

Introduction: Opening a Dialogue on Migrant (Rights) Activism

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While the number of people on the move throughout the globe continues to increase, Northern countries have erected and fortified barriers to prevent migrants from crossing over their borders. Unable to migrate legally, many migrants seeking jobs, safety, and/or family reunification have been forced to find alternative ways of entering and remaining in a new country. As researchers (Dauvergne, 2005; De Genova, 2002; Inda, 2005; McNevin 2011; Ngai, 2004) have pointed out, restrictive immigration laws have rendered people “illegal.” Without authorization, these migrants are deprived of the “right to have rights.” As such, they are policed, harassed, exploited by their employers, denied political voices and access to social protections and benefits, and excluded from the social fabric. In addition to being “illegalized,” many migrants have been rendered “precarious.” They are often admitted under conditions that restrict their mobility and choices, force them to stay in abusive marriages and/or jobs, and deny them full access to such social goods as education, training, and health services (Goldring, Berinstein, & Bernhard, 2009). Guest worker programs have become very popular throughout the globe, and policy makers—both in sending and receiving countries—see them as a way to alleviate labour shortages in receiving countries and direct remittances towards meeting the daily needs of the poor in the global South. Yet, such programs reinforce migrant workers’ vulnerability.

The precarious conditions experienced by many migrants—with or without legal status—have triggered responses not only from the migrants themselves, but also from their supporters. Demanding regularization of their status, a right to remain in the country, a right to claim asylum, improved protections in the labour force, the right to bargain collectively, and access to social benefits or other socially valued rights (such as the right to have a driver’s licence), migrants and their supporters have organized to protect and improve their living conditions. Here are some examples. In September, 2003, about 1,000 migrant workers from ten U.S. cities travelled more than 20,000 miles, stopping in 100 cities on their way to Washington and, eventually, New York. The aim was to protest the “unfair treatment” of undocumented immigrants and to pressure Congress to pass immigration reform

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legislation that would improve the plight of the millions of undocumented immigrants. In 2006, millions of people participated in protests staged in Chicago, Los Angeles, Dallas, and other U.S. cities over a proposed change to U.S. immigration policy that would raise penalties for “illegal” immigration and classify “illegal” immigrants and anyone who helped them enter or remain in the US as felons. The protesters also called for a comprehensive reform of the country's immigration laws that would create a path to citizenship for all undocumented immigrants. In France, in 2008 the *sans-papiers* started staging strikes to demand regularization of their status. After meetings between the *sans-papiers*, the largest union in France, *Confédération générale du travail* (CGT—the General Confederation of Labor), and the ministry of immigration, the government agreed in 2010 to certain “adjustments” to harmonize the status of undocumented workers. A grassroots organization, “No One is Illegal” has been organizing rallies in the Canadian cities of Toronto, Montreal, Vancouver, and Ottawa to demand an end to all deportations and detentions, the implementation of a full and inclusive regularization program for all non-status people, access without fear to essential services for all undocumented people, and an end to the exploitation of temporary workers. At the global scale, Migrants Rights International (MRI), a non-governmental organization and federation of migrants and migrants’ rights organizations, trade unions and faith-based groups located in regions across the globe, has committed itself to promoting and defending the human rights of migrants. For the past four years, MRI has been one of the organizers of the People’s Global Action on Migration, Development and Human Rights, a forum which runs parallel to the Global Forum on Migration and Development and offers an opportunity to migrant rights activists to exchange ideas and debate strategies.

Compared to other social movements, such as environmental, feminist, gay and lesbian liberation, labour, migrant (rights) activism has not received much attention among social movement scholars. Migration scholars have also insufficiently dealt with this topic. Furthermore, those scholars who do analyze various migrant and migrant rights mobilizations¹ do not always dialogue with each other.

The discussion of migrant rights started on the pages of *Studies in Social Justice*, with the publication of Doris Marie Provine’s article in volume 3 issue 2. The current issue highlights this theme: it features four articles and a book review on migrant (rights) mobilizations. We hope that this issue will spark a conversation among migrant rights scholars to which we can return in future volumes.

All four articles in this volume discuss activism by or on behalf of migrants whose presence in the country is unauthorized (also known as “undocumented” or “non-status” migrants or *sans-papiers*). Both De Genova and Nyers question what makes migrant mobilizations political. Nicholas De Genova provides an analysis of the mobilization of migrants throughout the United States in 2006 in opposition to the Border Protection, Antiterrorism and Illegal Immigration Control Act. To De Genova this was a political act, but not because the participants demanded some “civil” or “human” rights. Following Rancière, De Genova argues that it was political because it constituted a radical disruption of the game of order by actors who, from the standpoint of order, do not exist. As such it was a politics of incorrigibility and anti-identity. In addition to being a “political” fact, De Genova illustrates that the assertion of migrant presence was also an “economic” fact that

enunciated (transnational) labour as constitutive of (global) capital as rightless but insubordinate at the same time.

Peter Nyers explores mobilizations of non-status migrants in Canada. Although not as significant in scope, the Canadian movement of non-status migrants is equally important in raising questions about how political acts are to be understood. He analyzes a number of acts staged by the action committees of non-status migrants: acts of self-identification as “non-status,” claims for regularization at the state and city levels, and acts of protest at street rallies, marches, and in detention centres. For Nyers, by publicly identifying themselves as “non-status,” migrants, who are generally denied the right to express themselves as political beings, engage in a political act or an assertion of political subjectivity. Through these acts, non-status migrants demand not only equal access to social services, such as health care and social welfare, but also recognition and respect of the dignity of non-status people as human beings. Although the demands for regularization seem to reaffirm the sovereignty of the nation-state, for Nyers, the acts staged by non-status people disrupt this order by underscoring their potential for novel forms of political subjectification.

Both Cook and Ansley examine advocacy by migrant supporters in the U.S. Both expose the dilemma faced by migrant advocates, namely how to pursue demands for migrant rights—broadly understood—in a political and social climate which is resilient to such claims. Maria Lorena Cook analyzes the framing of migrant rights claims. She demonstrates how human rights arguments generally fall on deaf ears. At the same time, she contends that when migrants’ rights activists respond to the anti-migrant rhetoric of the nativist movement, out of necessity, they engage the nation-state framework. She further contends that this framework is self-limiting (a point also recognized by Peter Nyers in his analysis of Canadian non-status migrant activism). Similar to De Genova, who feels that the notion of “human rights” is unsustainable, Cook does not seem to see much future for “human rights” discourses in U.S. migrant politics.

Fran Ansley discusses how participants in a campaign to allow undocumented migrants to obtain driver’s licences in Tennessee faced a dilemma: whether to frame this claim as a demand for equal rights or in terms of U.S. citizens’ preferences, desires, and interests in safety. She illustrates that it was the latter position that prevailed although she feels that the campaign also created space for public debate and dialogue on migrants’ rights. More optimistic than Cook, Ansley feels that campaigns, such as the one she describes in her article, incubate novel rights claims that are based on broad notions of social justice: the full right to international mobility of human beings, the right to identity, and the duties of “global solidarity”.

Although seemingly different, the four articles included in this volume examine how migrant and migrants’ rights mobilizations can bring about social justice for migrants by disrupting political order that denies them existence, voices, subjectivity, and rights. Some of them also identify obstacles and difficulties faced by such endeavours. These four articles, along with the book reviewed by Carlos Sandoval, open the forum for discussion on migrant rights and migrant (rights) activism on the pages of our journal. It is our hope that these contributions would stimulate further debates.

Notes

- ¹ Among important exceptions are: McNevin (2011), Das Gupta (2006), Chavez (2008), Hondagneu-Sotelo (2008), Hanley (forthcoming), Piper (2005), Basok (2008 and 2009), Choudry et.al. (2009), Lyons (2004), Elias (2008), Gordon (2005), Chun (2009) and Provine (2009). Scholarly literature that deals specifically with the mobilization of migrants throughout U.S. cities in 2006 is reviewed in De Genova in this volume.

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