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American Behavioral Scientist 2006 50: 9
DOI: 10.1177/0002764206289652

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Liminal Lives

Immigration Status, Gender, and the Construction of Identities Among Malian Migrants in Paris

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Strategies of state surveillance shape the construction of migrant identities in France. Focusing on migrants from the Senegal River Valley in West Africa, the authors suggest that ideological and institutional constraints concerning legal status and family reunification create a shifting world of unstable identities for these migrants. The fall 2005 riots across France have been widely cited as an illustration of the failure of the French model of immigrant integration. Restrictive legislation since 1975 has challenged gender relations in migrant communities. The gendered production of immigrant identities merits special attention; women’s and men’s diverse experiences require differing strategies of adjustment. During the past 30 years, anti-immigrant discourse/practice has effectively contested the state policy of integration and its emphasis on achieving nationality as the ultimate immigrant objective. The gendered strategies of West African migrants demonstrate that state policies have created a new category of migrants whose everyday lives seem permanently in transition.

Keywords: immigration; identities; transnationalism; polygamy; France

In this article, we argue that strategies of immigration surveillance and control adopted by the state in France since the 1960s have significantly shaped the construction of migrant identities at particular historical moments, as well as in specific political and economic contexts. This ongoing production and reproduction of identities reflects ideological and institutional tensions surrounding immigration that play out in the everyday lives of individuals and migrant communities. We focus especially on the case of Malian migrants from West Africa, who represent one of the most established immigrant communities in Paris. According to the 1999 census, approximately 36,000 reside legally in France; in addition, government estimates suggest the presence of more than 100,000 undocumented Malian migrants (Barou, 2002, p. 12; “Quelque 120,000 maliens en France,” 2003). This exploration of the role of the state in shaping the everyday lives of Malian migrants serves to illustrate how grounded ethnographic research can illuminate migrant efforts to construct
stable identities in the context of structural constraints and more broadly, to contribute to an anthropology of transnationalism.1

Since the era of independence for former French colonies in the early 1960s, significant historical phases in immigration policy have been proposed, based on notable events occurring in the time periods 1965 to 1974, 1975 to 1985, and 1986 to the present (Weil, 2005; Withol de Wenden, 1995, 1998). The first phase was characterized by the arrival of the generation of immediate postindependence labor migrants. For Malians and other migrants from the Senegal River Valley region of West Africa, this migrant population consisted primarily of men who left families and children in Africa and returned there for lengthy visits. Migrants required minimal documentation and indeed, those who emigrated to France in that time period sometimes refer to themselves as French and reject the term migrant as inapplicable to former colonial subjects. In 1974, an escalating economic crisis and rising unemployment led to legislation that progressively limited the arrival of new labor migrants of all kinds (Weil, 2005, p. 16).

The second phase, 1975 to 1985, features those migrants who arrived at the time of the demise of the decades-old open-door policy for postcolonial populations. Also during this period, migrants already in France, for whom circulatory labor migration would no longer be an option, had to create new strategies for maintaining family and community structures. This phase included the introduction of formalities such as a required migrant identity card (carte de séjour) and the family reunification act (regroupement familial) of April 29, 1976. The family reunification policy marked the end of a laissez-faire, transient labor stream between West Africa and France in which family members (often brothers or cousins) worked sequentially in France, returning to their communities of origin as frequently as finances allowed, sometimes for visits as long as 6 months. With the tightening strictures on migrant entry (and reentry) and employment, together with the 1976 legislation allowing women, children, and other dependents to join a migrant working in France, the Malian population in France became increasingly stable and characterized by a mix of single male workers and family units.

The most recent phase, beginning in 1986, was initiated by the first Pasqua law (No. 86-1025) and subsequently included the second (1993) Pasqua law (No. 93-1417); the Pasqua laws introduced restrictive immigration legislation that limited family reunification, tightened identity checks for migrants, prohibited polygamous marriages, and eliminated automatic nationality rights for migrant children born in France. Charles Pasqua, then Minister of the Interior, declared in a June 2, 1993, speech that France had set a new objective, a trajectory toward zero immigration: “France no longer wishes to be a country of immigration . . . the objective that we choose, taking into account the gravity of the economic situation, is to move towards zero immigration” (“La France ne veut plus être un pays d’immigration . . . L’objectif que nous assignons, compte tenu de la gravité de la situation économique, c’est de tendre vers une immigration zéro”; Weil, 2005, p. 19). Subsequently, the period
between 1993 and the present has been marked by strident anti-immigrant discourse. Political parties such as the National Front have been especially vocal in agitating for zero immigration, forced repatriation, and preservation of a truly “French” culture. In spite of opposing voices in support of a culturally diverse society, Weil (2005, p. 8) argued that it is the anti-immigrant, protectionist discourse that has most strongly motivated French politics and policies for the past 30 years. This anti-immigrant sentiment has been directed toward specific populations that have constituted the bulk of immigrants post-1985 (Hollifield, 1997).

The long-standing state policy of “intégration”—an allegedly balanced approach between “insertion,” preserving cultures of origin, and “assimilation,” the complete adherence and identification to French culture—has been denounced as a politically correct euphemism for assimilation, skillfully avoiding the authoritarian connotation of the latter (Bernard, 2002, p. 185). Intégration has been defined as a process that “without denying differences, and acknowledging them without exalting them, emphasizes resemblances and convergences” (Haut Conseil à l’Intégration, 2003, p. 12). According to this policy, the perceived importance of nationality is also perceived as a “sign of success for integration policies” (Bernard, 2002, p. 193).

Investigation of these mechanisms for integration, however, reveals logics and processes of exclusion (Tribalat, 1995). The riots in numerous French cities that erupted in the fall of 2005 and involved North and West African immigrants led to a national state of emergency declared by Prime Minister Dominique Villepin on November 8. These riots point to “the failure of the French model” (Beloeil, 2005) and the “entrapment of the French by their own national ego” (Touraine, 2005). As this article demonstrates, the increasingly restrictive immigration policies have posed daunting challenges for Malian migrants. Byzantine bureaucratic regulations, visa application procedures, and access to housing, work permits, and health and social welfare benefits all represent hurdles for a population largely unskilled and with little formal education. Marriage itself, rather than constituting a stable structure in a shifting environment, is often problematized. Following the 1993 Pasqua law that made polygamy illegal, those in polygamous marriages risked losing residence and work permits unless they adopted monogamy. Both men and women have found themselves caught in a web of shifting identities as they work to obtain, retain, or regain legal immigration status. Although citizenship is idealized, Malian migrants are more likely to move between legal and undocumented immigrant status than to achieve “nationality.”2

### Research Method

Between 1998 and 2005, we conducted research on family organization and reproductive strategies among Malians and other migrants from the Senegal River Valley region to Paris. These migrants are primarily Soninke speakers from the area of
Kayes in Mali but include other Soninke from border areas of Senegal and Mauritania, as well as Bambara and Pulaar speakers from the same region. Although a minority of these migrants were previously urban residents in West Africa, the majority of migrants on whom the research focuses came directly from villages in Kayes to Paris.

The discussion presented here draws on data collected in interviews with 176 women of reproductive age who were interviewed at diverse research sites, including two public hospitals, a public family planning and maternal health center, and six PMI (maternal and child health clinics that provide immunizations, well-baby checkups, and some prenatal care). In addition to these clinical settings, throughout the study, relevant data were collected from other research sites and samples, including nine men’s worker hostels, migrant community associations, and Muslim religious leaders. Structured interviews elicited demographic data, migration histories, family narratives, employment information, and perspectives on religious doctrine and practice as they affect daily life in France.

In 2001 and 2002, 45 men in nine hostels were interviewed in groups consisting of 4 to 6 migrants. The logistics of the worker hostels, which are extremely overcrowded (e.g., one officially has 200 beds but is housing 600 men), and recommendations from hostel leadership led to the decision to rely on focus groups rather than individual interviews, although we did arrange subsequent personal interviews with a small number of interested men. Concern from the numerous undocumented workers about potential repercussions affecting their immigration status also prompted the decision to interview the men collectively. Some focus group discussions culminated in unstructured conversations in an individual’s room, with as many as 10 interested participants, following the “formal” group discussion. Accordingly, topics of importance to participants emerged spontaneously and allowed the discussion to move beyond the limits of structured interview schedules (Sankar & Luborsky, 2003, p. 155). Each group included at least 1 migrant who arrived in the 1965 to 1975 wave, as well as younger men. The participants were selected by the elders involved in the resident committee, an elected organization that represents the migrants to management and also arranges social and cultural events for the residents.

Participant observation and semistructured interviews with Malians at social events such as baptisms, festivals, and migrant association meetings supplemented the focus group discussions and structured interviews. In a similar manner, personal relationships with migrant women and men that developed from initial interviews generated invaluable explanations and interpretations of the stresses of everyday life.

Anthropological Theories of Transnationalism and Identity: An Overview

Do globalization and transnational migration entail the disappearance of such concepts as nationalism and patriotism? Does “deterritorialization” (Appadurai, 1993)
prevent the construction of stable identities for the growing number of migrants worldwide? Anthropologies of migration have sought answers to these questions since the 1980s. Early studies saw in globalization the demise of the nation-state and considered nationalism as a problematic concept in the representation of growing transnational communities. Kearney (1991), for example, characterized transnationalism as the “end of empire” (p. 57) in which territories become contested and border zones increasingly ambiguous, directly challenging “the defining power of nation-states” (p. 59). Appadurai (1993) concluded that the deterritorialization of individuals and the constitution of an immigrant diaspora would transform the concept of nationalism from one that is territorially defined and subordinated to a ruling elite to one that is largely the product of collective imagination. However, Appadurai added that although such dynamics of “displacement” fostered more flexible, mobile, and contextual identities, they simultaneously created “powerful attachment to ideas of ‘homeland’ that seem more deeply territorial than ever” (p. 428).

In fact, the increasing number of case studies in this past decade, followed by new theoretical formulations, emphasizes that despite the global phenomenon of deterritorialization, concepts of nation-states and nationalism continue to play an important role, both for immigrants and sedentary groups. In their study of Haitian migration, Glick Schiller and Fouron (2001) introduced the concept of “long-distance nationalism.” This refers to the idea that nationalism remains an ideology that links people to a territory, even as traditional borders cease to delimit membership in the nation. Instead, “long-distance nationalism highlights ideas about common descent and shared racialized identities that have long been part of conceptions of national belonging” (Glick Schiller & Fouron, 2001, p. 20). Thus, long-distance nationalism not only exists in the domains of imagination and sentiment but also leads to specific and concrete political actions. Also, as Ong (1999) added in her discussion of “flexible citizenship,” one needs to be reminded that although there is to some extent more freedom for individuals from spatial constraints, economics and politics still define and control populations, “whether in movement or in residence” (p. 15). Accordingly, the concept of transnationalism must be used carefully, as it can easily encompass a wide range of phenomena. Vertovec (2001) argued that although “transnationalism and identity are concepts that inherently call for juxtaposition” (p. 573), immigrants’ identities must be analyzed with respect to localized and complex identity-conditioning factors such as “histories and stereotypes of local belonging and exclusion, geographies of cultural difference and class/ethnic segregation, racialised socio-economic hierarchies, degree and type of collective mobilization, access to and nature of resources, and perceptions and regulations surrounding rights and duties” (p. 578).

Indeed, Glick Schiller, Basch, and Szanton Blanc (1995, p. 59) insisted that to better understand the current dilemmas and identity issues that migrants face, one needs to acknowledge that the “age of transnationalism” is a time of continuing and even heightening nation-state building processes. In receiving societies, this unfortunately
has been synonymous with the reemergence of xenophobic sentiments and the production of anxieties about alien penetration of the territory and the protection of national borders. In this context, dominant political forces strive to reinforce and re-legitimize state structures at the same time as they seek to facilitate economic globalization. As Glick Schiller et al. have observed in the case of the United States, As the national economy is restructured to facilitate higher levels of profit for transnational capital, politicians and the media have projected a bunker mentality, convincing the majority of the population, including people who are themselves immigrants, that the national borders have to be defended against the undocumented. Undocumented workers are said to be the cause of the deterioration of the infrastructure and the lack of public services. (p. 59)

Of the multiple strategies to protect the nation-state, the most distinctive measure in terms of migration control has been to reinforce, as Glick Schiller et al. (1995) also noted, “a distinction between categories of belonging” (p. 59), such as that between legal residents and the undocumented rather than between native born and foreign or citizen and noncitizen. In this article, we argue that similar protectionist strategies have been adopted by the state in France and have significantly shaped the production and reformulation of migrant identities. The case of Malian migrants from West Africa is paradigmatic of these effects of state control of migration on migrant identities.

Malian Migration to France and the Shift in Migration Policies

Before the end of colonization and the independence of French colonies in Africa, the French laws that determined the conditions necessary to acquire French nationality for foreigners did not apply to colonized African subjects. The latter, in fact, were considered legal citizens of the French Union and as such, were—in principle at least—granted free movement within French territories. Before independence, however, very few migrants were unskilled workers. Only the political or commercial West African elites would regularly circulate between the métropole and its “overseas territories” (Quiminal & Timera, 2002). It was only in the 1960s, following earlier cohorts of migrants to France—from Portugal, Italy, Poland, Turkey, and then North Africa (Morocco, Algeria, Tunisia)—that West African immigrants considered migration to France as a seductive option for work and capital accumulation. Most of them were males from the Senegal River Valley—that is, from regions of Senegal, Mali, and Mauritania—who at least on the outset of migration, expressed their intention to return home to their families.

In describing the orientation of this generation of migrants, Diadie Soumare, president of the Council of Malians in France (Haut Conseil des Maliens en France)
said, “One left the family and one’s spirit there. . . . Money earned, thoughts, all were directed towards the society of origin” (“On laissait la famille et l’esprit là-bas. L’argent gagné, la pensée tout était orienté vers le pays d’origine”; Van Eeckhout, 2005a). After the loss of labor suffered by France following the two World Wars, these migrants provided the fuel for continuous French industrial growth. However, they often lived in precarious conditions. West African workers resided in crowded hostels where their landlords exploited them, and although they were “socially integrated in terms of labor relationships, they were politically and culturally excluded” from mainstream society (Wieviorka, 2002, p. 132).

With the end of the open-door policy in the mid-1970s, when France was faced with an economic and political crisis and the suspension of foreign labor immigration in July 1974, a fundamental shift occurred in the features of the migratory process and in the structure and orientation of migrant families and communities. Legislation permitting the family members of foreign workers to join their husbands and fathers in France overshadowed incentives offered to immigrants to return home. These had the reverse effect of pushing immigrants to choose to settle permanently in France for fear of never being able to return. Also, together with legitimate family reunification, a new trend in sub-Saharan immigration emerged: Illegal (initially referred to as clandestine) labor networks arose. In popular thinking, this type of immigration was thought to involve motives other than the intention of seeking work: “The main suspicion has been that such immigrants desire to . . . live off the largesse of welfare payments in European societies. Racist and xenophobic discourse constantly reiterates this type of accusation” (Wieviorka, 2002, p. 132).

Thus, in the context of growing anti-immigrant sentiment, the massive arrival of families who decided to settle in France under the family reunification policy raised complex issues of multiculturalism and the right to cultural difference (Withol de Wenden, 1995). Those migrants who in the pre-1974 era would have been allowed entry as “originaires des pays africains anciennement sous administration française” (persons originating in African states formerly under French administration) found themselves struggling to obtain a visa, usually short-term (3 months), and subject to restrictive conditions (Quiminal & Timera, 2002, p. 19).

**Malian Migrants and the State Production of Illegality**

Since the 1970s, therefore, successive governments (on both the right and the left) have increasingly limited the rights of migrants with a proliferation of statutes regulating migration. However, the West African immigrant population, especially from the Senegal River Valley, has both increased and taken on new forms. As Quiminal and Timera (2002) argued, frequent changes in immigration regulations have contributed to producing a “clandestine” population (p. 21). The seemingly endless succession of (changing) rules (e.g., residence permits not renewable because of
unemployment exceeding 6 months, annulment of the procedure of permits for women joining their husbands with a tourist visa, changes in nationality acquisition leading to the possibility of deportation) poses a constant threat to individual and family stability.

This instability is apparent in the ambiguities associated with census data enumerating migrant populations in France. Because of both the substantial sector of undocumented migrants and the regulations surrounding the collection of census data, which limit questions on nationality, ethnicity, and religion, it is difficult if not impossible to determine the precise numbers of Malian migrants currently living in France. For our purposes, given our awareness of the numbers of squatters settlements housing undocumented migrants from this region, we accept the Ministry of the Interior’s estimates of more than 120,000 Malians (both legal and undocumented) living primarily in the greater Paris region (“Quelque 120,000 maliens en France,” 2003). In the political rhetoric surrounding immigration, Malians represent the quintessential immigrant “problem” associated with practices such as polygamy, female genital cutting, arranged marriages, and dependency on state welfare benefits.

After labor migration was suspended in 1974, the French law on family reunification nonetheless allowed for immigrants’ families to continue settling in France; as a consequence, migration flows were feminized as more and more women joined their husbands. Correspondingly, men previously living in worker hostels set up households with wives, children, and extended family members. Worker hostels were established with the assumption that migrant workers, especially those from North and sub-Saharan Africa, were transients or engaged in circulatory labor migration. The hostels were designed to house “bachelors” without dependants. The arrival of wives and children under the family reunification policy, thus, generated a demand for low-income housing. The shortage of low-income public housing sufficiently large to accommodate family size well above the national average (Van Eeckhout, 2005b) has remained problematic and indeed, the November 2005 riots have been associated with overcrowded and insalubrious housing, among other factors. In general, the pressures of large, extended families in lodgings intended for a much smaller number of persons has drawn public criticism and added to tensions affecting West African marital, family, and community relations.

As family reunification proceeded, the type of marital union emerged as a consideration in the immigration process and the “integration” of migrants into French society. The practice of polygamy, common in countries of West Africa, was implicitly accepted by French authorities as a marital tradition in the societies of origin. On July 11, 1980, the State Council (Conseil d’Etat) even set a legal precedent by authorizing the reunion of a polygamous family on French territory. There were restrictions, however, on the right to live with one’s family, and these particularly affected West African immigrants. According to Quiminal and Timera (2002), the majority of West African men who came to France as labor migrants in the 1960s were strongly
targeted by unemployment and racism and, thus, could not fulfill the conditions required for their families to join them. These conditions included a minimum salary, as well as housing sufficiently large to accommodate specific numbers of residents; for each additional resident in a dwelling, precise spatial dimensions were required.

Despite these restrictions, thousands of West African women were able to join their husbands in France: Estimates suggest that approximately one third (35.62%) of Malians residing in France currently are women (Barou, 2002, p. 14). Socioeconomic problems quickly arose for these families: difficulties achieving the state goal of intégration, unhealthy housing conditions and overcrowding, failure of children at school, and precarious living conditions for these women who were, at least on their arrival, completely dependent on their husbands. Both in the industrial and service sectors, West African migrants were (and are) discriminated against in such areas as job training, promotion, or bonuses. One study reports that more than 30% of migrants from the Senegal River Valley are unemployed; in terms of housing, many are segregated in suburban high-rise housing projects on the basis of their African origin (Quiminal & Timera, 2002, p. 23).

Faced with this chaotic situation, the government and then Secretary of the Interior Charles Pasqua, successfully initiated legislation in 1993 prohibiting family reunification for polygamous couples by declaring that “reunification” could take place only once and, thus, was restricted to one spouse and her children. This legislation reflected the public concern that West African migrants were unlikely to assimilate, a conclusion validated by the presence of polygamous families (Lloyd, 2003, p. 108). With regard to “secondary” wives already present on French soil, their 10-year residency permit would not be renewed; nor would that of the husband. Finally, the government ruled that childbearing on French territory (le droit du sol) was no longer a way for mothers and children to obtain nationality. These decisions triggered massive public outrage, and the government was forced to step back, allowing secondary spouses who had children in France and who had been French residents for at least 15 years to stay in the country. Other polygamous couples who entered French territory before the 1986 and 1993 Pasqua laws were also granted permission to stay, provided they legally divorced and lived separately.

The state, thus, implemented a policy of décohabitation (acquiring separate residence), encouraging women to renounce polygamy (Ministère de l’Emploi et de la Solidarité, 2002). This long and complex process challenges women to become autonomous, both emotionally and financially, in return for legal status. With the help of state social services and specialized associations such as those focusing on migrant women’s issues, women may obtain social stipends, health benefits, job training, and housing located in the proximity of public services (school, transportation, etc.) so as to facilitate their autonomy. However, they first have to document that they are no longer in a polygamous union by providing proof of divorce and separate housing. In spite of the risks of losing legal residence status and work permits, however, the practice of polygamy continues.
The question of housing and income for secondary wives remains a contentious one, and thousands of women suffer the burden of their illegal status. It is estimated that there are approximately 20,000 polygamous households in France, involving between 150,000 and 200,000 people (Lahouri, 2004). For these immigrant families in particular, the issue of social welfare benefits has provoked controversy across the political spectrum, with heated critique from the extreme right (Les 4 Verités, 2005). Calculations of the probable size of the stipends polygamous families receive from the state are central in representations of West African migrants as economic parasites, destructive to the well-being of those who are truly “French.”

**Segregation, Clandestine Lives, and the Resistance of Sans-Papiers**

During the 1980s and 1990s, the increasing number of illegal migrants residing in France became increasingly politicized. Beginning in 1984, conditions necessary to obtain a visa became incrementally onerous and now include proof that one can be financially autonomous for the length of the stay, a housing certificate verified by the local mayor, and a guarantee of return. Failing to provide these may entail visa denial and/or repatriation. Quiminal and Timera (2002) observed that the step to obtain such visas require “stubbornness and patience” (p. 20; cf. Chavez, 1998) and that racist practices from consulates and embassies, both in France and Africa, have been denounced by the media.

In addition, a resident card does not guarantee the stability of a migrant’s status. Ferré (1997, p. 56) observed that although this type of card should be rightfully and automatically renewed, there is no such thing as a concept of permanent residence in France, which would concretely solve a migrant’s situation of legality. In these conditions, as Quiminal and Timera (2002, p. 21) further noted, the lengthy but temporary returns to Africa (e.g., 6 months) that were common in the 1960s and 1970s have become problematic and few are willing to risk the possibility of not being issued another residence card or being told that one’s card has expired. The fate of migrants granted only a temporary visa is even more problematic. These visas, for which the length of the stay cannot exceed 1 year, must correspond to a single specific status—student, family member, worker, or salesperson. Technically, as long as the ongoing nature of this status can be proved to authorities, these visas can be automatically and repeatedly renewed.

However, migrants with a worker status who find themselves temporarily unemployed can be denied visa renewal. In a similar manner, migrants with a student visa not only have to prove enrollment in a school institution but also are asked to submit further documents on their academic progress. A change of status will most often automatically be denied. Therefore, students who wish to work full-time cannot solicit a worker status. As Ferré (1997) observed, they are prisoners of their initial
status: These rules “reflect an eternal suspicion towards foreigners in general, often appearing inhuman, insufficient and paradoxically devoid of any sense of reality” (p. 59).

Therefore, migrants live in a constant state of fear, as many overstay their visas, lead hidden lives, or are employed on the black market and living in condemned buildings. The unstable nature of visas themselves force migrants to assume unstable identities in which they must shift back and forth between states of legality and illegality, documented and undocumented, *avec papiers ou sans-papiers* (with papers or without papers). The experience of Bakari Diaby, from whom we elicited a life history at his residence in a squatters settlement, illustrates this state of constant liminality, the “shadowed lives” (Chavez, 1998) in which migrants are kept as they negotiate their immigration status in France.

Born in Mali in 1945, Bakari first set out for France in 1962 at age 18, at a time when France drew considerable labor from the Senegal River Valley. With the aid of a French friend he had met in Mali, he found a job as a factory worker in Le Havre in 1965. In the 1970s, as the French government increased its surveillance of foreign workers by requiring new legal papers, Bakari applied for a residency permit and obtained it in 1975. Three years later, he returned to Mali to get married. During his stay, the taxi in which he was riding caught on fire and his permit was destroyed. Authorities at the French embassy refused to reissue his documents. In 1986, when Bakari reapplied for a visa, France had further tightened entry requirements and his request was denied.

However, because he desperately needed money and could not perceive any future in Mali, he decided to return to France clandestinely in 1989. Using his driver’s license from 1970 and his health certificate of 1973, he entered Spain and then walked across the border into France. Bakari had to work illegally. He appealed for his status to be “regularized.” In 1997, a new government order relaxed some of the immigration restrictions but unfortunately, this did not apply to the category of bachelors without dependents, in which Bakari was classified. In the summer of 1999, Bakari joined 350 other migrants who occupied the Maison des Ensembles, a large building that housed social services in the 12th district of Paris. In 2000, a delegation of them demonstrated in front of the National Assembly in support of migrant rights. Although in response the Minister of the Interior agreed to review all permit requests, no decision was rendered. It was only in 2002 that Bakari was finally granted legal status. He now lives in a workers hostel, after leaving the Maison des Ensembles where he had stayed while undocumented. Last year, migrants occupying the Maison des Ensembles were evicted by the police. Some of them were granted temporary papers, whereas others are still waiting.4

In fact, this situation of irregularity has become so prevalent that it has led to the creation of a specific category: *les sans-papiers*, or those without papers. This expression was a product of the 1996 events during which 300 foreign families took refuge in the church of St. Bernard in Paris, bringing the cause of undocumented
migrants into the open. This resulted in a police raid ordered by the government, during which people were badly beaten and sent to jail. As one of the sans-papiers—also ex-leader of the Maison des Ensembles—explained to us, undocumented migrants deliberately chose the term to move away from the idea of hiding in the shadows and to make their identities public: They are not clandestines but rather, migrants with rights, although without papers. The distinction between both, therefore, is not so much conceptual as it is political, intended as a strategy to produce a particular legitimate identity.

Shame and Conflicts: The Consequences of Living Liminal Lives

Timera (1997) also described how migrants’ communities of origin in West Africa themselves have established a hierarchy of statuses for their compatriots in France. This reflects the negative impact of French laws in producing rivalries within the migrant community. For those who reside illegally, Timera (p. 101) argued, the anxieties, therefore, come from not only the fear of being arrested and repatriated but also the shame of admitting one’s status to the rest of the community. This is especially true for male migrants whose traditional position as heads of households and family providers is sometimes challenged by their economic hardships in France. This, in turn, affects their masculine identities and their position of authority within families.

One of our informants, for example, reported the case of a Malian worker whose residence and work permits had been rescinded because of his polygamous marriage. He had been granted a 3-month card and continued to live with his two wives and 15 children. Because of his short-term permit, employers refused to hire him. His wives, therefore, worked to support the family while he stayed at home and looked after the children. This status reversal was very humiliating to him. Each month, his wives gave him money, and the situation lasted for almost 3 years. Out of shame, he never revealed this situation to his family back home.

Thinking that he was doing well for himself, his uncle in Mali decided to give him a third wife. By dignity and pride, he could not refuse and never revealed the news to his other two wives. Without knowing the true reason, the two women had even paid for their husband’s plane ticket to return home on his alleged family visit. Unfortunately, the third wife fell ill, was sent from her village to the capital city of Bamako for health care, and then sent by her brother to Paris for better treatment. When the two wives came home and found the (unknown) third wife, they were shocked and resistant. Although the first wife stayed, the second wife left the house with her eight children. When the third wife became pregnant, the first wife told her husband to get a new lodging. The family is now scattered.

The issue of polygamy—apparent in the above case—as a possible threat to legal status and leading to the risk of deportation, also unsettles migrant families as they
attempt to negotiate with French legal authorities on the grounds that local traditions should be respected and that the 1986 and 1993 Pasqua laws should not be grandfath-ered to affect migrants living legally in France. Women’s identities as co-wives are particularly problematic. Although traditionally the term first wife refers to the husband’s first marriage choice and, thus, she is granted seniority over other co-wives, the French government considers the first wife to be the first one entering French territory and, therefore, the only possible recipient of legal documents. This creates obvious tensions within families and especially among women, forcing many of them to live in the shadows, subordinated to co-wives, who are in fact their juniors, or even evicted from their homes to protect the legal status of their husband and “first” wife.

Legislation mandates that women in a polygamous marriage who arrived in France prior to 1993 and who divorce their husband have the right to a housing stipend and a financial allocation (Allocation Parent Isolé). However, in spite of the formal regulations that prohibit secondary wives who arrived subsequent to 1993 from obtaining assistance, those engaged in legal aid services assert that in reality, at least some women with proof of divorce and seeking to leave a polygamous relationship may nonetheless receive the Allocation Parent Isolé from the state (Afrique Partenaire Service [APS] staff, personal communication, November 6, 2005; Ministère de l’Emploi et de la Solidarité, 2002;). Indeed, the mayor of one Paris suburb claimed to have resettled several dozen such women by direct intervention with landlords of low-income housing (Lahouri, 2004). These cases notwithstanding, instances of women formerly in polygamous marriages, now living with their children in squatters settlements or moving surreptitiously from the home of one friend or relative to another, remain unresolved.

Although secondary wives live in peril of finding themselves homeless and without income, some nonetheless demonstrate effective strategizing. One woman in a polygamous marriage, divorced by her husband who favored the co-wife, refused her husband’s order to give him her identity card, officially legitimizing her right to reside in France. All French citizens and legal residents are expected to have government-issued identity cards. His argument was that had he not settled in France as a documented worker and brought her under the family reunification policy, she would not have “papers” and, therefore, those papers actually belonged to him. When she maintained her position, he called the police to report that his wife had stolen “his” identity card. The police, on arrival, asked for the card, observed the woman’s photograph on it, and informed the husband that the card was not, in fact, his. Although he repeated his rationale to them, they informed him that according to state policy, his wife had definitive rights to her own identity card. Following the strategies of other abandoned or divorced wives in this population, she contacted a social worker for assistance in obtaining an apartment and stipend on the grounds that she was a single mother with children (mère isolée).

In this respect, it is important to note that the threat to masculine identities and to traditional family hierarchy can also be linked to gender differences in modes of
social integration in France. Mompoint (1991), for example, has observed that although West African men have limited contacts with public institutions outside of the workplace, women—through their children notably—are in frequent contact with institutions such as schools and social, health, and cultural organizations. Women, therefore, are more likely than men to be exposed to concepts of women’s autonomy and to establish relationships with medical personnel and social workers. This, in turn, has created tensions within families as males have seen their public role and household authority weakened, although women have transgressed the traditional boundaries of the private/domestic sphere.

As Mompoint (1991) noted, African women face these challenges of integration alone, with uncertain support from within the family. They are thought to disrupt customary understandings of conjugal relations, thus, causing tensions with men in the community. In a similar manner, they trouble the “receiving” society where they are considered quintessentially foreign because they are “villagers, from a polygamous society, most of them unable to read and write, let alone speak French” (Mompoint, 1991, p. 5). Mompoint narrated the case of Madame D, who lives in an isolated suburban neighborhood. Because her husband declared her children born in France under the identity of her co-wife, she cannot obtain a residence permit; nor can her polygamous status be regularized. For this woman, being dispossessed from her identity as a mother is one of the most painful aspects of her ordeal (Mompoint, 1991, p. 14).

One particular migrant association in Paris, the APS, often assists these women in solving family crises. Various cases brought to the attention of legal aid staff at the APS illustrate the situations that have arisen in response to France’s antipolygamy laws. The husband of three wives, two in Paris and one in Mali, had been advised during the course of a year that his polygamous marriage posed a risk to his migration status. He visited the association almost daily, complaining about his first wife and praising the second wife—but took no action to divorce either. At the moment when his 10-year residence permit was about to expire, he asked the APS to intervene. However, he and his second wife lost their long-term identity cards and were given 3-month permits subject to renewal on the regularizing of the marital situation. This man expressed his outrage and confusion to the assembled clients and staff at the APS, asking, “What kind of state is this where a wife has papers but her husband does not? Is this normal?”

In another illustrative case, a Malian second wife was refused papers although her children had been naturalized. She arrived at the association in a complete state of panic, her status now in limbo as she was threatened with potential arrest and deportation. In fact, women and children are rarely deported. Migrants sometimes are imprisoned, but this is also rare, in spite of the widespread fear of deportation in the community. Instead, they are released without papers and forced to live in squatters settlements as they can no longer qualify for low-cost housing, let alone afford it. They live liminal lives, trapped between their loss of documentation and their hopes to regain legal status.
Another case at the association involved a man who had divorced his first wife so his second and favorite wife could get her residence card renewed. Unfortunately, the first wife had already gone to the mairie (city hall) and opposed the divorce. The second wife, thus, lost her papers. The divorce had been obtained in Mali, so it was disregarded by legal officials in France. The second wife had eight children, whereas the first wife had only one child in the course of 20 years. To obtain larger housing for the children, the first wife had agreed to divorce, but then she changed her mind and denied this to keep her papers. Another Malian woman present at the association that day observed that “people don’t know who they are anymore . . . one lives with the menace of the government, the police, or the mairie.” Two men complained at the same reunion that they were trembling, rather than standing proud and strong, and said, “On ne sait plus qui on est” (“One does not know who one is anymore”).

**Conclusion**

In their analysis of increasingly restrictive immigration laws in the United States, Glick Schiller et al. (1995) observed that the “emphasis on categories of legality has a dual thrust. The debate is as much about confining immigrant loyalties to the U.S. as it is about reducing the flow of immigration” (p. 59). Through our analysis of Malian immigrants in France, we conclude instead that categories of legality in France, whereas they certainly aim at reducing the flow of immigration, in fact are creating a new category of immigrants who, rather than returning home, are forced to live in a state of existential limbo, moving back and forth between statuses of legality and illegality. At the same time, in this shifting world of unstable legal identities, they experience challenges to gender relations and hierarchies widely accepted in their communities of origin.

Accordingly, narrow categories of undocumented versus documented migrants may minimize the complexity of individual experiences, ever-changing legal structures, or international push and pull factors (Chavez, 1991). Our analysis demonstrates that the transnational patterns that affect immigrants’ identity negotiations are shaped by a wide range of local conditions, as Vertovec (2001, p. 576) suggested. In this article, we have particularly emphasized the gendered production of immigrant identities and how women’s and men’s experiences call for different strategies of adjustment. Moreover, as Chavez (1991) has observed, anthropological analyses of life transitions that individuals undergo as they pass from one social status to another—such as van Gennep’s (1960) classic model of separation/transition/integration—may not fully reflect the trajectories of many undocumented migrants who remain “liminal” (Chavez, 1991, p. 259), in a permanent state of transition.

Consequently, the celebration of hybridity and of immigrant creativity in the age of transnationalism and globalization must be tempered with the persistent marginality and uncertainty of many migrants’ lives. Anthropological analyses of
globalization, transnationalism, and identity must account for the shadow lives of migrants, who strategize to attain their ultimate security—papers—and, hence, to follow imagined trajectories of social integration and economic success.

Notes

1. We acknowledge that there are multiple ways in which migrant identities become shaped by the experience of migration. In this article, we chose to focus on migrant identities in France as they are affected by restrictive immigration policies. We realize that migrants also remain very much part of their communities of origin, as evidenced in development enterprises organized by village associations in Paris. This close connection with kin in Africa is also facilitated by modern telecommunication means (telephone cards, faxes, and Internet). These dynamics foster mutual involvement in everyday decisions as well as crises on both ends of the migration spectrum. Migrant identities, thus, are multifaceted and constantly evolving across national boundaries.

2. We also acknowledge that the second-generation children of migrants are likewise affected by their parents’ liminal identities (Rigaldiès & Barou, 1999). Several scholars have pointed to the second-generation’s “illegitimacy” complex (Sayad, 1991), referring to the impossibility of fully identifying with either French culture or their parents’ culture of origin. In his study of Sahelian adolescents in France, Timera (2002) observed, “Migrant parents are a decisive influence on the social trajectories of their male and female offspring” (p. 152). Indeed, they create social obligations for girls, which lead them to stay at school longer, where they integrate French norms and values better. This ultimately leads them to become at odds with their own family norms and to be perceived as “betraying the honor of their families in the process” (Timera, 2002, p. 152). Boys, on the other hand, with fewer parental constraints, enter the workforce earlier, quickly experience the degrading stigma of being at the bottom of the professional and social ladder, and, thus, often rebel against French public order. These ambivalences are further complicated by French public opinion that on one hand, blames migrant parents for their lack of control of their sons and critiques “the absence and silence of fathers” (Timera, 2002, p. 152), and on the other hand sympathizes with young Sahelian girls’ assertions against their family, portraying them as “youthful victims of an unjust internal system of domination within their own culture” (Timera, 2002, p. 153).

3. Fires leading to numerous fatalities in crowded apartment buildings housing many Malians have generated outrage in the West African community. According to Van Eeckhout (2005b), one Malian woman employed at the post office promised that the voices of Africans would no longer be silent: “People come to France to find solutions and they find themselves deported or burned” (p. 13; translation, Sargent). Demonstrators called for decent lodging for all immigrant workers (Van Eeckhout, 2005b).

4. Identity papers were not checked at the time of the eviction. Residents were simply told to leave the premises. Migrants interviewed noted that one could easily have one’s identity card or work permit revoked; however, actual deportations were rare in their experiences. A 2003 report states that an estimated 100,000 illegal immigrants arrive annually in France, of whom approximately 10,000 are eventually deported (Henly, 2003). However, following the 2005 immigrant uprisings, Minister of the Interior Nicolas Sarkozy declared that conditions for obtaining and retaining 10-year residence permits would become more stringent and deportations more common; he argued for evidence of “a condition of integration” as a prerequisite for a 10-year permit (Roger & Van Eeckhout, 2005).

References


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