policy since 1991 has therefore stood in contrast to the thrust of the EU's efforts, and Spain has had to adapt to these new initiatives. The result has been a steadily shrinking sphere of au-

tonomy and flexibility for Spanish authorities as they attempt to comply with an increasing number of EU rules and to address other member states' concerns that Spain is a gateway for entry into "Schengenland." Moreno Fuentes contends that Spain has been forced to become "the guardian of the EU's southern border."

Complicating the Spanish position further are the multiple security complexities engendered by the Madrid transit bombings of March 2004. The attack served to enhance the anxieties of a domestic population already alarmed by the large and growing North African population living in the ostensibly Catholic country. As Moreno Fuentes points out, in the aftermath of the Madrid bombings, opportunistic right-wing politicians amplified xenophobic prejudices among nationals who already feared that these foreigners were the source of increased criminality. Yet opinion surveys suggest that the Spanish public was able to dissociate immigrants from militants, even as they expressed their dislike of—and cultural distance from—North Africans. Nonetheless, individual racist incidents, coupled with a greater focus on vigilance against a recurrence of any terrorist attacks, have left the Spanish government with a major task. While staying focused on security, it must integrate a segment of the migrant population that is both culturally isolated and remains heavily concentrated in low-paying jobs in the agricultural, construction, and service sectors of the "gray" economy.

Sylvain Brouard and Vincent Tiberj consider how the French urban riots of 2005 tested the French integrationist model. Their central question is whether Islam, French identity, and the French mainstream can be reconciled. After conducting an unprecedented survey of public opinion in both the immigrant community and among the broader French public, Brouard and Tiberj offer interesting findings that both confirm and confound conventions.

Predictably, their work reveals that immigrants and the general French population are divided on the issue of responsibility for the failure of integration. A significant majority of immigrants focus on general conditions in explaining the problems they encounter with integration, while nearly half (48 percent) of the French population blames the migrants themselves for their lack of integration. About the same number, drawn from the general population, states that there are too many immigrants in France.

Approximately half of immigrants (49 percent) believe that anyone can succeed in France, regardless of their skin color. Forty-one percent think that they can easily integrate—a significantly higher proportion than the general population (33 percent). It is clearly disturbing to find that the majority of the immigrant population are so disillusioned that they think that they can neither integrate nor achieve success in their adopted country. It is perhaps worse to

discover that the general population is even less sanguine. Yet, more optimistically, only approximately one in four of both the migrant community *and* the general community believes that the problem of integration of the immigrants will worsen in the next few years. In addition, the majority feel that sustaining cultural identity and French national identity is complementary.

In analyzing the results, Brouard and Tiberj classify the French respondents as being part of three groups: a plurality who are the more conservative-minded assimilationists (46 percent), a minority (36 percent) they characterize as Republicans, and a single-digit group comprising the more liberal multiculturalists (8 percent).

Their findings provide a disturbing picture of a French electorate that is intransigent and relatively intolerant on issues of integration toward the most populous Muslim immigrant community in Europe (although they note that many of these Muslims do not practice their religion).

Finally, Manlio Cinalli considers the question of what marginalized immigrant populations, with few rights, can do to help themselves. Employing a network analysis, Cinalli examines the cases of asylum seekers in Britain and undocumented illegal workers in Italy. He documents how pro-immigrant movements and formal organizations have pursued campaigns through legitimate channels on behalf of those themselves excluded, in both countries, from the political process. He suggests that the different network patterns in the two countries account for the main differences in their success in having their demands incorporated into the political agenda.

Aspects of immigration and security have become synonymous in Europe and the United States since 2001. There is a temptation to link them through the singular dimension of border control. This book seeks to expand our understanding of the problem in the search for a better comprehension of causative linkages and for possible policy solutions. It therefore connects security policy to many facets of domestic policy—which are often not thought of or characterized as being in the same realm—by incorporating the concept of integration as a third component in the analysis. The London and Madrid transit bombings provide strong evidence that while border control may be indispensable as a policy tool, finding ways to reconcile differing communities complements these efforts in the battle against transnational terrorism.

American policymakers have ignored this dimension of the problem, assuming that the historic capacity of the United States to integrate waves of immigrants will address the problem and that enhanced policing will take care of those external enemies who slip through the net designed to catch them prior to entry. The very possibility of second- or third-generation immigrants

joining the jihadist ranks is an anathema to their way of thinking. Individuals such as John Walker Lindh, who fought on behalf of the Taliban, Nareed Afzalltaq, who attacked an office of the United Jewish Federation in Seattle (killing one woman and wounding five), or the foiled plot by inmates in a Southern California prison to conduct a bombing campaign are all regarded as outliers rather than as individuals symptomatic of a broader concern.

European policymakers are far more cognizant of the problem but have focused on its cultural dimension as their communities have become increasingly segmented. They have done little to publicize the fact that integration policy has become an integral component in establishing domestic security. Indeed, a growing intolerance toward North African and Middle Eastern immigrants and their descendants in many European countries, from the UK to France, the Netherlands, and Germany, suggests that the problem of integration is worsening rather than improving. This may, in itself, present an emergent series of dilemmas on both sides of the Atlantic as policymakers seek to balance the demands of minority populations with the fears of the middle class, who have historically provided the foundation for democratic systems, and tolerance, in liberal democracies.