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What we owe to the Sans-papiers

Etienne Balibar

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Editor's note:

The following text is a short speech Etienne Balibar held in March 1997 at an event organized by the French Filmmakers' Union in Paris. The event was one among many declarations of solidarity with the "Sans-Papiers of Saint-Bernard," a group of around 300 people who, in June 1996, occupied the Saint-Bernard Church in Paris. Some of the people occupying the church also went on a hunger strike as a way of underscoring the urgency of their demands for legal residency. Near the end of August 1996, the police brutally evicted the church and subsequently, the French government went back on the promises they had made to improve their situation. Therefore, Balibar's speech must be viewed within a context of a continued willingness to engage in acts of solidarity, as well as at a point when many of the Sans-Papiers of Saint-Bernard had already been expelled or deported from France.

The situation of the Sans-Papiers of Saint-Bernard is not completely identical in all ways with that of the current refugee protests in Vienna or in other European cities. Since the mid-1980s, in France a series of increasingly repressive laws (especially the so-called Pasqua Laws of 1986 and 1993) enabled the government to revoke already valid residency

permits of persons, who had worked for many years and raised their families in France, resulting in the deportation of fathers and mothers of children had long since been French citizens. Whereas a central demand of the refugees currently protesting in Vienna is to be granted access to regular work as a way of the often long-term insecure situation in which an insecurity regarding their residential status is frequently compounded with unemployment and lack of regular daily activities (or, at best, the access only to informal or extremely precarious work).

The differences in the experiences, which fuel the concrete forms of protest chosen, unquestionably also document some of the recent transformations of the interlocking regimes of global working conditions and political-civil rights. Balibar's speech is therefore interesting in regards to the current situation, because it takes seriously a name that those protesting used to describe themselves, and which was quite new at the time —"Sans-Papiers"—, a name that undermines dominant ascriptions and categorizations and points to a divided political-existential terrain: a situation of fundamental insecurity of one's own rights and residence. Despite all the human rights declarations, this situation arises from the current circumstances under where the only people who receive even the most basic rights are those who hold "documents" that confirm them, in the form of appropriate "papers." This also means that in whatever way the "we" of a particular group who holds documents is constituted, a truly democratic form of citizenship can only be realized with *Sans-Papiers.*

What we owe to the *"Sans-papiers"*

We, French citizens of all sexes, origins and professions, are greatly indebted to the "*sans-papiers*" who, refusing the "clandestineness" ascribed to them, have forcefully posed the question of the right to

stay. We owe them a triple demonstration, which also gives us some responsibilities.

We owe them for having broken through the communication barriers, for being seen and heard for what they are: not specters of delinquency and invasion, but workers and families, from here and there at the same time, with their particularisms and the universality of their condition as modern proletarians. They made facts, questions and even oppositions linked to the real problems of immigration circulate in public space, instead of the stereotypes held by dominant information monopolies. Thus, we better understand what democracy is: an institution of collective debate, whose conditions are never imposed from above. People must always conquer the right to speak, their visibility and credibility, running the risk of repression. And they have done this with calm courage, rejecting the use of mediatized violence and sacrifice, even if their situation is often desperate.

We owe them for having shattered the pretentions of successive governments to play two games: on one side, "realism", administrative competence and political responsibility (regulating population flows, maintaining public order, assuring the "integration" of legal immigrants...); on the other side, nationalist and electoral propaganda (creating scapegoats for insecurity, projecting the fear of mass poverty into the phantasmal space of identitarian conflicts). The *Sans-papiers* have demonstrated that the regime of illegality wasn't reformed by the State, but actually created by it. They have shown that this production of illegality, destined for political manipulation, couldn't happen without constantly violating civil rights (in particular, the *security* of persons, ranging from the non-retroactivity of laws to the respect of people's dignity and physical well-being) and without constantly compromising with neo-fascism and the people who foster it. This

is how they shed light on the main mechanisms of extending *institutional racism*, leading to a kind of European apartheid that combines emergency legislation and the spread of discriminatory ideologies. But they also demonstrated how to resist this vicious circle: by reestablishing the truth of the history and condition of humans, lending themselves to mediation and negotiation, and engaging the universality of their rights and the contribution of their cultures.

Finally, we owe them (along with others – including the December 1995 strikers) for having recreated citizenship among us, since the latter is not an institution nor a status, but a collective practice. They did it for themselves, showing that you don't have to be a French national to responsibly contribute to social life, but also by stimulating new forms of activism and renewing old ones. Now, activism, although it is not the whole of active citizenship, it is clearly one its indispensable components. We cannot both deplore democratic apathy and deny the importance of the recent mobilizations for the rights of immigrants resident in France (and, more generally, in Europe). They have thus contributed to giving political activity the transnational dimension that we so desperately need to open prospects for social transformation and civility in the era of globalization. For example, to start democratizing police and border institutions.

So the *Sans-papiers*, "excluded" amongst the "excluded" (and they are certainly not the only ones), have stopped appearing as simply victims and have become actors in democratic politics. They have helped us immensely, with their resistance and their imagination, breathing life back into democracy. We owe them this recognition, we must say it, and must engage ourselves, evermore numerous, by their side, until their rights and justice are rendered.

Additional comment, February 2013

I'm very honored that my short text, written in 1997 in Paris to express my solidarity with the "Sans-papiers de Saint-Bernard" movement and to testify to its importance, has now been translated and circulated in the framework of the solidarity campaign for the refugees in Vienna's Sigmund-Freud Park and Votivkirche. Without calling myself a protagonist, a role I did not have at that time, I can nevertheless say that the continuity of migrant struggles in Europe and the urgency for solidarity that they deserve is manifested here.

Each place, each moment is specific. They are concrete subjects with their history and their own needs that guide these struggles and peacefully and courageously rise up in the public sphere. But from one to the next, a general questions is transmitted, one at the heart of the "cite" that is no longer possible to avoid.

Contemporary societies, which expect to reap all the benefits of the globalization of communication and business, should well decide to institute a new right for the circulation of people, of their residence, their labor and their social welfare, established above and beyond national borders.

If our society is to be democratic (and, truthfully, it will only exist as an advancement in democracy), this new right, not only protecting migrants and refugees from arbitrary states and xenophobic opinions, should also be based on their experiences and their own skills, as

expressed in their legitimate demands for liberty and security.

The more these demands are understood and relayed by the citizens of our countries, the more political language and practice, today dangerously aligned with exclusive corporate and national interests, will have the chance to find the universality and inventiveness that gives them an emancipating reach for all.

I salute the Vienna refugees and the activists supporting them with all my affection, admiration and hope.