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## **Introduction.**

The settlement of populations of immigrant origin in Western Europe during the last decades represented an important challenge to public authorities, and particularly to those managing cities. Despite the existence of considerable flows of migration linked to agricultural activities (and therefore channelled to rural or semi-rural environments) most migrants arriving to these countries settled in urban spaces. The works on the impact of globalisation on the transformation of urban spaces placed the connection between migratory processes and urban policies within the social sciences agenda (Sassen 1991, Castells 1997). A growing literature has also established a strong basis for the analysis of the incorporation of populations of immigrant origin into cities in advanced contemporary societies (Sophie-Gendrot and Martiniello, 2000; Ireland, 1994). Nevertheless, the actual mechanisms through which public administrations have dealt with issues arising from the presence of a growingly diverse population at the local level (on matters of social rights and welfare provision, housing policies, education, cultural and religious diversity, social and political participation, discrimination, etc) require further attention. This chapter tries to give a step in that direction by comparing the way ethnic diversity has been addressed in British and French urban settings, and by trying to extract some conclusions on the complex relations between official policy frameworks defined at the aggregated societal and political level, and actual practices implemented at the local level.

The importance of policy paradigms about the way of handling ethnic diversity will be initially stressed in this chapter. Those discourses, strongly grounded on the "philosophies of integration" characteristic of each nation-state (Favell, 1998), have established the boundaries for the policies aimed at addressing the issues arising by the presence of populations of immigrant origin. Their effects can be clearly perceived in the way those groups have been conceptualised and categorised, in the definition of the limits of what are considered as the legitimate boundaries of the national community, in the form given to the mechanisms for the aggregation of immigrant's interests, or in the institutional frameworks and policies established to address those issues, just to mention some examples of policy areas strongly conditioned by those policy frameworks.

Given its characteristics as the closest territorial interface between state action and the citizenry, urban settings have been amongst the most important political arenas for the crystallisation of those cognitive policy frameworks in specific programs and measures. Nevertheless, in the transition between the macro socio-political level (where discourses are elaborated, and eventually transformed), and the micro policy level (where regulation is enforced and where services are actually provided to citizens through complex arrangements of public and private agencies and organisations) a considerable gap appears. In this chapter we will also point out how while political discourses in the UK and France reflect deeply rooted and often opposite conceptualisations of the most adequate manner of dealing with diversity, the practices actually implemented in those countries show a higher degree of convergence than could be initially predicted. Thus, without implying that official discourses are irrelevant, or that they are completely decoupled from actual practices, we will stress how the mechanisms aimed at "coping with" diversity in urban settings show consistent similarities due to a series of factors (symbolic dimension of diversity discourses, politicisation of migration, role of street-level bureaucracies).

### **Explaining the dissonances between policy discourses and practices.**

At the end of WWII, and as old colonial powers, both the United Kingdom and France received important migratory flows from dependent territories. Despite facing a phenomenon of a relatively similar nature, each state confronted the demands derived from the existence of these new populations through the cognitive filters provided by their respective "philosophies of integration" based on markedly different and historically rooted conceptions of what constitutes the legitimately recognized national community. These sets of ideas which establish the way diversity has to be conceptualised constitute authentic policy paradigms that determine the general framework to which populations of immigrant origin have to conform when settling in those countries, as well as the margins for public authorities in their response to the demands (both from migrant and autochthonous groups) in relation to the presence of the ethnically diverse populations in their territory.

### **Symbolic character of discourses on diversity.**

State intervention in a specific policy environment can be categorised around three kinds of actions: rhetorical politics (essentially communicative mobilization of instruments), regulation (legal application of instruments), and financing (economic mobilization of resources) (Brans and Rossbach, 1997). This typology can be read as a scale of state implication, allowing us to categorise the different forms of public action in relation to the degree of political will required for its actual implementation. Thus, in the lowest end of this spectrum we can identify those measures of a mostly procedural character (political statements, establishment of commissions, ordering of reports, creation of agencies and observatories responsible for monitoring the evolution of a specific process, etc), marked by its strong expressive and symbolic dimension, and a relatively small commitment of material and financial resources.

As Edelman points out, the application of policies with a highly symbolic content are particularly present in policy environments where the interests of the main affected group is scarcely organized, and therefore where the acquiescence toward those measures can be obtained without having to change the general mechanisms of assignment of resources (Edelman, 1985). Policies directed to populations of immigrant origin constitute a potential area of policy "without public" (May, 1991), for either their political (and sometimes even some of their civil) rights are limited (when they are and/or remain non-nationals), or they remain weakly organised.

Governments have tried to manage and control the inclusion of immigration in the political agenda, to dilute responsibilities, to introduce "technical" definitions of problems, as well as to deploy fundamentally symbolic policies with the objective of neutralising problems (mobilisation of the public opinion or of a group in relation to the settling of migrant populations), responding to issues of special complexity, or facing mobilisation by opposition parties (before the lack of attention to the needs of a specific migrant group, or on the contrary before the supposed "abuse" of the system by people presumed to be illegitimate users of public services). The result of those strategies tends to be policies and measures that governments know of almost impossible implementation, doubtful economic and/or organisational viability, or of scarce efficacy, aimed fundamentally at diffusing (instead of solving) the complex problems involved. The lack of political will to actually pursue those policies (and the consequent lack of economic resources for their application) finally tends to block major changes in the direction pointed out by the symbolic policy discourses (Samad, in Modood and Werbner, 1997).

Those measures have often been considered as actions of "window dressing", and/or as initiatives aimed at co-opting the most active individuals of the mobilised groups and attract them towards the interests and objectives of public administrations or political parties (Edelman, 1985). In that context, some authors have argued that the rights of immigrants have advanced more clearly when these issues have been discussed and regulated at a strictly administrative level by bureaucrats and managers, far from the political arena where the strategies of politicisation have permitted the development of xenophobic entrepreneurs within the political forces (Guiraudon, 1999).

### Politicisation.

At different moments in time, and with greater or smaller virulence, all countries with a historical experience of immigration have witnessed the emergence of this issue on the political agenda, and its development as an element of the electoral strategy of political parties. Like the evolution of the political scenario in West European countries during the last decades clearly shows, the rise of extreme right parties with a discourse of rejection of immigration has generated a chain reaction in which all the other political parties have been forced to reposition themselves. Thus, traditional conservative parties often tried to cash on some of the xenophobic feelings of the local population while trying to prevent the draining of votes by their right. Liberal and social democratic parties have tried to elaborate a very cautious and moderate attitude with respect to migration in order to prevent criticisms for being "too lax or generous" in this policy area. Left wing parties on their side have witnessed the gradual transfer of part of its support from traditional working class voters towards populist anti-immigration parties. The positions adopted by the different political parties in this context strongly conditioned the policy environment for the incorporation of immigrant populations in European urban settings. One of the topics where the politicisation of migration has had a stronger effect has been in relation to the extension of social rights for migrants. In a context of restrictive border control policies, and of perception of "crisis" of the welfare state, the debates on the "abuse" of social protection systems by foreigners have had a very important effect.

The definition of the limits of inclusion of social protection schemes in West European countries has been to a large extent conditioned by the institutional arrangements of those welfare regimes. Thus, efforts to limit the access of some groups to basic social rights of a essentially universalist character (financed through general taxation, eligibility based on residency, weak mechanisms of control, like for example the

health care system in the UK) failed, and at most were implemented in a random and/or discriminatory manner (Moreno Fuentes, 2004). In a similar vein, the accumulation of insurance schemes as a mechanism to reach the universalisation of rights within Social Security systems like the ones existing in France (partly financed through contributions, eligibility based on labour market participation, mechanisms of eligibility control embedded in the institutional arrangement), implied increasingly complex bureaucratic procedures and a proliferation of interstices between institutions, which resulted in the lack of coverage for those migrants in more precarious administrative and social situations.

One extreme of the debate on the logic underlying the expansion of social rights is led by those who think that national welfare states constitute, by their very nature, closed systems with clearly defined boundaries. Those boundaries would have the purpose of identifying the members of the national community (and therefore those who are full beneficiaries of the protection of the state), from those who are not full members (Freeman, 1986). Walzer's notion of distributive justice abounds in this sense by assuming the existence of "a bounded world within which distribution takes place. A group of people committed to dividing, exchanging, and sharing social goods, first of all among themselves" (Walzer, 1983: 31). The arguments and justifications historically used during the creation and expansion of social rights would also support this line of thought for they have often been wrapped up in a rhetoric of "national solidarity", and fulfilment of the "rights of citizenship" (Brubaker, 1992). In the opposite extreme of the debate we find those authors that consider that West European states have shown considerable receptivity to incorporate the populations of foreign origin by extending (although with different rhythms) the coverage of their social protection schemes to include all residents regardless of their nationality. This inclusion would be explained fundamentally by the translation to national legislative frameworks of those international conventions and agreements aimed at the protection of individual human rights (Soysal, 1994; Jacobson, 1996), by the role performed by the national judiciary systems - especially constitutional and supreme courts- (Joppke, 1999), or by the actions and practices of the bureaucracies responsible for applying the policies of social protection (Guiraudon, 1999).

Although there are considerable variation from country to country, the coverage of populations of immigrant origin within welfare regimes tends in fact to occupy an intermediate position in the aforementioned debate. While universalist arguments are

correct in relation to the extension of rights to a large number of foreign residents categorised as “denizens” (Hammar, 1994), this group (although a majority) constitutes only a fraction of the total number of foreign residents in those countries. Other groups (undocumented immigrants, tolerated refugees, etc.) have been (implicitly, or explicitly) excluded from the benefits of those systems, providing a clear image of the boundaries of inclusion of welfare schemes. The variations among the different countries in this matter reflect important aspects of the processes of institutionalisation of social rights, as well as of the mechanisms of creation and reproduction of the limits of the political community in those countries.

The decentralised character of many welfare regimes imply that the responsibility for the provision of social services often relies on local governments, so the actual application of welfare rights, and therefore the politicisation that comes with it, appears as particularly visible and relevant at this level of policy. Beyond the symbolic character of migration policy frameworks previously defined, and the importance of the use of migration within the political arena, the need to account for the existing dissonances between discourses and practices appreciated at the local level requires to take into consideration the role played by discretion in the actual implementation of public policies by front-line deliverers of public services.

#### Role of “street-level bureaucracies”.

Although “street-level bureaucrats” (public service workers charged with directly interacting with citizens) tend to be neglected in the general public policy analysis literature, they constitute the end of the channel of public action, and for most citizens they represent their main form of interaction with state authorities. In their position as final responsible agents for the delivery of public services, the decisions of “street-level bureaucrats” are both allocative (determining eligibility for benefits) and redistributive (by denying rights to some citizens and giving them to others), so the poorer the people are, the greater the influence of “street-level bureaucrats” over their lives through the use of professional discretion in the implementation of programs and policies.

The existence of discretion (understood as the autonomy to determine the nature, amount and quality of benefits and sanctions provided by the agencies which they represent) is in fact not the result of the absence of directives and regulation coming from above, which in fact guarantee the standardisation that exists in public programs but actually, very much on the contrary, it is the direct consequence of “too



much" direction. Quoting Lipski, "Rules may actually be an impediment to supervision. They may be so voluminous and contradictory that they can only be enforced or invoked selectively. In most public welfare departments, regulations are encyclopaedic yet at the same time, they are constantly being changed. With such rules adherence to anything but the most basic and fundamental precepts of eligibility cannot be expected" (Lipski, 1980: 14). In fact, the very character of this type of tasks make it impossible to reduce them to programmatic formats, and often require the adaptability to human dimensions and situations provided by "street-level bureaucrats".

"Street-level bureaucrats" may also disagree with directions coming from above, may consider those directions illegitimate, or may have openly divergent interests from those at the top of the organisation, all of which may contribute to the development of different forms of "resistance" that may seriously endanger the fulfilment of the objectives of those organisations.

Another important characteristic of the services provided by "street-level bureaucrats" is that demand for them will increase to meet the supply both quantitatively (more services will imply more demand for them), and qualitatively (better services will also imply more demand), so as to be "trapped in a cycle of mediocrity" determined by the impossibility of facing demand in an area characterised by its transactional character (38). The "unavoidable" task of rationing services and establishing priorities within the general overload of directions and official policy discourses implies that "street-level bureaucrats" have to develop their own routines, practices and simplifications (for example, and just to mention some pointed out by Lipski on his seminal work on "street-level bureaucracies": creaming<sup>1</sup>, screening<sup>2</sup>, rubber stamping<sup>3</sup>, referring<sup>4</sup>, queuing<sup>5</sup>, etc). This is done within the room for manoeuvre defined by the institutional arrangements of their public administrations, and mediated by the individual biases of each "street-level bureaucrat", determining in this way the degree of deviation of their daily practices from the official policy guidelines and discourses.

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<sup>1</sup> Selection of those clients who seem most likely to succeed in terms of bureaucratic success criteria (Lipski, 1980: 107).

<sup>2</sup> Filtering and gate-keeping by low level "street-level bureaucrats" without the formal qualification or authority to develop those functions (receptionists, clerks, etc) (Ibid. 128).

<sup>3</sup> Routinely accepting the judgements of other "street-level bureaucrats" (often from lower levels) in taking decisions about their own areas of responsibility (Ibid. 130).

<sup>4</sup> Mechanism applied by "street-level bureaucrats" as one of the least costly ways of processing clients without providing services, while maintaining a relatively benign image of helpfulness and without having to turn clients away (Ibid. 132).

<sup>5</sup> Imposing costs on clients by establishing waiting lists, thus limiting the amounts of services provided by the organisation (Ibid, 95).

The interaction of those three factors contribute to explain a good part of the dissonances that exist between the official policy discourses on dealing with diversity, and the actual practices implemented at the local level and determining the actual policies really implemented. In the next two sections we will pay attention to the way that interaction between discourses and practices took form in the cases of urban settings in the UK and France.

### **Multiculturalism in British urban settings.**

The elaboration of a discourse of recognition of the internal diversity in the UK, officially labelled as "multiculturalism", and fitting within the "bifurcationist" model described by Parekh (Preuss and Requejo, 1998), facilitated the development of a set of policies especially designed to respond to the specific needs of the collectives of origin immigrant categorised as "ethnic minorities". The policies adopted by the United Kingdom were thus characterised by an official recognition of its internal diversity, the development of equal opportunity policies, and the deployment of a regulatory framework aimed at preventing and fighting against any form of discrimination on ethnic, religious or cultural grounds.

The recognition of the internal heterogeneity of the British population was also supposed to imply the modification of the operation protocols of public administrations in order to adapt them to the differential demands of ethnic minority groups. Moreover, the way that model was translated into urban policies left wide room for the development of a variety of responses each adapted to the social and political specificities of the local environment.

In the first instance, the existence of a paradigm of incorporation of the ethnic internal diversity in the UK permitted the elaboration of group categories within the statistical apparatus to try and grasp the growing complexity of British contemporary population. Although imperfect, and the object of constant debates about their limitations and possible ways to improve them, the data generated in this way constituted an extremely valuable point of departure to explore the effects of ethnicity in British society. The mechanisms to collect data on ethnicity provided public administrations with the basic tools to gather information on the situation of the different groups of the population, the existence of specific needs, as well as the appearance of inequalities affecting not only socio-economic groups, but also populations of different ethnic origin. Civil society

organisations, and particularly groups defending the interest of ethnic minority groups, could also mobilise and rely on statistical data to show the existence of differential needs, and to claim specific programs and measures aimed at addressing those issues.

The decentralised character of most social protection structures in the UK made British local authorities particularly exposed to the demands of populations of immigrant origin organised in associations and interest groups along ethnic lines. Those organisations were not only recognised by British authorities as legitimate channels for the aggregation of interests of these groups, but actually encouraged to grow and develop as a useful mechanism of mediation between state administrations and minority ethnic populations.

Another particularity of the British "philosophy of integration" with a strong impact on the range of manoeuvre of local public administrations was linked to the nationality and citizenship legislation inherited from the British empire, and only substantially changed in the early 1980s (when the bulk of labour migration from the former colonies was already well established in Britain and the main inflows of foreigners was related to family reunification). According to that legislation (mainly the 1948 and 1968 British Nationality Acts), all the subjects of the British Crown (nationals of the former colonies gathered under the umbrella of the British Commonwealth of Nations) were to be considered British citizens, have access to a British passport, and therefore had the right to settle in the territory of the UK with all the civil, political and social rights granted by British citizenship (Hansen and Weil, 2001). Although British authorities made considerable efforts to try to limit the arrival of migrants from New Commonwealth countries (the African, Caribbean and Asian colonies which became independent states after WWII) through formal and informal mechanisms, important numbers of migrants from those regions arrived in Britain during the 1950s and 60s, settling as citizens with full political (voting) rights, and greatly influencing the national and particularly the local political arenas. Politically accountable to these new populations settled in their territories, local administrations had to respond to the articulated demands of these groups, while simultaneously trying not to alienate the autochthonous British inhabitants which often perceived the new inhabitants as draining out scarce resources (housing, welfare services, jobs, etc), and being too favourably treated by public administrations.

It was precisely at the local level where the politicisation of migration became more visible in Britain through the development of xenophobic and racist riots (Notting Hill, Birmingham, Brixton, etc), and the election of several municipal councillors of the

extreme right British National Party (BNP) during the 1960s and 70s. The appearance of important ethnic enclaves, with the concentration of large communities of roughly the same origin in specific neighbourhoods and towns accelerated the visibility of those migrant groups facilitating the politicisation of this issue among the autochthonous inhabitants which could not afford to leave the area (as many of the better off actually did).

The policy response of British local authorities to the challenges posed by the presence of large minority ethnic populations within their territory was the result of complex equilibriums of interests between constituencies with markedly different preferences and interests (Garbaye, 2000). This was particularly relevant in the domain of welfare policies where local authorities were largely responsible for the implementation of social protection schemes. With an entitlement system fundamentally based on a residency criteria, the idea of "abuse" of the system by populations perceived to be making an illegitimate use of the welfare schemes was permanent, and local authorities had to deal with it while simultaneously having to adapt their planning and provision schemes to a differential demand politically organised and ready to blame public administrations of racist attitudes for failing to account for the differential needs of minority ethnic groups.

In this context, the response of local administrations was characterised by the development of measures with a strongly symbolic character aimed at improving their "cultural sensitivity" without radically altering the structures of allocation of resources. Following national directives many local authorities established equal opportunities programs for the employment of personnel, as well as committees to monitor the implementation of those programs. They developed procedures to try to eliminate discrimination in the processing of clients, established channels of communication with the representatives of the different ethnic minorities living within their territories, and set in place other procedural measures such as developing training seminars for employees and local councillors, establishing forums for the exchange of experiences, elaborating guidelines on good practices, and publishing materials to facilitate the development of "culturally sensitive" programs. Special schemes were also set up to facilitate the access of ethnic minority populations to the services provided by public administrations (brochures and forms in different foreign languages, collaboration with associations of minority ethnic groups for the establishment of translation and cultural mediation schemes, development of preventive campaigns specifically addressed to the needs of a

group and through the channels more suited to reach them -local ethnic press, religious centres and authorities, associations, etc-).

Despite the adoption of those measures by a large number of local government administrations (particularly in municipalities with high concentrations of minority ethnic populations and/or in those controlled by left wing parties with a radical anti-racist agenda), public administrations were far from being transformed into a multicultural structure fully catering to the needs of the different ethnic communities, and in fact remained strongly anchored within their traditional practices, routines and organisational behaviours.

The publication of the Steven Lawrence Report at the beginning of 1999 (following the investigation of the reasons for the failure of the London Metropolitan Police to actively pursue the perpetrators of a racially motivated killing) denouncing the pervasive character of ethnic discrimination at all levels of the British state structure, and establishing the term "institutional racism", shacked the relative complacency prevailing within British authorities with respect to their treatment of ethnic diversity. This report played special emphasis on the relatively widespread racist attitudes and practices of "street-level bureaucrats" which discriminated against minority ethnic citizens by using the margin of discretion available to them in the exercise of their daily routines and functions in public administrations. The development of internal investigations at all levels of the state administrations followed, with the objective of identifying the possible deviations in the practices and routines of public agencies with respect to the Race Relation Acts, and the regulations of the Commission for Racial Equality (CRE). Once again, and with the purpose of showing the compliance with the anti-discriminatory regulations, public authorities emphasised the more measurable and quantifiable aspects of their intervention, publishing the results of new inquiries on the percentages of their personnel belonging to ethnic minorities at the different levels of their organisational structures, and trying to show their condition of "equal opportunity employers".

In this way, the control of the "processes" predominated over the attainment of the supposed organisational objectives, and the most visible and measurable aspects (percentage of persons belonging to ethnic minorities employees at the different levels of public agencies and organisations, and particularly those with management responsibilities or with a seat in the organs of representation at the local administration) predominated over the provision of fully specialised services to immigrant communities

and over the transformation of the local government structures to adapt them more adequately to the differential needs of their ethnic minority inhabitants.

Path-dependencies in the routines, practices and functioning of public administrations (linked of course to the lack of political will to radically transform the state structure into a system that would operate in a multicultural manner) seem to have greatly contributed to determine the limits of the transformation British administration structures along multicultural lines. The bifurcationist "philosophy of integration" of the British official discourse contributed to define the boundaries of the "legitimate" claims for recognition and differential treatment, to generate mechanisms for the elaboration of a more accurate depiction of contemporary British society through the gathering of statistical data on ethnicity, to establish mechanisms for the promotion of ethnic minority groups' interests, and to provide transparent answers to the most important demands posed by this groups (non-discriminatory treatment, cultural sensitivity, attention and response to strong inequalities, etc). Nevertheless, the policy guidelines emanating from that model did not appear as the main priority for local authorities, which had to reach a delicate balance between constituencies (minority ethnic groups and autochthonous populations), or "street-level bureaucracies", busy coping with an overload of organisational changes linked to the transformation of British state structures (decentralisation, devolution), functions (from service provision to mostly regulatory activities), and responsibilities (bigger role for private -both for profit and non-for-profit-actors linked to the implementation of the New Public Management model).

## **The application of the French "assimilatory" republicanism at the local level.**

The existence of an “assimilatory” model in France (influenced by the Jacobin ethos) establishing the equality of all citizens before the republican institutions, and the rejection of the recognition of differentiated communities within the French nation, contrasts quite openly with the British discourse on diversity we presented in the previous section. The French "philosophy of integration" implied the articulation of a policy framework aimed at including the populations of immigrant origin into the national community by directing them towards the mainstream programs and schemes designed for the majority population. According to this discourse, and in the absence of discrimination (a situation taken for granted, and therefore not monitored or actively enforced), populations of migrant origin should benefit from the action of public administrations on equal grounds than the rest of the French population.

According to this model local authorities were not supposed to make any distinction between their local residents on the grounds of their different origins. The only distinction accepted by the legislation was between French nationals and foreigners. In this aspect lies one of the main differences between the French and the British migration processes, for although many of the migrants arriving to France between the early 1950s and the mid 1970s (official closure of the borders to labour migration) also came from countries and territories with a colonial link to France, they were mostly considered as foreigners (with the exception of those migrant workers coming from Algeria before the independence of this country), and therefore their civil, social and political rights were clearly limited (no voting rights). On the other hand, a generous policy of naturalisation was offered to those migrants on the condition of adopting the French language, values and patterns of behaviour, and relegating their cultural specificities to the private realm, all of which contributed to the establishment of an "assimilatory" pattern of interaction between migrants and French public administrations.

This lack of recognition of the cultural and ethnic diversity of the population of immigrant origin living in France can be clearly perceived in the legal restrictions to the collection of data on place of birth or nationality of the French population, as well as in the literal impossibility of asking for ethnic or religious allegiances in French surveys (limitations established by the *Loi Informatique, fichiers et libertés* of 1985, and closely

monitored by the *Commission Nationale de l'informatique et des libertés* -CNIL-). These constraints, established with the objective of preventing the questioning of the unity of the French nation as well as the development of discriminatory treatments or behaviours, have filtered to the perception of French social scientist which consider the study of the internal diversity of the French population as a topic of little scientific interest (socio-economic factors considered to perfectly substitute ethnic parameters), or directly suspicious of promoting a divisive "communitarism" contrary to the French paradigm of individual allegiance to the Republic. As an example of the importance of this issue we can point out the hot debate developed in the second half of the 1990s in French academic spheres following the publication of the survey "*Mobilité géographique et insertion sociale*" elaborated by Michèle Tribalat and aimed at generating more accurate information on the "ethnic" composition of the French population<sup>6</sup>. Apart from the criticism related to the extreme simplicity of the categories used in that study for the classification of the population (ascribing people to cultural/linguistic categories according to the place of birth of their parents), or the obligation of social scientists to go beyond "common sense" categories and typologies, the strongest criticisms to this research came from those who thought that accepting this type of work could have a corrosive effect on the universalist integration model represented by the French Republic, for "*Les membres d'une même nation doivent faire comme s'ils avaient la même origine*" (Le Bras, in INSEE, 1998: 46). According to this point of view the issue of the foreign origins of part of the French population should remain outside of the research agenda of social scientists.

This debate must also be understood in the context of a political situation marked by the strong support systematically received by the populist extreme right *Front National* (FN), whose electoral success has been strongly anchored in its anti-immigration discourse. Thus, some authors accused Tribalat of promoting the discourse of the FN, while others argued that the only way of combating the fallacies of the extreme right is to develop rigorous socio-demographic research. Still for others, the importance of that type of research for populations of immigrant origin lied in the

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<sup>6</sup> Quoting this demographer, "*la prise en compte de l'appartenance ethnique est nécessaire. Sur ce question, nous vivons dans un état de schizophrénie totale: ne pas disposer de données sur les différentes ethnies ne nous empêche pas d'en avoir, collectivement, une représentation forte, quant à leur importance et leurs particularités d'adaptation à la vie française*" (Tribalat, 1995: 12).



possibilities it opened for them to play a more explicit role in contemporary French society<sup>7</sup>.

The establishment of the Social Security (SS) system in France at the end of WWII, and the attribution of the right of access to its benefits through the participation in the labour market (and therefore through the financial contribution to those insurance schemes), largely contributed to the absence of political debate about the use of social protection schemes by immigrants in France. This system was created in the name of “*solidarité nationale*”, although in practice it functioned on a logic of “*solidarité professionnelle*” (Béland and Hansen, 2000). At the end of the 1970s a new series of social protection schemes not based on the insurance principle but on a universalist logic (financed by the general state budget) initiated the transformation of the French welfare regime away from the traditional SS system (Palier, 1998). The “reintroduction” of the principle of “*solidarité nationale*” in the attribution of benefits opened the door for the politicisation of the access of migrants to welfare services.

In January 1990, the *Conseil Constitutionnel* declared unconstitutional the nationality requirement for the concession of certain non contributive family allowances. For more than eight years the French executive and legislative powers paid no attention to that ruling, and illegally continued to condition the access to certain family allowances to nationality (Lochak, 1999). These discriminatory practices represented a clear example of the different view with which the access of foreigners to welfare schemes was perceived when they are not based on the insurance principle. Long before the Pasqua Law conditioned the access to the SS system to the legality of the residency in France in 1993, certain SS agencies<sup>8</sup> and local authorities (among them notably the municipality of Paris) were already blocking the access of undocumented migrants to social welfare schemes on a systematic basis (negative to deal with requests, abusive demands of documents, etc), complicating the opening of rights in those cases in which

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<sup>7</sup> According to Valentin-Marie, it is a question of “*se compter pour montrer que l’on est suffisamment nombreux pour peser sur les décisions politiques et avoir place dans le débat politique*” (in INSEE, 1998: 55).

<sup>8</sup> Like Gerard Moreau, head of the Direction de la Population et des Migrations (DPM), acknowledged during his appearance before the *Commission d’enquête sur l’immigration clandestine et le séjour irrégulier d’étrangers en France* at the *Assemblée Nationale* in 1995, “*Un certain nombre de caisses d’assurance maladie ont anticipé sur la loi de 1993, c’est-à-dire qu’elles refusaient les prestations maladie aux adultes en situation irrégulière alors qu’aucun texte réglementaire ne le leur permettait et sans que les tutelles les en aient empêchées pour tout dire, car les tutelles prenaient leurs responsabilités. Nous le savions, mais nous pensions qu’il fallait que le législateur ‘bouge’, si je puis dire, et il a fini par bouger. L’assurance maladie n’est plus remboursée aux étrangers adultes en situation irrégulière*” (*Assemblée Nationale*, 1996: 72).

this was legally possible, and forcing those migrants to exit the system or to undertake extremely complex and costly administrative and judiciary processes.

In the second half of the 1990s the issue of the universalisation of social rights reappeared with force in the French political agenda, this time as the result of the mobilisation of third sector organisations and left wing political forces against the marginalisation emanating from the Pasqua Law. The close-in of the “*sans papiers*” immigrants at the Saint Bernard church in June 1996 clearly represented this “expansive” politicisation of the issue of social rights. It clearly showed as well how the French model of incorporation even determines the way in which the demands for the expansion of rights for migrant populations have to be framed (within a more general movement against social exclusion) in order to be socially and politically acceptable.

As we have pointed out French authorities have traditionally advocated the adequacy of the republican integration model, making no distinctions between citizens on the grounds of their religion, culture or ethnic origin. Nevertheless, in reality a series of problems which specifically affect populations of immigrant origin at the local level have shown the limitations of this discourse. Here we can identify the origin of the dissonances between the official discourse and the realm of the real practices, often characterised by the development of more flexible schemes at the local level aimed at facing the needs of these populations.

The great diversity of actors simultaneously involved in the domain of local policies in France has entailed a multiplicity of differentiated practices in relation to the adaptation of public policies to the cultural diversity of contemporary French society. This has implied an extreme fragmentation, the lack of general guidance, and a key role for the initiatives (at more or less micro level) of the professionals charged with the provision of services to these populations. A clear example of this can be perceived within the framework of a series of territorially grounded initiatives (including the *Politique de la Ville*, the *Contrats d'agglomération*, and later the *Contrats de ville*) aimed at fighting social exclusion by allocating additional resources as well as tax exemptions to deprived areas (where people of immigrant origin constitute a disproportionate share of the population), and where a wide array of institutions (from the European Union, to the municipalities, passing by different ministries, state, regional and departmental agencies, etc) participate in one form or another.

Particularly important in this domain of policies has been the role of the *Fonds d'Action Social* (FAS), a state agency originally charged with the mission of facilitating

the incorporation of immigrant workers into French society in collaboration with local authorities (charged with providing housing, and facilitating cultural adaptation, etc) and gradually oriented towards the integration of larger and more complex immigrant communities (expanding its role to the families of migrants already settled in France). In order to pursue its goals the FAS has elaborated a sophisticated approach to diversity, facilitating the access of populations of foreign origin to the mainstream public services (particularly to those of social character) by financing the development of specialized schemes of social support, linguistic translation and cultural mediation. Since the early 1980s the FAS has also been financing associations of immigrants (illegal before 1981) for them to develop cultural activities where the immigrant communities can valorise their own heritage and traditions, stopping short of developing a "multiculturalist" policy of promoting cultural diversity. As we already observed in the British case, these flexible practices breaking the monolithic policy discourse of the republican integration have often been characterised by the work of associations and NGOs partly covering the spaces left vacant by public administrations while simultaneously acting as advocates for the development of public policies better suited to the specific needs of immigrant populations.

In the allocation of social housing (HLM), responsibility of locally appointed public housing agencies, policies informal quotas have been traditionally applied to limit and control de number of ethnically different groups within a neighbourhood, or actually to favour one group over another (Weil, 1991). Similarly, in the education realm, special funds have been allocated to underprivileged areas taking into consideration the percentage of foreigners within the population to categorise one area as *Zone d'Education Prioritaire* (ZEP). Local authorities have also published pamphlets with basic administrative information in different languages, and systematically make use of the services of linguistic and cultural interpretation provided by the NGO *Inter Service Migrants-Interprétariat* subsidised by different administrations (EU, DPM, FAS).

## **Conclusion.**

In spite of the relative clarity of the discourses that frame policies towards populations of immigrant origin in the two cases previously presented, a certain convergence between the practices applied in each country seems to exist. This convergence implies the appearance of a series of schemes organised by different coalitions of public and private actors (NGOs, associations of immigrants, third sector

organisations, "street-level bureaucrats", local governments, etc) that in more or less regular and systematic forms, set up specific schemes of linguistic and cultural interpretation, preventive programs, special centres for the attention of specific needs of populations of immigrant origin. This relative convergence of practices takes place, not by an institutionalisation of individual rights or even less so by an explicit recognition of collective rights (something explicitly rejected by countries like France), but by the development of a series of pathologies or perverse effects in the implementation of the policies officially defined. Among the main actors involved in those deviations we could identify the "street-level bureaucrats" charged with the effective implementation of policies, for they are the ones who confront the consequences of the inadequacies of policies defined by the formal models in their daily work.

The fact that the decisions formally taken at the superior organisational level are considerably transformed by the real practices several ladders below the hierarchical scale constitute of course an indication of the strongly symbolic character of the discourses on diversity. As we have also seen, simultaneously to the relative convergence of practices radically antagonistic discourses on how to deal with diversity have remained central in the definition of official policy frameworks in those two countries. Those general discourses on handling diversity function in fact as narratives aimed at divesting attention, avoiding blame, and providing meaning and coherence to otherwise inconsistent policies and practices effectively implemented at the local level.

Nevertheless, a slow but gradual movement of convergence in the domain of discourses seems also to be taking place in recent times in the two countries included in this comparison. Thus, in the UK a re-elaboration of the variable "ethnicity" within a more complex framework of analysis in which socio-economic variables would again occupy a central place in the explanation of inequalities seems to be taking place. Another indication of the gradual redefinition of the British "bifurcationist" model can be perceived in a trend towards "mainstreaming" in which anti-discrimination policies in relation to ethnicity would be amalgamated with the fight against other forms of discrimination in such a manner that the old CRE would be subsumed within a larger agency aimed at fighting against any form of discrimination in British society.

In the opposite end of the debate, the recognition of the existence of discrimination against groups of immigrant within French society has considerably altered the political scenario in France. The existence of racism and discrimination in France was not surprising because of the rejection of the foreign "other", something

which had traditionally existed, but because it brought to the surface the existence of internal barriers in French society that did not correspond with the limits of nationality (French vs. foreigner), but with ethnic allegiances (French origin -or even European- vs. non European origin) which are frontally incompatible with the republican ideals (Simon, 1999). Taking in consideration the recommendations from the report from 1998 on the discrimination and racism in the French society elaborated by the *Haut Conseil a l'Integration* (HCI), the government created in 1999 the *Groupe d'Étude des Discriminations* (a year later transformed into *Groupe d'Études et de Lutte contre les Discriminations* - GELD -) charged with the mission of controlling and fighting against all forms of discrimination.

In this way, coming from extremely different points, and encouraged by the EU initiatives encouraging member states to create agencies charged with monitoring and fighting against discrimination, a new approach towards dealing with diversity seems to be emerging in which British and French policy paradigms will share part of their objectives and will establish relatively similar institutional frameworks.

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