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The social representation of migrants and asylum seekers as criminals in France from 2000 to 2012

An illustration of the effects of Europeanization on the securitization of the French migration and asylum policy

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Master's dissertation

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Acronyms and Abbreviations:

art.   Article

ch.   Chapter

CJEU   Court of Justice of the European Union

Concl.   Conclusions

EC   European Council

EP   European Parliament

EU   European Union

MS   Member States

para.   Paragraph

p   Page

pt   Point

TCN   Third-Country National

TFEU   Treaty on the Functioning of the European Union

1. Introduction

1.1. Research question and contribution

Migration is a phenomenon that is increasingly considered as a security issue in the European Union (EU) nowadays. France is no exception to it. Migration tends to be securitized, which means that "a security framework" is applied to that phenomenon (Bourbeau, 2011: 11). Migration can be simply defined as "the movement of people crossing […] borders" (Bourbeau, 2011: 5-6; See also Collins, 2013). This definition thus encompasses both regular and irregular flows of human beings whose aims are different. The term migrant would refer to people who would be willing to leave. This dissertation will also include the issue of asylum in order to take into account those people who are forced to leave their home country (See Oxford dictionaries, 2013a; UNHCR, 2013). Migration and asylum are linked and considered as two components of one common policy at both the French and European levels. Besides, the distinction between migrants and asylum seekers is generally not clearly established in the collective imagination.

Several facts highlight that movement of people across the French and European borders, whether they be forced or desired, could be used by politicians and civil servants in order to pursue their own agenda.

Calls for a security policy in France and in the European Union are numerous (See Atak, 2011; Bigo and Guild, 2005; Bigo et al., 2010; Boswell, 2007a and 2007b; Bourbeau, 2011). The links between the European and the national level are complex: those two levels are intertwined and influence each other. But, one cannot assert that the securitization of migration and asylum policy is just due to European policies and its actors. Indeed, the EU construction and its failures are sometimes used as a reason to increase security at a national level. For example, during the presidential campaign, Nicolas Sarkozy, the current president at that time who was running for a second term, put into question the Schengen agreement (Leclerc, 2012). He evoked the possibility to withdraw France from this agreement due to the "seriousness of the situation" (Leclerc, 2012). The Schengen agreement was officially reconsidered one year earlier with the arrival of migrants from Tunisia and Libya (Basilien-Gainche, 2011). Sarkozy and Berlusconi asked for the temporary reestablishment of controls at the national borders to ensure the security of their citizens (Basilien-Gainche, 2011; See 5.2.4.1.). Such events raise questions about the window of opportunity that the EU could represent in the attempt of presenting migration and asylum as a security issue. This indicates

that one should question the link which could exist between the processes of Europeanization and securitization.

Besides, securitization and Europeanization are admitted phenomena and objects of numerous studies. Yet, the role of the Europeanization process in the securitization of our societies is not clearly explained. Some aspects indicate it would reinforce the securitization process. Some other points revealed that it could prevent it.

In order to grasp the main features of those two phenomena during the 2000s, history has to be scrutinized. Indeed, the two processes of Europeanization and securitization took place before the period studied. The securitization process consists of the construction of a societal phenomenon as a security issue (See 3). The Europeanization of policies assumes that a given national policy is increasingly dealt with at the European level, by European actors and within the four key European institutions: the European Parliament, the Council, the European Council and the Commission (See 2.2.). And Europeanization can be understood as a "dynamic process" anchored in an "historical dimension" (Atak, 2011: 28-29). A study over time, such as this dissertation advocates it, is therefore relevant.

A more precise definition of Europeanization could be found in the work of Atak: "a process of construction, of dissemination and of institutionalization of both formal and informal rules, norms and procedures but also of political paradigms, styles […]" (2011: 29-30). This includes both the lawmaking process at the EU level and the transposition to the French level. This definition of the Europeanization process is one among many others. Indeed, both processes of Europeanization and securitization are the object of controversies as for their definitions. The securitization concept is particularly controversial because it is assessed differently depending on different schools and researchers. This essay will rely on two theories that will be evoked later: those of the Copenhagen and the Paris schools (See 3). Studying the securitization of migration and asylum policy at the same time as the Europeanization of such a policy encourages using both theories in order to grasp the main features of those complicated phenomena. This is the theoretical basis of this dissertation, supported more or less explicitly by authors such as Bourbeau or Balzacq (See 3 for the theoretical explanations and 4 and 5 for the application).

The various dimensions and interactions of the Europeanization and securitization processes are too numerous to be studied in detail. One needs a prism to show the linkages between them or the absence of it. The focus chosen is the social representation of migrants and asylum seekers as criminals. The 2000s has seen many significant events which suggest

the need to question that social construction during this precise decade. Indeed, this is the decade which faces the terrorist attacks of 9/11 in the USA, the Madrid bombings in 2004, the London ones in 2005 and a major economic crisis. The dissertation will lead an analysis from the year 2000 to May 2012 in order to end the analysis with a presidential term of a case study: France. France has been chosen for both practical and theoretical reasons. Migration and asylum did and still does concern France. France is assumed to be a country which highly securitizes migration (Bourbeau, 2011).

This objective for this dissertation is to study and question the impact of the Europeanization process on the securitization of the migration and asylum policy through the case study of the French society. In order to achieve this goal, the social representation of migrants and asylum seekers as criminals in France from 2000 to 2012 will be scrutinized.

A first formal definition of social representation could be found in the work of Moscovici. He defines it "as a system of values, notions and practices concerning objects as well as some aspects or dimensions of the social milieu which allows the stabilization of the living environment of individuals and groups, but also constitutes a tool helping the perception of the situations and conception of answers" (1961, cited in Fischer, 2013). As Fischer stated, a social representation is a "social construction of an everyday knowledge formed through the beliefs and values shared by a social group concerning different objects (persons, events, social categories, etc), which lead to a common vision of things during social interactions" (Fischer, 2013). Social representations are thus a construction and could be seen as points of reference. Throughout this dissertation, the word 'image' will be used as a synonym for 'social representation'.

This dissertation will focus on the 'policy-making' level. Perceptions of 'common' people such as nationals or the migrants and asylum seekers themselves will not be studied here. Those perceptions should be the subject of further analyses.

This social construction by politicians might help the thought on policy-making. By knowing the past successes and failures of securitization, the effects or non effects of the Europeanization process, one could build a more comprehensive approach for the future policy-making and maybe avoid the negative side effects of the nexus Europeanization-Securitization.

1.2. Research methodology

From 2000 to May 2012, official documents are the material chosen in this dissertation in order to evaluate the social representation of migrants and asylum seekers as criminal in France and the impact of the EU project.

By official documents, one has to understand laws, orders and eventually decrees in the French case, and regulations and directives (and sometime decisions) concerning the EU. European Council Conclusions, although not legally binding, also remain worthwhile to have a look at. They are like 'soft law' and remain an incentive to act; they determine a calendar at the EU level. They also help testing of a key hypothesis of this dissertation: the role of the intergovernmental structures in the EU project as factor of securitization. That is why the main ones are also studied in this dissertation. The French constitution will not be scrutinized since it has been drafted in 1958. As far the European treaties are concerned, the provisions of the Lisbon ones will be explained in 2.2.2.4. The other treaty of the decade, the one of Nice, will not be studied since it mainly brought changes concerning voting procedures.

The choice of official documents could be justified thanks to several theoretical and practical arguments.

A theoretical support could be found in Balzacq's work who stressed that "defining a menace is a normative political act" (2011: xiii; See 3 for the theoretical explanations and 4 and 5 for the application). Yet, official documents such as laws in the case of France and directive and regulations within the EU do encompass a normative political act since they are about values and binding norms. Balzacq also suggested a focus on "specific legislative texts" when one wants to analyse the "securitization of migration by states" (2011: 42). As Balzacq underlines, each study requires specific data (2011: 41, 42).

He also recommends "examin[ing] various genres of texts, at different points in time, in distinct social contexts" (See Neumann 2008: 71, quoted in Balzacq, 2011: 43). The approach used will thus not be the study of speeches advocated by the Copenhagen school (See 3).

Those official documents could be considered as tools (Balzacq, 2011: 17-18). They shed the light on what is considered as a threat and also on the "policy preferences" of a given society (Balzacq, 2011: 17-18).

Two categories of instruments could be distinguished: regulatory and capacity (Balzacq, 2011: 17-18). The regulatory instruments "seek to 'normalize' the behavior of target

individuals (e.g., policy regulation, constitution, etc.)" (Balzacq, 2011: 17-18). They frame the capacity tools which "are specific modalities for imposing external discipline upon individuals and groups" and "include […] information (personal and non-personal), training, force, and other resources necessary to attain policy purposes" (Balzacq, 2011: 17-18). Tools are important since they influence practices (Balzacq, 2011: 18). Therefore, their legal basis should be scrutinized.

And both categories of tools are interesting to study the securitization process. This is what will be attempted here by a study of laws and directives, as well as legal documents creating databases or key state bodies in the field of migration and asylum at the French level. Formal and official documents from the French state and the European Union will therefore be under scrutiny. Besides, Balzacq justifies a study across time since he asserts that "every securitization is an historical process" (2011: 14). In addition, an historical analysis "enhances the trustworthiness and credibility of a study" (Marshall and Rossman, 2006: 119).

Bourbeau's analysis constitutes another useful basis for this dissertation (See 3.3.2.). This Canadian author realized an extensive study of the French and Canadian societies (Bourbeau, 2011). He chose France as a key example of a country which had securitized and is still highly securitizing migration (Bourbeau, 2011: 7). Bourbeau relies much more on the Copenhagen approach in his studies of the securitization of migration (2011: 3). But laws are also the subject of scrutiny in his work (2011: 25-26, 113). It is thus revealing to focus on the "securitizing moves" of some key agents through laws. A securitizing move happens "when a political agent argued that international [and European] migration is a security concern for the state and/or the society" (Bourbeau, 2011: 53; See also Buzan et al., 1998: 25).

Moreover, as explained before, since this dissertation aims at analysing the impact of Europeanization on the securitization of the social representation of migrants and asylum seekers in France, it is more relevant to focus on official documents. The impact of the Europeanization process should be better assessed through legal documents rather than speeches. Indeed, most European document has to be transposed, translated into national laws, in order to be applied.

Bearing in mind the definition of Europeanization by Atak (See 1.1.), the influence of EU integration will be better highlighted by focusing on the construction and institutionalization of formal rules.

Informal rules will be mainly set aside because they are imprecise material to study and are also difficult to find. Official documents encompass binding norms and procedures and consequently appear more reliable for the purpose of this master's dissertation.

Then, official documents appeared to be a relevant way to put into practice the mix of theories advocated in this dissertation (See 3 for the theoretical explanations and 4 and 5 for the application). The power of words underlined by the Copenhagen school remains acknowledged. In addition, written and official documents encompass binding norms that will be implemented and lead to practices. As a consequence, they better emphasize the key focus of the Paris school. And what matters is more the outcome of the securitization process than the attempts to securitize. That is why official documents appear as the best material for this dissertation.

Last but not least, the laws and official documents tend to be neglected as tools in the study of the securitization process. That is why this dissertation will scrutinize them in order to have another view of the securitization of the French migration and asylum policy and especially, of the impact of the Europeanization on that ongoing process. The originality of the approach is to focus on the social representation of migrants and asylum seekers by politicians and civil servants involved in the lawmaking process.

1.3. Dissertation outline

Analysing the evolution of the social representation of migrants and asylum seekers as criminals in France in the 2000s is a complicated project. General issues will thus be tackled one per one through that prism.

First, the Europeanization phenomenon has to be scrutinized. If the Europeanization of policies in the field of migration and asylum does not have to be proven, it still has to be explained. One thus has to highlight some key legal and policy developments in that field (See 2), both at the French (See 2.1.) and at the European level (See 2.2.).

Then, the theoretical background will be exposed in order to understand the methods offered by the securitization theories (See 3). This dissertation will particularly rely on two schools: the Copenhagen one (See 3.1.) and the Paris one (See 3.2.). A mix of approaches will also be justified and advocated (See 3.3.).

The two preceding steps are essential to grasp how the French and European official documents have been used and studied. The results will be presented and enriched by theoretical explanations and analysis in sections 4 and 5. The assumed influence of the Europeanization on the social representation of migrants and asylum seekers as criminals will be first scrutinized (See 4). The impact of a grammar of security used in the EU official documents (See 4.1.), the EU logic of prevention (See 4.2.), the increased use of technologies (See 4.3.), the particular EU security architecture (See 4.4.) are the different arguments underlining the supposed influence of the EU project.

But then, this influence will be questioned (See 5). Indeed, the securitizing moves from the EU on the national level could be put into question (See 5.1.). Other influences are at play and need to be explained. The influence of national values and policies on the image of migrants and asylum seekers will be discussed (See 5.2.). And last but not least, the case of an absence of securitization of the image of migrants and asylum seekers at both levels will be scrutinized (See 5.3.).

2. A necessary historical review

2.1. Migration and asylum in France

2.1.1. Immigration at the beginning of the 20th century, a required work force

In order to understand the current securitization of migration in France, one should have in mind the historical context (Balzacq, 2011: 14; Bourbeau, 2011: 13, 134). France is a country concerned by the immigration phenomenon (Bourbeau, 2011: 14). Immigration is deeply-rooted in France's contemporary history as well as the fact that French people tend not to emigrate much (De Wenden, 2012: 27). If France welcomed foreigners, it was mainly to fulfill a lack of workforce in a time of economic growth around 1850-1914 (De Wenden, 2012: 27). However, as De Wenden notices, immigration in France happened in waves and was irregular (2012: 28). This dissertation does not aim at describing the whole history of immigration in France. But, the main lines of this phenomenon from the start of the 20th century to nowadays have to be reminded. This is the time when France became the first country of immigration in Europe (De Wenden, 2012: 28).

The First World War pushed the French government to ask people from the French colonies to come to France in order to work. Despite this additional workforce, France needed more people and called other European citizens, such as Italians, but also Chinese people (De Wenden, 2012: 29). Before the Second World War, France even organized immigration thanks to the "General Society of Immigration" (*Société Générale d'Immigration*). Contracts were signed with Poland, Italy and Czechoslovakia. As a result, the biggest communities during the 1920s and 1930s were the Italian and Polish ones (De Wenden, 2012: 29).

During the Second World War, the French government called again the inhabitants of its colonies. A consequence of the trauma of this worldwide war and the need for more organization led to the creation of the "National Office for Immigration" (*Office national de l'Immigration*). This office had to manage immigration to France for work purposes. Employers were no longer in charge of the control of migration anymore; this was the role of the French state (De Wenden, 2012: 29-30). Immigration until the mid-1970s was mainly economic (De Wenden, 2012: 30). Yet, the decolonization of Algeria needs to be mentioned since an important number of its inhabitants migrate to France. The Spanish and Portuguese communities were the two main groups which went to France for economic reasons. Since the

1970s onwards, the migrations flows changed and an important immigration came from Africa (De Wenden, 2012: 30).

From the beginning of the 20th century to the 1970s, the image of the foreigner is the one of the immigrant. Even if it happened by waves, it had not been lived as a trauma for the whole society. On the contrary, this immigration was seen as useful and as an essential support to the French insufficient workforce. Migration to France was encouraged and organized. The social representation of migrants and asylum seekers was positive and not securitized.

2.1.2. The 1970s as a turning point

However, this supportive policy towards migration changed in the 1970s. A key date is 1974, when the French government stopped labour immigration (Bourbeau, 2011: 15; Vandendriessche, 2010: 1; See also Atak, 2011: 1-2, 31). The mid-1970s were a time of economic crisis (Lochak, in Rodier and Terray, 2008: 11) and racial tensions (De Wenden, 2012: 30). The perception of migrants was also altered at that time. Migrants are seen as those who take the jobs of "French people" as it is said. A stereotype which is still deeply ingrained nowadays, especially since 2008 and the beginning of the economic crisis experienced within the European Union. According to Lochak, two key principles have structured and are structuring French migration and asylum policy since 1974 (in Rodier and Terray, 2008: 11-12; See also Gisti, 2003: 15). The first one consists of stopping labour and political migration (asylum) (Lochak, in Rodier and Terray, 2008: 11-12). This also encompasses the reinforcement of the security mechanisms as well as the sanctions against irregular immigrants. The second key line is the integration of migrants who regularly entered France (Lochak, in Rodier and Terray, 2008: 11-12; Vandendriessche, 2010: 6). An illustration of those principles will be presented in the analysis of official documents (See 4 and 5).

Therefore, the social representation of migrants and asylum seekers started to be negative: their presence on the French territory was not desired. Indeed, Atak underlines that migration either generates a debate about the "protection of the public order" or represents a "challenge for the welfare state and the cultural composition of the nation" (2011: 1-2)

2.1.3. Continuity of a repressive policy?

Lochak underlines the continuity of the repressive aspect of the French migration and asylum policy, even during the presidency of the Socialist François Mitterrand from 1981 to 1995 (in Rodier and Terray, 2008: 13). Indeed, the Mitterrand presidency was presented as quite generous and welcoming but in practice the repressive line was followed (Ponty, 2003: 344). It was also under Mitterrand's presidency, that the administrative detention of migrants was made legal (in 1981), a measure which had its first effects a few years later (Giovannoni, in Rodier and Terray, 2008: 65, 71). This was also the time of the emergence of the "National Front" (*Front National*), a party of the extreme right which managed to win some local elections (Giovannoni, in Rodier and Terray, 2008: 65, 71; Lavenex, 2001: 67, cited in Atak, 2011: 78). The French society in general (not just the politicians) became more radical and extreme in its attitude and policy instruments to tackle the migratory phenomenon. The securitization of the image of migrants and asylum seekers deepened at this time.

But the hard line of the Socialist government could certainly be nuanced by reminding the "cohabitation" periods which obliged Mitterrand to call a first minister from the opposition[1]. The policies led were therefore conservative concerning migration. The Pasqua laws adopted in 1986 announced a restrictive policy in that field. Pasqua also pushed for the adoption of another set of laws in 1993 with the objective of "immigration 0". Indeed, as Bourbeau explained, those laws "reinforce[d] repressive measures to impede access to French territory, and limit[ed] the entry and residence of many categories of migrants" (2011: 26). According to Ponty, this was one of the most restrictive policies towards migrants and asylum seekers in France since the end of the Second World War (2003: 358). That is also why this period of time has to be mentioned to understand our focus and the social representation of migrants and asylum seekers in France from 2000 to 2012.

2.1.4. Deepening of the repressive tendency

The repressive tendency was deepened by the following governments. The victory of the conservative political party[2] facilitated it. The collective imagination tends to associate "opened borders" with the Socialist Party, when a restrictive policy is expected from a right-wing political party. In certain respects, this has been validated by the presidency of Chirac.

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[1] At that time, the opposition was a right-wing political party: the "Union for the Republic" (*Rassemblement Pour la République*, RPR).

[2] Victory of the "Union for the Republic" (*Rassemblement Pour la République*, RPR) with the election of Jacques Chirac as new President of France in 1995.

Thus, two years after the election of Jacques Chirac as president of the French Republic, the Debré laws were passed in 1997. Their aim was to "harden[…] detention provisions and expand[…] police powers" (Bourbeau, 2011: 26).

Nicolas Sarkozy as Minister of the Interior had a key role as well in the deepening of the repressive tendency of the migration and asylum policy[3]. For example, the Sarkozy laws of 2003 contributed to the blurring of the line between irregular migration and criminality (Bourbeau, 2011: 26). Measures towards the so-called illegal migration were also reinforced (Bourbeau, 2011: 26). This was an answer to the main worries concerning migration of that time. Indeed, at the beginning of the 2000s, the main idea was that migration was imposed (Carrère, in Rodier and Terray, 2008: 43). Sarkozy always as the Minister of Interior, introduced the notion of "chosen immigration" (*Immigration choisie*), still very present in the French debate concerning migration (De Wenden, 2012: 34). The idea is that migratory flows are under control and that only the migrants, who are useful for the country and could not endanger its national safety, can enter and settle in France. Entry in France is facilitated for a very qualified workforce or for a very low one (but just during specific times such as summer) (De Wenden, 2012: 34; See 5.2.2.). At the same time, asylum and family immigration are made more and more complicated. New categories emerged in order to classify migrants (See 5.2.2.).

This type of policy was pursued, particularly when Sarkozy was president. Indeed, Brice Hortefeux, as Minister of the Interior[4] followed that harsh line and tried to reinforce it, with more or less success. He had to implement the principles expressed in the Grenoble speech of Nicolas Sarkozy during the summer 2010 (AFP, 2010). As far as the current government is concerned, one has to admit that the change of political party has not implied a change of the main lines of 1974 towards migrants. But this should be the subject of another analysis.

The deepening of the repressive tendency of migration and asylum policy reinforced the negative image of foreigners which started in the 1970s. This already nuances the idea that the 2000s could be a turning point since the social representation of migrants and asylum seekers has been securitized before that decade. A study of the image of migrants and asylum

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[3] Nicolas Sarkozy was Minister of the Interior twice: from May 2002 to March 2004, and then, from June 2005 to March 2007.
[4] Brice Hortefeux was Minister of the Interior from June 2009 to February 2011.

seekers in the 2000s could be an interesting complement, especially if scrutinized with the parallel construction of the European Union in mind.

2.1.5. Migration and asylum law in France in the 2000s

Laws in the field of migration and asylum remain complex in France. The grounding legal text has been the Ordinance of 2 November 1945 concerning the conditions of entry and residency of Foreigners in France. This official document has been the basis of many laws. From the year 2004 onwards, the main legal basis is the Code of Entry and Residency of Foreigners and the Right to Asylum issued in 2004. The notion of foreigner is defined in its article L.111-1 and appeared difficult to delineate (Vandendriessche, 2010: 1). Vandendriessche observes that "some foreigners are less foreign than others" (2010: 1). In this dissertation, any references will be to the legislative part of that Code of Entry and Residency and the Right to Asylum. Indeed, the regulatory part details the procedural aspects, which are not the focus of this dissertation.

In addition, international law has an important impact on the French law of foreigners. For instance, the Geneva Convention of 28 July 1951 concerning the status of refugees is particularly important (Vandendriessche, 2010: 11-12).

In order to study the changes of the social representation of migrants and asylum seekers, the related French policy has been explained. One now needs a presentation of the main features of the European migration and asylum policy since the Europeanization of policies was deepened during the last decades. The outcomes of European policy-making have an impact on French legislation. Therefore, it could have an impact on the image of migrants and asylum seekers. That is why the European migration and asylum policy deserves scrutiny.

2.2. The Europeanization of migration and asylum policy

Based on the work of Atak (2011) and that of Berramdane and Rossetto (2009), two main periods could be distinguished in order to explain the Europeanization of the migration and asylum policy at the European level. From the Schengen agreements to the Amsterdam treaty, one notices the start of a common thinking towards an approach at the European level (Atak, 2011; Berramdane and Rossetto, 2009). Indeed, some authors such as Dumont consider it as "the beginning of a work on a harmonized migration policy at the European level" (in

Berramdane and Rossetto, 2009: 13). Then, the communitisation would have taken place from the entry into force of the Amsterdam treaty to the Lisbon treaty (Atak, 2011; Berramdane and Rossetto, 2009). One could add an additional and ongoing period, from the signing of the Lisbon treaty onwards. This period could be seen as a period of blockage.

And as Atak noticed, Europeanization "is the product of a long-term process and sets in an historical dimension" (2011: 29). This justifies the approach of this dissertation and its study of more than a decade of changes of the social representation of migrants and asylum seekers.

2.2.1. Infancy of the Europeanized migration and asylum policy

2.2.1.1. Emergence of the freedom of movement rule

The start of a European migration and asylum policy is frequently regarded as the 1990s. As Gérard-François Dumont underlined, the foundations are deeply rooted in the project of freedom of movement in the EU (in Berramdane and Rossetto, 2009: 13). This refers to the Schengen agreements signed 14 June 1985 and the creation of the so-called Schengen area. This agreement foresees an area "where the free movement of persons is guaranteed" (Europa, 2009a). This means that the internal borders were abolished and that a new single external border had de facto emerged (Europa, 2009b). As a consequence, an Ad Hoc Immigration Group has been created by the Single European Act in 1986 (Dumont; in Berramdane and Rossetto, 2009: 13). The aim was to study the consequence of the abolition of the internal borders on the security of the newly created area (Bigo, 1996: 164, cited in Atak, 2011: 43). Moreover, a Convention Implementing the Schengen Agreement, in order to complete and apply the one of the 1985 has been signed 19 June 1990 (Europa, 2009a). This Convention could be seen as a way to reassure the States party to the agreement (Atak, 2011: 43). Indeed, some measures had to be taken in order to manage the abolition of internal borders, which means the absence of a national safe (or imagined as such) framework. From the creation of the Schengen area onwards, the linkages between freedom of movement and the security within the EU have been constantly reinforced (See 4.1.2.) This contributes to the perception of migrants and asylum seekers as potential challenge for the security of the area.

Maastricht constitutes the first step of the communitisation of asylum and migration issues since they were at the heart of the EU Justice and Home Affairs pillar that was newly created (Dumont, in Berramdane and Rossetto, 2009: 17). The role of the European Commission and the European Parliament is reinforced (Dumont, in Berramdane and Rossetto, 2009: 17). Maastricht also foresees the complete suppression of the controls at the

internal borders (Dumont, in Berramdane and Rossetto, 2009: 13). Besides, the Schengen *acquis* is a part of the Community law since the signature of the Amsterdam Treaty in 1997 and its Protocol 2 (Europa, 2009a). This protocol encompasses two main lines which are the harmonization of controls at the external borders and the deepening of the police and judicial cooperation (Dumont, in Berramdane and Rossetto, 2009: 14). With the creation of the "Area of Freedom, Security and Justice", the Amsterdam Treaty is definitely a further step towards the communitisation of the migration and asylum policy in the EU (Perkowski, 2012: 11). The fact that the decision-making process requires a qualified majority is another proof of this very fact (Dumont, in Berramdane and Rossetto, 2009: 17). This legal step also anchors the idea that freedom of movement and security of the Schengen area are intertwined.

2.2.1.2. Consequences on the right to asylum

The Asylum policy, which is an important component of the migration policy, has also seen some changes with the creation of the Schengen area (Atak, 2011: 46). The signing of the Dublin Convention on 15 June 1990 is one example among others (Dumont, in Berramdane and Rossetto, 2009: 15). The principle enacted through the adoption of that Convention is easy to grasp: the first country which lets a foreigner enter - legally or not - the European Community is responsible for the asylum procedure of that foreigner (Dumont, in Berramdane and Rossetto, 2009: 15). This attempt at a unified procedure only entered into force on 1 December 1997. But the system was quickly revealed to be inefficient and ineffective. This pushed for a new reform, also encouraged by the changes brought by the entry into force of the Amsterdam Treaty in 1999. The Dublin II Council Regulation was therefore adopted on 18 February 2003 (Dubouis and Blumann, 2012: 69; Dumont, in Berramdane and Rossetto, 2009: 16). This gives guidelines to ensure a comprehensive approach towards the "third-country nationals", which encompass all the people who are not EU citizens according to the article II of Dublin II. Despite its human rights purpose (avoiding having foreigners sent to one country to another), the Regulation clearly answers a need for security. The new procedure was supposed to prevent asylum shopping phenomenon. Asylum shopping happens when refugees apply for asylum in countries thought to be more amenable than others. With the Dublin II Regulation, an asylum seeker could just apply in one country. Several criteria are laid down to decide which states have to consider a given asylum application. They have to be applied in the same order as the one of the convention "and on the basis of the situation existing when the asylum seeker first lodged his/her application with a Member State" (Europa, 2011b). The principle of family unity is the first one among many

others (Europa, 2011b). This new system would then counteract the negative effects of the abolition of internal borders.

2.2.1.3. Creation of new tools

A subsequent outcome is the development of databases and tools in order to secure the new external borders and to control the flows of migrants. For example, the Schengen Information System (SIS) aimed at facilitating the exchange of information (Europa, 2009a). Indeed, it "allow[ed] national border control and judicial authorities to obtain information on persons or objects" (Europa, 2009a).

A harmonized right of asylum also enhanced the use of technologies and databases. Eurodac, created by a Regulation in 2000, is directly linked with the application of the Dublin Convention. This is the first database created within the EU which allows comparisons of fingerprints (Dumont, in Berramdane and Rossetto, 2009: 16), in order to ensure the "effective application of the Dublin Convention" (Eurodac Regulation, 2000: title). This system consists of the identification of possible illegal immigrants among the asylum seekers, by a comparison of fingerprints (Europa, 2010). It is supposed to prevent asylum shopping or multiple asylum applications (Dumont, in Berramdane and Rossetto, 2009: 16). It entered into force in 2003. Dublin II also brought a new tool called 'DubliNET' (Dumont, in Berramdane and Rossetto, 2009: 16). This is an electronic network aiming at exchanging data (Dumont, in Berramdane and Rossetto, 2009: 16).

The Europeanization of migration and asylum policy enhances the use of technologies of surveillance and databases. This has an impact on the migrants and asylum seekers; their case will be treated in a more automated way (See 4.3.).

2.2.2. The 2000s: a communitised migration and asylum policy?

Atak underlined two cycles, a Tampere cycle from 1999 to 2004 and The Hague cycle from 2005 to 2010 (2011: 58, 66). This structure will be used here in order to clarify this crucial decade for the migration and asylum policy of the EU.

2.2.2.1. The Tampere cycle

From 1999 to 2004, the links between freedom and security are deepened within the EU framework. An illustration could be the Tampere Council of 1999 which is considered as one of the premises of the establishment of an Area of Freedom, Security and Justice (Dumont, in Berramdane and Rossetto, 2009: 18-19). The idea of a harmonization was very

present since a common judicial framework for the migration and asylum policy was foreseen (Dumont, in Berramdane and Rossetto, 2009: 18-19). This main line was decided with two others: the reminder of the grounding principle of freedom of movement and the one of a clear distinction between asylum and migration (Dumont; in Berramdane and Rossetto, 2009: 18-19). Readmission Agreements which consists of facilitations to readmit "to their own countries […] persons residing without authorization in a Member State" (Europa, 2013a), were already considered (Atak, 2011: 58). Their importance was asserted again in the Laeken Council (Dumont, in Berramdane and Rossetto, 2009: 20).

The terrorist attacks which happened in the USA on 11 September 2001 would have reinforced the necessity to deal with both migration and security together (Atak, 2011: 59). This will be the subject of subsequent developments in this dissertation (See 5.1.2.). Indeed, an extraordinary session of the Justice and Home Affairs, one of the formations of the Council (JHA), took place on 20 September 2001. "The perception of terrorism as a threat caused by mobility" was present (Atak, 2011: 59).

Then, the Nice Treaty facilitated the decision-making process in that field (Atak, 2011: 59). However, it did not enhance any change in terms of the competencies and can therefore not be used as an official document for this dissertation.

Several European Councils reinforced the linkages between migration, freedom of movement and security. The European Council in Laeken called for "a better management of the controls at the external frontier of the EU" (Atak, 2011: 61). The Seville European Council in 2002 helped the start of a comprehensive migration and asylum policy at the European level. Readmission agreements were foreseen as well as the conditionality of funds given by the EU in order to manage better the flows of migrants (Atak, 2011: 62). This was completed in the Thessaloniki European Council of 2003, with the development of partnerships with third countries, especially concerning the deportation of migrants (Atak, 2011: 62).

According to Atak, two trends since 2001 concerning the "fight against irregular migration in the EU" are clearly underlined (2011: 62). The will of Member States, expressed in European Councils seems to be twofold: the importance of control at external borders and the deportation of irregular migrants, and the necessity for increased cooperation between EU Member States or non EU Member States (Atak, 2011: 62; See 4.4.).

2.2.2.2. The Hague cycle

The Hague programme is a result of a European Council which took place in November 2004. The Madrid bombings of 11 March 2004 were present and highlighted that terrorist attacks could also happen with the European Union (Atak, 2011: 66). As a consequence, anti-terrorist measures are one of the ten priorities drawn at the end of this European Council (Europa, 2009b). A "harmonised and effective asylum procedure" was planned for 2010 (Europa, 2009b). A European Refugee Fund should also help the cooperation (Europa, 2009b). The importance of the linkages between migrants/asylum seekers and terrorism will be discussed in a comparative analysis of official documents led for this dissertation (See 5.3.2.).

Besides, the very recent and biggest enlargement of the EU happened in 2004[5], borders moved again, leading to new anxieties and imagined or real threats.

This was also the end of the transitory period foreseen by the title 4 of the TCE (Atak, 2011: 66). From 1 January 2005 onwards, codecision and qualified majority have to be used concerning that title[6] (Atak, 2011: 69).

The Hague is also crucial because it definitely anchored the concept of externalization of the migration and asylum policy (Berramdane, in Berramdane and Rossetto, 2009: 52; Europa, 2009b). This aspect is particularly important to grasp the subsequent developments about the policing at a distance (See 3.2.4. and 4.4.).

Then, a comprehensive approach was decided at the European Union level in 2005 towards the so-called partner countries of the EU (Rossetto, in Berramdane and Rossetto, 2009: 69). This new concept encompasses three dimensions (Rossetto, in Berramdane and Rossetto, 2009: 69): "management of legal migration, the fight against terrorism, and migration and development" (European Commission, 2008). This new line is in the continuity of the Tampere and Hague programmes (EAEA, 2007) and is about the externalization of migration and asylum policy (Rossetto, in Berramdane and Rossetto, 2009: 69).

2.2.2.3. A new strategy: externalization of the migration and asylum policy

This dissertation has to mention a phenomenon which went through the 2000s and is still going on today, that of the externalization of the migration and asylum policy. In the Tampere European Council, the idea of partnership with third countries was already

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[5] The 10 May 2004, 10 new countries joined the European Union.
[6] Except for legal migration.

mentioned (Berramdane, in Berramdane and Rossetto, 2009: 51; Perkowski, 2012: 11). Key moments would be the year 2002 with the European Council in Seville and 2004, with the Hague programme (Berramdane, in Berramdane and Rossetto, 2009: 52; Magniadas, 2009: 60). As Berramdane underlined it, the notion of externalization is not frequently used by the European institutions but much more by NGOs, in an attempt at critical assessment of the common migration and asylum policy (in Berramdane and Rossetto, 2009: 53). This notion means that the EU gives to third countries in its neighbourhood "the partial management of the migratory phenomenon but keeps the effective control and management" (Berramdane, in Berramdane and Rossetto, 2009: 52).

The creation of the agency Frontex in 2004 in Warsaw is an example among others. Frontex stands for "European Agency for the Management of Operational Cooperation at the External Borders" (Frontex website, 2012).

The creation of Immigration Liaison Officers (ILO) network in 2004 is another example (Rossetto, in Berramdane and Rossetto, 2009: 64). "These officers are representatives of the Member States who are posted in a non-Member State in order to facilitate the measures taken by the EU to combat illegal immigration" (Europa, 2011a). The Eurosur project is another tool of the externalization policy of the EU (Rossetto, in Berramdane and Rossetto, 2009: 64).

The externalization of policies also continues the development of databases and technologies of surveillance (Berramdane, in Berramdane and Rossetto, 2009: 55). A second generation of databases has been created so that the security of the external borders will be ensured and reinforced. The Schengen Information System II (SIS II) is one illustration among others (Dubouis and Blumann, 2012: 77).

The externalization of the EU migration and asylum policy indicates that the security of the external borders remains a recurrent objective. The idea that people coming from the outside are potential dangers, for the social cohesion as much as the security of the area, is still very present. The idea of a threat acts as an incentive to link internal policies of third countries with the EU external policy. This policy trend reminds the fear experienced in the EU for migrants' waves and the rather negative image of migrants and asylum seekers.

2.2.2.4. The blockage of communitisation?

The Lisbon Treaty is not a change in the treatment of the migration and asylum policy. According to Dubouis and Blumann, it "ensured the anchor of the policies concerning asylum and immigration in the Area of Freedom, Security and Justice and its association with the policy of border controls" (2012: 68; Lisbon Treaty, Title V ch. 2 art. 77 to 80 TFEU). Indeed, article 67 paragraph 3 of the TFEU states that a "high level of security has to be ensured". This provision remains seen as a compensation of the abolition of the internal controls within the Schengen area (Dubouis and Blumann, 2012: 75, 76).

Immigration and asylum are clearly connected, as the title of chapter 2 "Policies on border checks, asylum and immigration" illustrates (Lisbon Treaty, 2009).

The relevant provisions for this dissertation could be found in the Treaty on the Functioning of the EU (Title V, ch. 2, art. 77 and the following ones). The policy remains a shared competency within the meaning of article 4 of the TFEU (Atak, 2011: V; Dubouis and Blumann, 2012: 68). Member States do have freedoms in that field (Atak, 2011: V; Dubouis and Blumann, 2012: 68). The policy aimed at is indeed a "common" and not a single one (See Lisbon Treaty, art. 78 para. 1 of TFEU). Nevertheless, regardless of some small exceptions, the legislative procedure in the field of the migration and asylum policy is the one of the codecision and of the qualified majority (Atak, 2011: 70).

Despite those anchors in primary law, the current common migration and asylum policy is mired in a plethora of problems. The Dublin II system is not efficient enough. It first brings a concern about the protection of third-country nationals and it might have weakened the solidarity among Member States, instead of strengthening it. Some countries are overcharged with massive asylum applications such as Greece. The cooperation within the European Area of Freedom, Security and Justice is not effective yet. That is why a Common European Asylum System is foreseen in the Lisbon Treaty (Forumréfugiés, 2011: 45). It had actually to be completed by the end of 2012 (European Commission, 2011). It encompasses three aims: a legal framework to ensure the harmonization of national policies concerning asylum procedure; a more efficient cooperation (thanks to the European Asylum Support Office) and more solidarity and responsibility within EU Member States (MS) and EU MS and third countries (DG Home Affairs, 2013b). The new system has to ensure that no MS would be overcharged by massive asylum applications. Yet, the negotiations concerning a Common European Asylum System just ended, in June 2013 (DG Home Affairs, 2013b). But

those new developments should be the subject of another analysis since they are outside the time frame of this dissertation.

2.3. Summary of section 2 and Chronology

The 2000s first appears to be years of continuity at both the French and European level. In France, the repressive tendency of the migration and asylum policy is entrenched and has deepened from 2000 onwards. That reinforces the negative social representation of migrants which started in the 1970s. An increased linkage with criminality in the 2000s has been observed and needs to be explained. For example, the terrorist attacks might put into question the assumed links between migrants/asylum seekers and terrorist activities (See also 5.3.2.).

At the European Union level, the linkages between freedom of movement and the security of the new and changing external borders of the EU have been deepened since institutionalized. The safety of the external borders is an obvious leitmotif and creates incentive to enhance new policies, such as the externalization trend indicates. This has an influence on the French level, especially through the process of transposition. As a consequence, the image of migrants and asylum seekers in France could also be influenced by the European policy-making.

In order to have a preview of how the two levels interconnect, a chronology is presented here. Key facts and key official documents (in bold) at both levels will be highlighted in order to have a comprehensive understanding of the approach of this dissertation. Then, in section 3, the securitization theory will be explained and this should give some additional useful tools to study the official documents and compare them in sections 4 and 5.

Chronology of the 2000s:

	In France	In Europe
2000	1 July: French presidency of the EU Council	September: Proposition of a Regulation about asylum procedures, European Commission **28 September: Council decision, European Refugee Fund** **7-9 December: Nice Summit Conclusions** **11 December: Council Regulation, Eurodac database created**
2001	February: Beaching of the East Sea with around 910 migrants on a beach of France (near Fréjus)	26 February: Signing of the Treaty of Nice **28 May: Council Directive, mutual recognition of decisions on the expulsion of third country nationals** **20 July: Directive on minimum standards for giving temporary protection in the event of a mass influx of displaced persons** 11 September: Terrorist attacks in the USA **21 September: Extraordinary European Council** to assess the international situation after 9/11 and set guidelines for the response of the EU **14-15 December: European Council in Laeken.** Fight against terrorism is one of the key topics discussed
2002	21 April: First round of the presidential election in France, two more candidates: Jacques Chirac and Jean-Marie Le Pen	1 January: Introduction of the Euro February: Interior ministers decide on the establishment of a European Border

	5 May: Jacques Chirac president	Guard force
		10 April: Green Paper on a Community return policy concerning illegal residents, European Commission
	29 May: Presentation by Sarkozy to the French "Council of Ministers" (*Conseil des ministres*) of a communication about a law concerning homeland security => one pillar tackled the fight against illegal immigration	**13 June: Council Framework Decision on combating terrorism**
		13 June: Council Conclusions, Combating illegal immigration and smuggling
	August: Sarkozy announced the closing of the Sangatte camp, in Northern France. Franco-British negotiation about the people in the camp	**13 June: Plan for the Management of the external borders of the MS of the EU**
	25 September: De Villepin details a communication at the French "Council of Ministers" about a reform of asylum procedures	**13 June: Council decision, Action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration (ARGO)**
	December: Closure of the Sangatte camp	**21-22 June: Seville European Council** Two main goals: -an absolute priority: the plan to fight illegal immigration -conditionality of the aid for third countries, depend on their goodwill in stopping emigration from their country toward Europe
2003	30 April: Adoption by the French "Council of Ministers" of a draft law about the control of immigration and the residence of foreign nationals in France => July: Debate at the National Assembly concerning the draft law	January: Eurodac in operation, database supposed to help the enforcement of the Dublin II Regulation
		27 January: "Reception" Directive 1) Minimum standards for receiving asylum seekers
	26 November: Sarkozy laws	2) Countries are free to limit applicants' movements and access to employment

	concerning the control of immigration, the residence of foreign nationals in France and nationality is passed **10 December: Law about the reform of asylum right**	1 February: Entry into force of the Nice Treaty **18 February: Dublin II Convention** Main principle: First entry country responsible for a given asylum application Mars: Iraq war **19-20 June: Thessaloniki European Council** Negotiations about a deeper harmonization of immigration and asylum procedures within the EU 25 June: EU-US Summit, cooperation in the field of terrorism **22 September: Family Reunification Directive** 16 December: EP recourse to CJCE concerning the directive about the right to family reunification
2004	**26 July: Law concerning the conditions allowing the deportation of people** **24 November:** Ordinance presented by the Interior minister about the **legislative part of the Code of Entry and Residency of Foreigners and the Right to Asylum** **8 December:** Communication about the application of the law of the 26 November 2003	**February: Creation of a body of "Immigration Liaison Officers"** 11 March: Madrid bombings **29 April: Directive for the qualification and status of third country nationals or stateless persons as refugees** 1 May: 10 new countries members of the EU : Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic, and Slovenia (more than 100 million new citizens)

		26 October: Council Regulation Frontex Main mission: Surveillance of EU borders in cooperation with third countries 29 October: Signing of the Treaty establishing a Constitution for Europe **4-5 November: European Council,** **The Hague Programme** (implemented from 2005 to 2010) 1) Creation of an "Area of Freedom, Security and Justice" (AFSJ) 2) Predominance of the issues concerning security
2005	**18 January: Programming law for social cohesion** **26 May: Creation of the Interministerial Committee for the Control of Immigration** (*CICI* in French) 29 May: French 'no' concerning the Treaty establishing a constitution for Europe (54, 68% of the votes) June: De Villepin, "chosen immigration" concept used in a speech + Sarkozy : "chosen immigration" instead of an endured immigration' in a speech October-November: 'Banlieue Crisis' in Paris	11 January: Green Paper on Migrant workers, 'on an EU approach to managing economic migrations'. Ignored by the Member States 25 January: Commission's strategic objectives for 2005-2009: 'Prosperity, Solidarity and Security' 7 July : London bombings September-October: Crisis in Ceuta and Melilla, two Spanish enclaves in northern Morocco (10 people shot dead) October: Frontex is operational **30 November: European Union Counter-Terrorism Strategy** **1 December: Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status** **December:** EU Council approves **'Global Approach to Migration:**

		Priority Actions focusing on Africa and the Mediterranean'
2006	29 March : Draft law presented to the French Council of Ministers about immigration and integration, including the concept of "chosen immigration" => Mai: Debates **24 July: Law about immigration and integration aiming at "moving from an endured immigration to a chosen immigration"** **30 July: Creation of the Eloi database**, concerns foreigners in an irregular situation in order to make deportations easier [See 12 March 2007] **14 November: Law aiming at controlling the validity of weddings**	Frontex, maritime interception operations: Hera and Nautilus **15 March: Regulation establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)** **04-05 December: Council Conclusion on Integrated Border Management** **20 December: Regulation on the establishment, operation and use of the second-generation: Schengen Information System (SIS II)**
2007	12 March: Revocation of the Order creating the Eloi database by the French "Council of State" (*Conseil d'Etat*) 6 May: Sarkozy president => A ministry for Immigration, integration, national identity and development 4 July: Presentation at the French Council of Ministers of a bill about the management of immigration, integration and asylum. Mainly about the family reunification right	1. January: Accession of Romania and Bulgaria (Now 492.8 million inhabitants in the EU) **23 May: Decision of the European Parliament and Council establishing the European Return Fund for 2008-2013** **11 July: Frontex, RABIT Regulation (Rabit Border Intervention Team), an urgent deployment of border guards is made possible** 13 December : Signing of the Lisbon

	9 July: Letter of Sarkozy to Hortefeux about his missions concerning immigration **20 November: Law about Immigration, Integration and Asylum.**	Treaty 21 December: Schengen area is enlarged. New members: Estonia, the Czech Republic, Lithuania, Hungary, Latvia, Malta, Poland, Slovakia and Slovenia
2008	July-December: French, rotating presidency of the European Council. Some interesting priorities for the dissertation: the drafting of a pact on migration policy, security and fighting terrorism. September: Start of the ECONOMIC CRISIS	June: Commission Communication on a Common immigration policy : principles, actions, instruments 17 June: A 10-point strategy designed to reduce illegal immigration, proposed by the Commission **9 July: Regulation, Visa Information System (VIS) and the exchange of data between Member States on short-stay visas** 13 July: Summit in Paris, Launch a new Mediterranean Union September: Start of the ECONOMIC CRISIS **15 and 16 October: Council (French presidency), adopts the European Pact on immigration and asylum** **28 November: Council framework Decision "Combating terrorism"** 12 December: Switzerland in the Schengen area **16 December 2008 : Adoption of the « Return Directive »** (sometimes called "shameful Directive"), about the conditions for the prior detention and removal of foreigners

2009	26 October-2 November: Big Debate about national identity launched by the Eric Besson, minister of Interior. Should take place between the 2nd of November until February 2010	25 May: Blue Card Directive **18 June: "Employers' sanction Directive"** 1 December : Entry into force of the Lisbon Treaty **10-11 December : Adoption of the "Stockholm programme"**, for the years 2010-2014, aiming at further developments of the area of freedom, security and justice
2010	8 February: Assessment of the big debate about national identity (Prime Minister) 31 March: Presentation at the French Council of Ministers of a draft law about immigration, integration and nationality by the Minister of Interior. Transposition of 3 European directives 28 June: "Sarkozy publically rails against 'the conduct of some people among *gens du voyage* (Travellers) and Roma'." Summer: Deportation of Roma people and critics of the key EU civil servants	**19 May: European Asylum Support Office (EASO)** 24 December: Deadline to transpose the Return Directive
2011	April: Arrival of migrants from Tunisia **26 April: Letter of Sarkozy and Berlusconi to Barroso** (President of the European Commission) **and Van Rompuy** (President of the European Council) **about the possibility of once again having control at the internal**	20-21 February: Frontex Hermes Operations 1 March: Commission signed 13 readmission agreements 11 March: Extraordinary meeting of the European Council on the situation in the Mediterranean **12 May:** Meeting in Brussels of the

	borders of the EU 15 June: Presentation at the French Council of Ministers by the Minister of Interior of a Communication about the control of legal immigration **16 June: Law about Immigration, Integration and Nationality**	Interior ministers of the EU, adoption of the proposition of the Commission aiming at reforming the Schengen agreements in order to temporary reestablish the control at the internal borders **25 October: Amendment of Frontex Regulation** **25 October: Regulation establishing a European Agency for the operational management of large-scale IT systems in the Area of Freedom, Security and Justice** 19 December: Liechtenstein joins the Schengen area. -CEAS foreseen
2012	2 February : France is condemned by the European Court of Human Right because of its asylum procedure April 2012 : Calling into question of the Schengen agreements **LIMIT DISSERTATION: MAY**	31 May: Commission decides to sanction countries which do not implement the "Employers' sanction" directive. **LIMIT DISSERTATION: MAY**

3. Theoretical basis: Securitization theories and the necessity for a comprehensive approach

3.1. The founding concept of the Copenhagen school: the securitization theory

3.1.1. Overview of the Copenhagen School

The concept of securitization theory is one the most important theoretical frameworks of this dissertation. First, information about the context of such a concept has to be presented. The basis of this school can be read in *Security: A New Framework for Analysis.*, written by Barry Buzan, Ole Waever and Jaap de Wilde (1998). Thanks to their new securitization theory, they helped renovate security studies (Buzan et al., 1998: 1; C.a.s.e. collective, 2006: 443) and bring lots to its new wave: the Critical Security Studies. Much of the Copenhagen school's work has been realized through the Copenhagen Peace Research Institute (C.a.s.e. collective, 2006: 447-448).

The Copenhagen school has its roots in political theory and international relations debates (C.a.s.e. collective, 2006: 446). The Danish authors have a constructivist approach to security (1998: 190-191, 204). But, they define themselves as the less constructivist side of the Critical Security Studies (1998: 204).

Nevertheless, their approach is a paradigm shift, hence the title of their book: *Security: A New Framework for Analysis.* (1998: 1, 4).

Then, one can question the necessity for a new approach. The Copenhagen school aims at breaking with the traditionalist vision of security in order to "set out a comprehensive new framework for security studies" (Buzan et al., 1998: 1). This has to be briefly explained. Traditionalist authors easily identify a security issue: it can only concern military issues and the use of force (Buzan et al., 1998: 1, 2). The State is at the heart of this analysis since it is generally the one who has a monopoly of the use of legitimate violence and is in charge of military challenges such as the army. Those three authors do not reject this whole theory which was relevant at some point. They even included it in their own thought (1998: 4, 207). However, they call for a new frame in order to take into account the changes brought by the end of the Cold War and the fall of the Berlin wall (1998: 2). Indeed, the very criteria of a military threat is not enough to grasp the notion of threat in international relations nowadays, the political dimension has to be studied. They aim at underlining that security concerns

different fields. But before giving more details of the wide scope of this new approach, one has to explain in more details the concept of securitization.

3.1.2. Key concepts of the securitization theory

The Copenhagen school's definition of security issues gives a good idea of the special feature of their theory: "[They] have to be staged as existential threats to a referent object by a securitizing actor who thereby generates endorsement of emergency measures beyond rules that would otherwise bind." (Buzan et al., 1998: 5). Securitization is therefore a voluntary and interactive process. This also means that security is a construction and that everything can technically be securitized (C.a.s.e. collective, 2006: 453).

The securitization theory was "first sketched by Buzan in the first edition of "People, States and Fear" (1983: 105-115, cited in Buzan et al., 1998: 10). He developed it in parallel with the concept of security complex (Buzan et al., 1998: 12, See 3.1.3.). This was the "'Classical' Security Complex Theory" which Buzan et al. moved beyond (Buzan et al., 1998: 10-12, 19). Indeed, they aim at "understanding the process by which issues become securitized" (Buzan et al., 1998: 10-12, 19).

This revised securitization theory relies on the state of exception concept, developed in the work of authors such as Schmitt and Agamben (Bourbeau, 2011: 7). Security is considered as "a fight against an existential threat that necessitates exceptional measures" (Bourbeau, 2011: 7; Buzan et al., 1998: 26). In other words, exceptional circumstances required exceptional measures. In addition, an obvious urgency to take those exceptional measures is also stressed (Bourbeau, 2011: 39).

The securitization theory thus explains how some agents can "legitimise practices of exceptionalism" through speech acts (securitizing moves), by considering (constructing) a given fact as an exceptional threat (Waever 1995, cited in C.a.s.e. collective, 2006: 466). The securitization process thus happens when a societal issue concerns the survival of a given referent object and is presented as an existential threat for the so-called referent object by a securitizing actor (Buzan et al., 1998: 21). Therefore, the situation requires exceptional measure in order to stop the existential threat (Buzan et al., 1998: 21). The importance of the existential threat depends on both the specificity of the referent object and a given sector (Buzan et al., 1998: 21). Actors and environment are thus important for the Copenhagen school. Those notions of exceptionalism and emergency are useful guidelines to indicate the

presence of the securitization process (See 4 and 5). And the outcome of the securitization process matters the most in order to assess its success.

Buzan et al. distinguish different units that one should be aware of in order to grasp their theory. One category encompasses the "*referent objects*" or "things that are seen to be existentially threatened and that have a legitimate claim to survival" (1998: 35-36). In their work, it appears to be a state or a society. But of course, different types of referent objects could be considered such as a national or a regional identity, hence the necessity to move out of the traditionalist view. For example, the French state and the French national identity could be the main *referent objects* of a study at a national level. The EU integration is a *referent object* for the European level.

Another category is that of the "securitizing actors", "who [logically] securitize issues by declaring something - a referent object - existentially threatened" (Buzan et al., 1998: 35-36). The most frequent ones mentioned are "political leaders, bureaucracies, governments, lobbyists, and pressure groups" (Buzan et al., 1998: 40). Buzan et al. stressed the difficulty to identify them (1998: 40).

The main securitizing actors of that approach are described as political, even if security agents also have a role to play (Bourbeau, 2011: 52). A focus on the outcome of the actions of the policy makers appears more relevant. Official documents are concrete outcomes. Using them also allows the circumvention of the theoretical difficulty of defining the securitizing actors.

The level of analysis chosen remains crucial since it sheds light on the actors, referent objects and interaction involved in the securitization process (Buzan et al., 1998: 5). Buzan et al. prefer to focus on an analysis by sector. Sectors are "identifying types of interactions" (1998: 7). They are the key tools of the Danish school, how they study the world and more precisely, how they study the securitization process (Buzan et al., 1998: 8). Nevertheless, sectors have to be understood as "inseparable of complex wholes", as subsystems (Buzan et al., 1998: 8-9). Indeed, the Copenhagen school insists a lot on the regions, which are crucial in the post-Cold war era (Buzan et al., 1998: 9-10). Five different sectors are selected: military, political, economic, societal and environmental (Buzan et al., 1998: 22-23). This enumeration reminds that security could be about everything (C.a.s.e. collective, 2006: 453). For example, securitization could concern the movement of people, the migrants and asylum seekers. One can thus rely on the Copenhagen school in order to establish if migrants and asylum seekers are considered as criminals in France from 2000 to 2012.

The actors, their interactions, the referent objects and the existential threats depend on the sectors. The securitization process will not be exactly the same according to the sector. For instance, in the societal sector, an existential threat would be any weakening of the national identity (1998: 22-23, 119-123; See 5.2.). The Danish authors refer to migration as a potential existential threat (1998: 121, 125, 138). As far as the political sector is concerned, existential threats are about the state's sovereignty (1998: 22), either its internal legitimacy or its external one (1998: 144). They would not have any military characteristics (otherwise they will concern the military sector). This concept of sectors underlines that security concerns very diverse fields and that everything could potentially be considered as a security issue such as migration and asylum. This also encourages a broad approach in the choice of official documents.

3.1.3. Studying the process of securitization

In order to understand the functioning of the securitization process, one has to highlight its very essence. The securitization of a societal issue is a process, a "*self-referential practice*" (1998: 24). This phenomenon is about social interactions between some actors (the so-called securitizing actors) and an audience. Buzan et al. defines it as "intersubjective and socially constructed" (1998: 30). Therefore and as Austin also underlined it, the meaning of a concept depends on its use (Buzan et al., 1998: 30). For instance, when one thinks about migration, this phenomenon is not in itself dangerous and not threatening. This is an old fact. But presented in a context of economic and/or political crisis, it could be seen as a threat: a threat to jobs, a threat to the 'national values and identity'. This does mean that a societal phenomenon do not have to be intrinsically an existential threat but just has to be presented and eventually used as such (1998: 25). This point is also relevant to the content of official documents. And that is why the study of official documents will not just focus on the words used to describe migrants/asylum seekers but will also give weight to the whole context of a given document.

A further and important step is the acceptance by an audience, a public (Buzan et al., 1998: 25). Otherwise, the process will just be a "*securitizing move*" (Buzan et al., 1998: 25). The interaction with an audience, although crucial, will not be emphasized in this dissertation. This step of the securitization process should be the subject of a complementary analysis. Moreover, by considering official documents, the output of policy-making, one supposed that the securitizing move has been accepted by an audience.

In the Copenhagen approach, studying the securitization process leads to the study of speeches (1998: 25). The Copenhagen school considers securitization as a process, which: "defines security as a speech act. […] Security issues are the political outcome of the illocutionary force of security agents and that one of the most effective ways of analyzing security issues is through the discursive practices" (Wæver, 1995: 54, quoted in C.a.s.e. collective, 2006: 448). Such an approach based on speeches brings several advantages. Nevertheless, they will not be emphasized here. In order to study the success of securitizing moves, official documents will be studied (See 1.2.). Official documents could be seen as the outcome of the process of securitization. They encompass the translation of certain values used by politicians and citizens into binding norms and standards.

The power of words is not rejected here. Instead of focusing on spoken words, the dissertation will focus on the words written which have a binding force and are going to lead to practices.

The Copenhagen approach, as well as the one of this essay, is based on Austin's work. One of his main works, 'How to Do Things with Words' (1962) is a reference of the Copenhagen school (1998: 32-33). John Langshaw Austin is a British philosopher who stressed the importance of words and their impact on the real word. Its speech act theory is one of the bases of the Danish school (1998: 26) and its securitization theory. In order to have a successful speech act, some criteria should be met.

First of all, some "internal, linguistic-grammatical […] rules" are stressed (1998: 32). Indeed, some conventions exist and are recognized and accepted by all. Buzan et al. assert the existence of a "grammar of security" (1998: 33; See also Balzacq, 2011: 36.). Knowing those rules allows the manipulation of an audience by giving a speech which will lead to a specific action, a security practice. Such a "grammar of security" is a fruitful guideline in order to highlight security practices or their absence (See 4 and 5). Then, some external conditions have to be met: they are connected to the context and the social environment of the enunciator (1998: 32). Thus, a successful speech act requires the right persons and the right circumstances (Austin, 1975: 34, cited in Buzan et al., 1998: 32). That is why historical context of migration and asylum policies at a national and European level has been reviewed (See 2). The "social capital of the enunciator"/*securitizing actor* is crucial (1998: 33). For instance, speeches or practices of a Minister of the Interior will have more impact than the one of a political volunteer. The focus on actors will not be scrutinized here. It has already been studied (Bourbeau, 2011). And previous analyses stressed the roles of politicians such as

presidents and ministers, hence the dissertation's focus on the outcome of the practices of those actors.

3.1.4. Application of securitization theory at a regional level: the EU as a security complex

The Copenhagen school underlines the importance of the regional level (Buzan et al., 1998: 9), a phenomenon accelerated by the end of the Cold War.

A region is defined as a "spatially coherent territory composed of two or more states" (Buzan et al., 1998: 18-19). Regional alliances such as the European Union therefore do matter. That is why the Danish author developed a tool in order to grasp the key role of regions in the process of securitization: the *security complex*. This idea was first outlined by Buzan in *People, States and Fear: The National Security Problem in International Relations.* in 1983.

A security complex is noted when "a set of states whose major security perceptions and concerns are so interlinked that their national security problems cannot reasonably be analyzed or resolved apart from one another" (1998: 12, 201).

This approach would be particularly relevant when one wants to analyse the EU, which could be conceived as a security complex (1998: 16, 169). Therefore, one can, by being aware of the heterogeneity of the EU, consider it as a whole and study it as a whole. Indeed, regional security could be considered as "the sum of national securities or rather a particular constellation of security interdependence among a group of states" (1998: 45). This will help to explain the hypothesis of a pooling of fears, which underlines the sharing of fears within European structures (See 4.5.1.).

The study of speeches advocated could thus be applied to the EU, if one understands regional organization as a security complex (Buzan et al.; 1998). Securitarian grammar is used in the European institutions but it is different from that used at the national level. The key reference is frequently "integration" as the only way to ensure the "security of the EU" and its survival (Buzan et al., 1998: 187). This is quite a straightforward result. Here the EU is the referent object and the European institutions are the securitizing actors. The existential threats are any governmental attempts to prevent the communitisation of a given policy and/or to increase the powers of Member States at the EU level. And, integration or the process of communitisation of policies and transfer of competencies to the EU, has to be considered as the exceptional measure to ensure the survival of the European project (Buzan et al., 1998: 148, 188). The analysis across sectors advocated helps since the securitization processes happening in each sector are linked. Indeed, the Danish authors underlined that economic-

based arguments (unemployment, completion of the Economic and Monetary Union) reinforce the arguments of the political sector (1998: 184). This observation is still relevant. Facing an economic and financial crisis, the EU institutions and their civil servants advocate more integration, more EU. The integration argument would be relevant for all sectors anyway (Buzan et al., 1998: 188) and helps to observe the securitization of the migration and asylum policy at the EU level. Some scholars such as Rodier actually observe that "the Europeanization of migration policies is willingly advocated as the good solution" (in Rodier and Terray, 2008: 96). The necessity of integration is reminded very frequently concerning the completion of the Common European Asylum System. For example, in the La Haye programme of 2004, this unified system for asylum is foreseen for 2010 (Dumont, in Berramdane and Rossetto, 2009: 16). But this European enthusiasm could contribute to the securitization of the image of migrants and asylum seekers.

Therefore, the securitization theory of the Copenhagen school is a good basis to study the social representation of migrants and asylum seekers as criminals through European and French official documents.

3.2. Bigo and the Paris school

Nevertheless, the founding theory offered by the Copenhagen school was the subject of critiques. Their securitization theory appeared as not sufficient. Some others schools emerged in response to the theory offered by Buzan et al. such as the so-called school of Paris.

3.2.1. Overview of the Paris school

The so-called Paris school is firstly different because it is rooted in different disciplines: the political theory and the sociology of migration and policing in Europe (C.a.s.e. collective, 2006: 446). This approach also has its origins in the work of Bourdieu and Foucault (Bigo and Guild, 2005: 2).

The conception of security differs from the Copenhagen school, which leads to a complementary understanding of the securitization process (C.a.s.e. collective, 2006: 446). This process is defined "as […] the capacity to control borders, to manage threats, to define endangered identities and to delineate the sphere of orders" (C.a.s.e. collective, 2006: 457).

The essential features of the Paris school will be now explained since they highlight why "[m]igration is increasingly interpreted as a security problem" (Bigo, 2002: 63). The complements that this theory could bring will be scrutinized in order to improve the understanding of the securitization process. Meanwhile, some failures or faults of the Copenhagen school will be stressed.

3.2.2. Practices and the role of security professionals

The Paris school rejects in part the focus on speech acts made by the Copenhagen school. Its scholars prefer to emphasize the "practices, audiences and contexts that enable and constrain the production of […] governmentality" (C.a.s.e. collective, 2006: 457). Security professionals are in fact at the heart of this analysis: they are the "managers of unease" (Bigo, 2002: 75) and are responsible for the securitization of the image of migrants and asylum seekers (Bigo, 2002: 65). Indeed, migration "becomes a security issue when it is presented as such by some professionals of threat management in their struggle to maintain their position" (Bigo, 2002: 76; Bigo et al., 2010: 4). The field of security professionals is thus a "space of competition between agencies and institutions over the pertinent knowledge concerning threats, risks and vulnerabilities." (Bigo et al., 2010: 49, 53). Therefore, they are the ones who decide what is a threat or not in a given society (Bigo and Guild, 2005: 259-260; Bigo, in Jaffrelot and Lequesne, 2009: 174; Bigo et al., 2010: 4, 6). Moreover, those security professionals exchange and communicate together, with politicians as well. They enhance the creation of a security continuum (Bigo, 2002: 63). The Europeanization tends to deepen the transnationalization of the networks (Bigo and Guild, 2005: 3), the sharing of information, and therefore, enhance the securitization process.

Yet, the security practices of those professionals "are not given by nature but are the outcome of political acts by politicians and specialists on threat management" (Bigo, 2002: 68). This point underlines the necessity to focus on some outcome of political acts such as official documents. Such a study will help to consider the values and practices that those security professionals and politicians managed to impose as binding norms. This justifies the study of documents creating new systems and databases such as regulations from the EU level, decrees and ministerial orders from the French level.

3.2.3. Routinization and faith in technology

Then, in this pattern, the securitization process is a direct result of the "routinized practices" of the professionals of security in their use of security technologies (Bigo, 2002: 73; Bigo, in Bigo and Guild, 2005: 86). The Paris school theory puts into question the triptych urgency/priority/exception developed by the Copenhagen school (Bourbeau, 2011: 38). Instead, this school considers the repeated and daily use (the routine) of the technologies of surveillance as the main factor of the securitization of societies.

Moreover, Bigo et al. noticed that a belief in technology as a way to ensure security emerged (2010: 56; See also Bigo, in Bigo and Guild, 2005: 86) and is continually being reinforced (Guild et al., in Bigo et al., 2010: 34). The use of technological tools is important "and ranges from biometric techniques to video surveillance, from sensors for data collection to data and image processing software" (Bigo et al., 2010: 56). Databases are increasingly used (Bigo et al., 2010: 56). This could explain some developments in the EU such as two waves of creation of security technologies (Guild et al., in Bigo et al., 2010: 34). Further investigation of this will be led (See 4.4.).

But the use of technologies and databases also creates uncertainty and unease, which incites a reinforcement of security and governmentality.

3.2.4. Unease and its management: the governmentality

The EU generates uncertainty. First, "[t]he territorial framework of the European Union is not stable" (Bigo, in Bigo and Guild, 2005: 59). The European Union is a project under construction as the successive enlargements illustrate. Moreover, different areas juxtapose: the Schengen area does not match with the Euro zone and the EU and vice versa. The notion of frontier is becoming blurred (Bigo, in Bigo and Guild, 2005: 53). Frontier has to be understood as "the limit of a territory. Frontier is an institution, not a fact, not a result. [It] connect[s] space and population" (Bigo, in Bigo and Guild, 2005: 52). The notion of border is also more complicated because of the Europeanization process (Bigo, in Bigo and Guild, 2005: 64) and creates fears (Bigo, in Bigo and Guild, 2005: 82). Borders "are associated with differentiation between inside and outside, with control of who crosses the line" (Bigo, in Bigo and Guild, 2005: 82).

Those points of references are constantly changing. And yet, a definite territory or space helps the construction of identity (Bigo and Guild, 2005: 51). That is why, Bigo asserts that "[u]ncertainty lies at the heart of the European identity" (Bigo and Guild, 2005: 51).

Unfortunately, this leads to develop a negative image of migrants and asylum seekers (Bigo et al., 2010: 20).

Security professionals and politicians are trying to manage the feelings of insecurity experienced by societies. This could be considered as a 'technique of government' (Foucault, 1994, cited in C.a.s.e collective, 2006: 457).

It is actually called the "governmentality of unease". Governmentality has here to be understood as an alternative to the overused term of governance (Bigo, 2002: 83).

Security would thus be an answer to the unease and feelings of insecurity experience in our contemporary societies (Bigo, in Bigo and Guild, 2005: 60). The security professionals would be the managers of this unease (Bigo, 2002: 75).

But the management of unease, which consists of increasing security, has its flaws. Indeed, the securitization process encompasses an intrinsic dilemma: "the more one tries to securitize social phenomena […], the more one creates […] a feeling of insecurity" (Bigo, 1995; C.a.s.e. collective, 2006: 461). A sort of security vicious circle is described here. One can think about the concept of the bureaucratic vicious circle developed by Crozier (1963). This security vicious circle could be applied to the functioning of the European Union. A relevant example, despite not being fully included in the timeframe of this dissertation, is the implementation of the Schengen agreements (See 2). Indeed, the impact and the emergence of fears due to the suppression of internal frontiers and the establishment of a new external one were not foreseen. A security vicious circle thus concerns the movement of people and therefore, the image of migrants. Some involuntary effects produced by European policy-making or by some actors are at play.

The unease is reinforced by the logic of anticipation and prevention asserted by security professionals (Bigo and Guild, 2005: 86; Bigo et al., 2010: 3, 55). One has to act and/or legislate before the threats are revealed as such (Bigo and Guild, 2005: 86). This is illustrated later in the comparative study of official documents (See 4.2.). The presence of such a logic explains the emergence of "policing at a distance" (Bigo and Guild, 2005: 1; Leonard et al., in Bigo et al., 2010: 132). It consists of "mov[ing] the locus of the controls and delocalizes them from the borders of the states to create new […] frontiers both inside and outside of the territory" (Bigo and Guild, 2005: 1; Bigo, in Jaffrelot and Lequesne, 2009: 165). This concept is best illustrated with the externalization policy currently led by the EU

(See 2.2.2.3. and 4.4.1.). More concrete examples could be seen in the visa policy or the databases installed in the EU (Bigo, in Bigo et al., 2005: 91). Moreover, one profiles individuals, one tries to identify "dangerous" individuals before they are actually on the European soil (Bigo and Guild, 2005: 234; Bigo, in Jaffrelot and Lequesne, 2009: 165). Such a policy is also enforced at a national level.

Those increased tendencies of profiling and categorization do have an impact on the social representation of migrants and asylum seekers. Indeed, applied to the phenomenon of migration, the securitization concept of the Paris school stresses that migrants and asylum seekers are seen as criminal precisely because of the routinized (and increased) use of technologies (Bigo, 2002: 73). This offers an interesting complement to the view proposed by the Copenhagen school.

3.3. The need for a comprehensive approach

A few authors develop the idea of complementarity and simultaneity of the Copenhagen and Paris schools' theories. This is also the approach adopted for this dissertation. Philippe Bourbeau's and Thierry Balzacq's works will be the theoretical justifications of a fruitful mix of approaches. Bourbeau and Balzacq both - explicitly or implicitly - highlight the pros and cons of the Copenhagen school and the useful complement that the Bigo theory could be. Bourbeau seems to be closer to the Copenhagen school than Balzacq. Indeed, the latter one stresses the key role of practices, important leitmotif of the Paris school.

3.3.1. A necessity asserted by the founding fathers themselves

Some authors of the different schools clearly reject the idea of strong boundaries between their currents and the idea of competition, as indicated by the work realized through the "C.a.s.e. collective" (2006: 444; 450). According to its members, this collective shows that there is "[…] an interest in critically examining contemporary practices of security." A cooperative work is therefore possible (C.a.s.e. collective, 2006: 443; 450).

Another argument, reinforcing the idea of complementarity of those schools is their academic backgrounds. Because those two schools stem from different disciplines, they tend to focus on different actors and thus draw different conclusions. Nevertheless, they do not reject the work of each other and they all stem from social sciences. Bigo even relies on the work of the

Copenhagen school in his explanation of the securitization of immigration. According to him, "[it] emerges from the correlation between some successful speech acts of political leaders […] and the specific field of security professionals." (Bigo, 2002: 65, 75-76; Bigo et al., 2005: 259). And the founding fathers of the Copenhagen school underline that "[d]iscourse analysis is not the exclusive method of securitization studies" (1998: 177).

3.3.2. A fruitful mix of approaches

Therefore, scholars such as Bourbeau offer "a refined version of the securitization theory" (Bourbeau, 2011: 2). Bourbeau distinguishes two logics within what he considers as "constructivist security studies" (2011: 7). One is the "logic of exception" and clearly refers to the securitization theory developed by Buzan and al. (2011: 7, 38-39). The other one is the "logic of unease" and stems from the work of Didier Bigo (2011: 7, 38-39). Bourbeau relies much more on the Danish school but asserts that Bigo's approach is an interesting complement to his theory (2011: 39, 47). Moreover, research methods based on "the complementarity and/or on the simultaneity of the two logics [of unease and exception]" would be needed (Bourbeau, 2011: 7-8; 131). Indeed, the results of his study indicate "that the two logics might be cohabiting" (2011: 132). This dissertation will follow the ambitious approach that Bourbeau calls for. Bourbeau's work remains particularly interesting for the choice of material in this dissertation: the study of legal documents. In his case study of France, he briefly examines some pieces of legislation (Bourbeau, 2011: 113, 123).

Bourbeau is not the only one to advocate a mix of approaches. Thierry Balzacq also justifies (although more implicitly) the advantages of both views. Balzacq explains the study of the securitization by distinguishing two traditions: a post-structuralist one (Copenhagen school) and a sociological one (his tradition, closer to the Paris school) (2011: 1). Balzacq values the role of practices (2011: 15). He borrows the definition of practice from Reckwitz who considers it as "a routinized type of behavior which consists of several elements, interconnected to one another" (2002: 249, quoted in Balzacq, 2011: 15). He suggests the investigation of "the nature and functions of policy tools used by agencies to cope with public problems, defined as threats" (Balzacq, 2011: 15). That is why this dissertation will also focus not only on laws but also on official documents creating databases as well as conclusion of summits, which can be considered as policy tools. The power of words will not be neglected. But, speeches are considered as not sufficient for the purpose of that dissertation. Indeed, "while discursive practices are important in explaining how some security problems originate,

many develop with little if any discursive design" (Balzacq, 2011: 1, 2). By focusing on official documents that have a legally-binding force, one here aims at studying the outcome of the securitization process. Securitization does not have to be discursive (2011: 2, 22, 36).

Moreover, a law, after being enacted, will structure the functioning of society and political action. If a given law or official document considers a migrant/asylum seeker as a security problem, this will have concrete implications.

The crucial role of practices evoked by Balzacq refers to the theories developed by Bigo and his focus on security professionals. Nevertheless, his definition of the securitization process also relies on the main approach of the Copenhagen school (2011: 3).

Balzacq summarizes his approach as follows: one has to "cast aside the exclusivist linguistic view which has dominated securitization studies, by developing an explicitly practice-oriented *complement*" (2011: 27). That complementarity of approaches stressed here will be the frame of this dissertation.

3.4. Conclusion of section 3

The Parisian approach is a good complement to the Copenhagen school. The key role of practices and security professionals needed to be highlighted. It seems particularly relevant for the study of the European level. Indeed, the theories of Bigo and his counterparts shed the light on the phenomena of bureaucratization and routinization, which are particularly obvious in the functioning of the EU. Their theories are also useful to grasp the consequences of an increasing use of technologies within the European Union. Technologies of surveillance, and security in general, are seen as the solution to face the feelings of insecurity experienced. Those feelings of unease would be experienced because of some new tools, some development of the EU policy-making or some international events. This is visible both at the EU and the French level, which consequently makes pertinent the application of the Paris school to the French case.

But, the logic of prevention or unease should not been seen as the only one. As Balzacq's and Bourbeau's works indicate, the logic of exceptionality developed by the Copenhagen school is certainly simultaneous.

The Copenhagen school also gives a good basis to study the official documents. The vocabulary and description offered (referent object, securitizing actors) defines a structure for

the analysis in sections 4 and 5. A grammar of security should be sought without forgetting the importance of context. The importance of the words used will be an important guideline of this dissertation.

Therefore, the mix of approaches suggests that the study of official documents could be fruitful. Scrutinizing the legal bases of the practices and norms of bureaucrats, civil servants and politicians working for the EU will highlight the securitization process. An examination of the French security practices through official documents will facilitate the evaluation of the success of the securitizing moves realized at the EU level (especially through the transposition process). It will aid the assessment of the very numerous securitizing moves made by French politicians. The outcome, the practices and binding norms enhanced by politicians and security professionals at both levels matter the most and will be now studied.

4. Securitization at the EU level and its consequences for the social representation of migrants and asylum seekers in France

In this section and the section 5, the presentation of the results will be divided in two periods: from 2000 to 2005 and from 2006 to 2012. This should make it easier to understand the analysis of official documents. The year 2005 actually appears as a turning point. This is the year of the beginning of the implementation of the Hague programme (See 2.2.2.2.). The same year, the "Global approach to Migration and Asylum" is presented (2005). The period starting in 2005 has also been influenced by the terrorist attacks in the USA in 2001 and within the EU in 2004 and 2005.

4.1. The EU grammar of security

4.1.1. A warlike vocabulary

As stated in the first section of this dissertation, both the words used and the context of official documents will be studied (See 3). Having in mind the advice of the Copenhagen school, a "grammar of security" will be scrutinized (See 3). This point 4.1.1. will thus focus on the vocabulary used.

4.1.1.1. Depiction of migrants/asylum seekers as an existential threat (2000-2005)

At the European Union level, the vocabulary used to describe migrants is quite negative. Securitizing moves happen often. For instance, the illegal character of migration is underlined. It seems to define one of the categories of migrants in opposition to irregular migrants. For example, "illegally present" are the words used in the Eurodac Regulation to describe the people who should be fingerprinted in order to ensure the good application of the Dublin Convention (2000: para. 3, ch. IV). Those people are also described as "unlawfully crossing […] the external borders of the Community" (Eurodac Regulation, 2000: para. 3) or as "in connection with irregular crossing of an external border of a Member State" (Eurodac Regulation, 2000: para. 6, ch. III; Dublin II Convention, 2003: chap. III art. 10 para.1).
The parallel categories of irregular and illegal migration are also found in the ARGO Decision (2002: art. 7 para. d).

The illegality is sometimes associated with the idea of "flows" (Nice EC Concl., 2000: pt 50; Expulsion TCN Directive, 2001: para. 2; Laeken EC Concl., 2001: pt 40; EC Concl., 2002; Seville EC Concl., 2002), indicating and emphasizing the important scale of the

migratory phenomenon. The extraordinary number of migrants/asylum seekers could legitimise the necessity to regulate, or "fight" this phenomenon (See the EC Concl., 2002; ARGO Decision, 2002: art. 7 para. f; Seville EC Concl., 2002: III, 27, 30, 32, 33, 34, 36). This observation is also valid for the irregular migrants' category (ARGO Decision, 2002: art. 7 para. d). Indeed, migration, which by definition concerns movement of people, seems to be only presented as an important amount of people, as the presence of the adjectives "broader" (Thessaloniki EC Concl., 2003: pt 25) or "large" indicates (Refugee Status Directive, 2005: art. 35 para. 5). The expression "mass influx" is used in the European Refugee Fund Decision (2000, para. 10, art. 6). This recalls the logic of exception of the securitization theory described by the Copenhagen school (See 3.1. and 3.3.). By underlining the extraordinary number of migrants, one justifies the future implementation of exceptional measures. "Fighting/combating" could legitimately be one of those.

Another criterion of a securitized phenomenon is a feeling of emergency. Therefore, it is not surprising that the "mass influx" is sometimes associated with words such as "sudden". This reinforces the necessity to legislate and/or act, in order to face an unexpected phenomenon of important size (European Refugee Fund Decision, 2000: art. 6). This wording could also be found in the Temporary Protection Directive of 2001 (para. 2, para. 13, ch. 1 art. 1, art. 2). The word "imminent" is also present (para. 13, ch. 1 art. 2), indicating an additional reason to tackle the issue of migration.

Illegal immigration is consequently presented as something one would have to "combat" at the EU level, as indicates the EC Concl. (2002), the Seville Council Concl. (2002: pt 30, 33), the Thessaloniki EC Concl. (2003: 9), the ILO Council Regulation (2004: art. 1 para. 1), the Hague Programme (2004: p20) and the 'Global approach to migration' (2005: 2, 12). The verb "fight" is also found (See Plan, 2002: para. 1; ARGO Decision, 2002: ch. 2 art. 7 para. f; Hague programme, 2004: pt 1.7.1.). This warlike vocabulary clearly indicates that migration is considered a problem and a threat which justifies a unified defence at a European level. The fight or combat would in this case be the exceptional measure taken in order to tackle the existential threat that migrants and asylum seekers represent to the security of the EU.

In addition, in the European Council Conclusions, the vocabulary used is also very determined since the warlike vocabulary seems to be used more systematically.

The idea of illegality is stressed such as the expression "curbing illegal immigration" highlights (Nice EC Concl., 2000: pt 49-50; Plan, 2002: I and III).

The will to tackle the migration issue is more firm. Irregular migration would thus have to be combated (EC Concl., 2002: p1). The Plan for the Management of external borders of the Member States of the EU evokes a "fight" (2002: p3). The Seville EC Concl. also use that wording (2002: pt 27, 30), as well as the Hague programme (2004: p20).

Moreover, the vocabulary used in official documents thus tends to be negative. In the decision establishing the European Refugee Fund, the words "burden" and "bear" are thus employed (European Refugee Fund Decision, 2000: para. 2, 3, 11, art. 1; Plan, 2002: III para. 40; Thessaloniki EC Concl., 2003: p6-7). The idea of "bearing" could also be found in the Temporary Protection Directive (2001: Title, ch. 1 art. 1).

It is also assumed that foreigners will abuse or misuse the asylum seeking system for example (Reception Directive, 2003: para. 12; Family reunification Directive, 2003: art. 16, 2 a, 4). The use of false documents is a foreseen hypothesis (Eurodac Regulation, 2000: ch. IV art. 11; Refugee Directive, 2004: ch. IV art. 14 3.b., ch. VI art. 19 3.b.; Refugee Status Directive, 2005: ch. 3 art. 23 4.d).

The transposition to the French level is the second main sign of successful securitizing moves from the EU level. The first would be the presence of such securitizing moves in the EU official documents. It is therefore worthwhile to underline it. For instance, the idea of an intentional fraud and/or abuse of a procedure have been transposed in French laws. An intentional fraud and/or abuse of a procedure could lead to a refusal to be granted a protective status (Asylum Right Law, 2003: art. 5, 4°; CESEDA Law, 2004: Book VII Title 1 art L. 741-4, 4°). Being guilty of a crime could lead to the refusal of residence and the deportation of the migrant (Immigration, Residence and Nationality Law, 2003: art. 28, para. 7). The transposition of the warlike vocabulary at the French level will be discussed later (See 5.1.1.).

The illegal character associated with migrants/asylum seekers suggests that they are condemned. As a matter of fact, they are criminals since they are in an illegal situation. The emphasis on their number and their suddenness brings all the characteristics of an exceptional and extraordinary situation described by the Copenhagen school. Migrants are presented as an imminent threat and their social representation is definitely securitized in the EU official document from 2000 to 2005.

4.1.1.2. A reinforced linkage between migrant/asylum seeker and criminality (2006-2012)

The warlike vocabulary is also very present in the EU official documents from 2006 to 2012. The adjective "irregular" is not used in the EU legal texts from 2006 onwards. Consequently, the illegality of foreigners is stressed in the official documents studied (SBC Regulation, 2006: para. 6, art. 12; IBM Council Concl., 2006: pt 6; Frontex RABIT Regulation, 2007: art. 1, 12; Return Directive, 2008).

Moreover, "illegal immigration" is clearly considered in the same way as "any threat to the Member States' internal security, public policy, public health and international relations" (SBC Regulation, 2006: para. 6). The word "combat" is employed in this legally binding document and that consequently reinforces the warlike dimension of the vocabulary used (SBC Regulation, 2006: para. 6; See also IBM Council Concl., 2006: 6; Frontex RABIT Regulation, 2007: para. 3; Stockholm programme, 2009: pt 31; Frontex Regulation, 2011: para. 4).

The emphasis on the illegal character of the migrant has, such as in the first half of the 2000s, another dimension since it is associated to the idea of an important group of people: "mass influx" (Frontex RABIT Regulation, 2007: para. 12, art. 1; European Pact, 2008: IV p12) or the "sudden arrival of a large number of third-country nationals" are the words used (European Return Fund Decision, 2007: para. 22; Frontex RABIT Regulation, 2007: para. 4; EASO, 2010: section 2 art. 8). The word "disproportionate" underlined the same idea (EASO Regulation, 2010: para. 7; Frontex Regulation, 2011: para. 1). This "mass influx" is indirectly qualified as an "exceptional situation" (Frontex RABIT Regulation, 2007: para. 12). This is a clear way to legitimise future actions, even actions outside the normal bounds of politics.

Sometimes, it is even more explicit. In the Return Directive, it is written that it is "legitimate" for Member States to "return illegally staying third-country nationals" (Return Directive, 2008: para. 8). The illegal character of the situation thus legitimises the global approach advocated since 2005.

The global approach could here be seen as the exceptional measure. Dispositions related to the employment market have been found. That is the main point of the directive of 18 June 2009 about illegal employment. "Fighting against illegal employment" is considered as another efficient way to "fight illegal immigration" (Employers' Sanction Directive, 2009: art. 1). From a Copenhagen school perspective, migration would be a threat which concerns different sectors and should consequently be tackled from different perspectives.

The exceptionality of the situation is also observed by the emphasis on the suddenness of the situation. The situation is almost described as a state of crisis. This is illustrated by the use of the word "pressure" (EASO Regulation, 2010: art. 1, art. 2 2., section 2 art. 8; Frontex Regulation, 2011: para. 1; European Refugee Fund Decision, 2007: para. 22, art. 5 2.; Frontex RABIT Regulation, 2007: art. 1 para. 1), which was absent of the official documents of the first half of the 2000s. The use of the word "alert" in the SIS II Regulation is also interesting. It designates the recognition of an individual, who should not enter the EU or should be "observed" (SIS II Regulation, 2006: para. 10, art. 3). In general language, the word "alert" refers to an emergency and/or the need for emergency measures. This constitutes another sign of the depiction of the migration and asylum phenomena as an existential threat.

Therefore, the image of migrants is quite negative in the EU official documents since it is associated with criminality. They are represented as a threat. This would confirm the argument of Atak that "Europeanization engenders the criminalization of the irregular migrant […]" (2011: 70). Nevertheless, the strength of a warlike vocabulary in the French national documents can be discussed (See 5.1.1.).

At first glance, securitization could appear more important at the EU level. One can nuance and remind that the EU level is also sometimes an addition of the national levels. One can make two hypothetical explanations of that very fact. First one can suppose that some securitizing moves are not possible at the national level and are more easily express at the EU level. This idea could be found in the work of scholars such as Atak (2011: 103). Second, one can deduce that this vocabulary is the result of influences of other Member States. Indeed, the European construction also contributes to a pooling of ideas, concerns and fears. The EU constitutes a "security complex": the security concerns of the different Member States are linked and shared (See 3.1.3.). That would be illustrated by institutions such as the European Council and the Council, which clearly function as intergovernmental structures. Those two hypothetical tendencies might also overlap. They will be detailed later (See 5.2.4.). The EU construction thus generates securitizing moves. But they might be mainly due to national influences within the EU structures.

<u>4.1.2. The crucial linkage between freedom of movement and security</u>

4.1.2.1. A migration and asylum policy anchored in the Area of Freedom, Security and Justice (2000-2005)

In its historical project, the EU has ensured the freedom of movement within the Schengen area, and linked it with the idea of security (See 2.2.). Moreover, the migration and asylum policy has been anchored in this project of an Area of Freedom, Justice and Security. Indeed, in most EU directives and regulations, the "common policy on asylum" is linked with the completion of the aforementioned area.

This is the case in the European Refugee Fund Decision (2000: para. 1), the Expulsion TCN Directive (2001: para. 2), the Temporary Protection Directive (2001: para. 1), the Reception Directive (2003: para. 1), the Dublin II Convention (2003: para. 1), the Family Reunification Directive (2003: para. 1), the Refugee Directive (2004: para. 1), the ILO Directive (2004: art. 1) and the Refugee Status Directive (2005).

This clearly shows that the construction of a common migration and asylum policy is mostly considered as an issue of freedom of movement and of security. Migrants and asylum seekers thus constitute a question of security.

The linkage between freedom of movement and security also seems to be adopted at the national level. One certainly has to be nuanced since such a linkage has always implicitly existed at the national level. That is the essence of documents such as residence permits and other protective statuses. A foreigner is granted a freedom of movement on the national territory depending on the danger he/she faces in his/her home country and, at the condition of not being a danger for the host society. But the EU project made this system more complicated by changing the meaning of homeland security in the Member States. It increases the number of categories (Immigration, Residence and Nationality Law, 2003: Title 1 art. 14; CESEDA, 2004: Book 1 Title II art. L. 121-1, Book VIII Title II art. L. 811-2; Atak, 2011: 342). Indeed, some categories are the result of the European construction such as that of temporary protection, which is decided at the European Union level and had to be transposed to the national level.

The European construction sometimes gives additional reasons to deport migrants (Immigration, Residence and Nationality Law, 2003: Title 1 art. 39) or to detain them (Immigration, Residence and Nationality Law, 2003: Title 1 art. 49; CESEDA, 2004: Book V Title V art. L. 551-1).

Through the enhancement of an Area of Freedom, Security and Justice, the EU project thus enhances the securitization of the social representation of migrants and asylum seekers. They are indeed considered as potential threats to the internal security of the EU.

4.1.2.2. Deepening of the linkage between freedom of movement and security at the external borders (2006-2012)

From 2006 to 2012, the link between freedom of movement and the security of the EU was deepened. The study of official documents clarified that the security at the external borders of the EU is a direct compensation of the abolition of the internal border and the granting of freedom of movement.

The European Union Counter-Terrorism Strategy of 2005 set up some premises (pt 2). Four pillars are foreseen in order to face threat from terrorism: "prevent, protect, pursue and respond". The protection pillar clearly relies on the protection of external borders (pt 15 and 16). Terrorism is thus associated with the arrival of third-country nationals.

Moreover, the concept of third-country nationals now encompasses another dimension. Indeed, third-country nationals are now no longer only defined as those who are not EU citizens. From 2006 onwards, the distinction between the foreigners who are granted freedom of movement and those who are not, appears increasingly important in the definition of third-country nationals (SBC Regulation, 2006: art. 2 para. 5). And within the category of those enjoying freedom of movement, a difference is noted between EU citizens and third-country nationals enjoying a specific status thanks to special agreements. The beneficiary of the right to family reunification is another parallel category (SBC Regulation, 2006: art. 2 para. 5).

The category "third-country national" is now used for the people who are not EU citizens and who are not granted the right of free movement (SBC Regulation, 2006: Title 1 art. 2 pt 5 and 6; SIS II Regulation, 2006: art. 3 d; Return Directive, 2008: art. 3 para. 1; Employers' Sanction Directive, 2009: art. 2 para. a). Here again, the European Union project securitizes by complicating the basic definitions and categories of migrants and asylum seekers.

The deepening of the link between freedom of movement and security at the external borders explains the developments about border controls and the concept of Integrated Border Management. It also highlights the increased linkages made between internal and external security (See 4.4.).

The new comprehensive approach named 'Global Approach' is also explained. The emphasis on the exceptionality of the migration phenomenon seems to legitimise it. By stressing the

suddenness and important figures, it appears legitimate to develop new and ambitious tools such as the work with third countries, the development of technologies and databases. This would help to secure the external borders and then, ensure the full realization of freedom of movement within the Schengen area. Because migrants and asylum seekers put both the realization of freedom of movement and the safety of the Schengen area into question, their social representation is negative. As a consequence, preventive measures to deter migrants could be justified and foreseen.

4.2. An influential EU logic of anticipation

The logic of anticipation is a crucial element in securitization theory, especially for the Paris school (Bigo and Guild, 2005: 86; Bigo et al., 2010: 3, 55). For Didier Bigo and his counterparts, the logic of anticipation is particularly present nowadays in the functioning of the European Union (See 3.2.). It is seen as a result of the European construction, especially from the development of technologies. The securitization of the social representation of migrants and asylum seekers would be a result of those developments. Preventive measures would be justified and advocated (Bigo and Guild, 2005: 86). The theories of the Copenhagen school could also explain the use of preventive measures in the case of an exceptional threat.

4.2.1. Implementation of preventive legal mechanisms (2000-2005)

4.2.1.1. At the EU level

First, prevention is logically about avoiding "illegal" movement of foreigners within the EU since migratory movements are regarded as a negative phenomenon.

For instance, the EC Concl. evoke the necessity of "[a]n early political response" [1.3.]. Preventive measures are widely advocated (2002: p3; See also ARGO Decision, 2002: art. 7 para. f; Hague programme, 2004: p12).

The "prevention […] of illegal immigration" is also asserted in the first article in the Council Regulation aimed at creating the Immigration Liaison Officers (ILO) (2004: art. 1), which is also reasserted in the art. 2 of the same Regulation. This is also the very aim of those officers, to understand why and how migratory movements are happening in order to "manage" them (ILO Regulation, 2004). The idea of risk analysis, foreseen in 2002 (Plan, 2002: II. B.) and in 2004, reinforces the idea that prevention within the EU is important (Frontex Regulation,

2004: art. 4). Those risk analyses will be the bases for future measures (Frontex Regulation, 2004: art. 4, See also Global Approach to Migration, 2005: p10, 12).

Then, the logic of anticipation is illustrated through the decision of granting a specific status to foreigners and the expressed doubts towards them. The Expulsion TCN Directive is revealing (2001). The decision of expulsion does not have to be based on a recognized fact. For instance, the suspicion of "a serious and present threat to public order or to national security and safety" is a reason to deport a given migrant (Expulsion TCN Directive, 2001: art. 3 para. a). " [T]he existence of serious grounds for believing that a third country national has committed serious criminal offences or the existence of solid evidence of his intention to commit such offences […]" is one example of serious and present threat mentioned (Expulsion TCN Directive, 2001: art. 3 para. a). Similarly, family reunification could be refused "on grounds of public policy, public security or public health" (Family reunification Directive, 2003: ch. 4 art. 6 para. 1).

Last but not least, the prevention happens when one considers the case of a withdrawal or exclusion from a specific protected category of migrants (asylum seekers, international protection). The right to stay on French soil will be refused if the migrant/asylum seeker is suspected of a criminal activity. The first example is the Temporary Protection Directive (2001). It is explained that a person could be excluded from temporary protection if there are "serious reasons for considering that" and then a long list of criteria (ch. VIII art. 28). The reasons would be related to potential crimes. What is important here is the notion of risk, much more than the list of potential crimes. The following paragraph evokes "reasonable grounds" (para. b, ch. VIII art. 28). The notion of "danger" is also written (para. b, ch. VIII art. 28). One could notice that no guidelines about how to evaluate those serious grounds are provided in the aforementioned directive.

The same reasoning could be found concerning the refugee status ("serious reasons for considering that" Refugee Directive, 2004: ch. III art. 12 para. 2), or any repeal or refusal of renewal ("reasonable grounds" Refugee Directive, 2004: ch. IV art. 14 para. 4). The same wording is used regarding subsidiary protection and the exclusion from it ("serious reasons for considering that" Refugee Directive, 2004: ch. VIII art. 17 or art. 21).

4.2.1.2. A successful transposition at the French level

The idea of prevention seems to be well implemented at the national level. For instance, the two categories of "serious reasons for considering that" and "constitute a threat" clearly come from the EU law. Indeed, the Immigration, Residence and Nationality Law of 2003 and the CESEDA Law of 2004 refer to some EU official document studied (see the end of each document; Immigration, Residence and Nationality Law, 2003: Title 1 art. 39; Asylum Right Law, 2003: art. 5; CESEDA, 2004: Book VIII Title II art. L. 811-1).

And such as the EU legal documents, the French laws ensure preventive measures. Indeed, a migrant cannot be granted a status if he/she is suspected to be a danger.

For example, temporary protection could be refused because of "sufficient reliable and consistent evidence" of crimes committed by the migrant (Immigration, Residence and Nationality Law, 2003: art. 39; CESEDA, 2004: Book VIII Title 1 L. 811-5).

Similarly, subsidiary protection might not be granted because of doubts (Asylum Right Law, 2003: art. 1; See also CESEDA, 2004: Book VII Title 1 ch. II art. L. 712-2). The same vocabulary as that of EU laws is found: "if there are serious reasons to think that". The four criteria set out are broad, as in EU official documents: from a common law crime to an action violating the principles of the United Nations. Here again is found the reason of "an activity on French soil which constitutes a serious threat for the public order, the public security and the state safety" (CESEDA, 2004: Book VII Title 1 ch. II art. L. 712-2 d).

Then, it also explicitly and logically set out that a migrant/asylum seeker will not be granted any protection status if he/she is an observable risk for the rest of society. This suggests a higher level of doubts towards them. A long-term residence permit (Immigration, Residence and Nationality Law, 2003: art. 21; CESEDA, 2004: Book 3 art. L. 314-3, 314-11) and the very access to the French soil could be refused to a foreigner if he/she "constitutes a threat to the public order" (CESEDA, 2004: Book 2 Title 1 ch. 3 art. L. 213-1). This also applies to the category of temporary residence permit (CESEDA, 2004: Book 3 art. L. 313-3, 313-13). Temporary protection could be refused on the same grounds, increased by the reasons of "public security and state safety" (Immigration, Residence and Nationality Law, 2003: Title 1 art. 39, V; CESEDA, 2004: Book VIII Title 1 L. 811-5, 2°).

Similarly, the status of asylum seeker could again be refused if the applicant "constitutes a serious threat for the public order, the public security or the safety of state" (Asylum Right Law, 2003: art 5, 3°; CESEDA, 2004: Title 1 art. L. 741-4, 3°).

This is similar to the Temporary Protection Directive (2001) since this law constitutes an application of it. A person present on French soil thanks to family reunification cannot constitute "a threat to the public order" if he/she wants to enjoy temporary protection (Immigration, Residence and Nationality Law, 2003: art. 39; CESEDA, 2004: Book IV art. L. 411-6). The CESEDA also indicates that the "threat to public order" is a reason of the refusal of a family reunification (2004: art. L. 411-6).

The refusal of the status of refugee or of subsidiary protection, or the exclusion from temporary protection means that the migrant/asylum seeker has to leave the French territory (Immigration, Residence and Nationality Law, 2003: art. 45). This remains valid for the non renewal, refusal and exclusion from any protective status (CESEDA, 2004: Books V and VIII).

4.2.2. Continuity of the preventive tendency (2006-2012)

4.2.2.1. At the EU level

From 2006 onwards, the idea of prevention remains an essential principle (See SBC Regulation, 2006: para. 6; Stockholm programme, 2009: pt 31). Yet, the prevention of a "threat to public order" (SBC Regulation, 2006: art. 5, 1. para. e, art. 7 2.) is not the only reason in EU official documents. A certain emphasis is put on the "threat to public health" and is noticeable about the entry of third-country nationals (SBC Regulation, 2006: para. 6, art. 2 para. 19, art. 5 1. para. e), art 7 2.; Frontex RABIT Regulation, 2007: para. 3; VIS, 2008: ch. II art. 12 para.g). A threat to public policy and international relations is also considered (SBC Regulation, 2006: para. 6, art. 2 para. 19, art. 5 1. para. e), art 7 2.; Frontex RABIT Regulation, 2007: para. 3; VIS Regulation, 2008: ch. II art. 12 para.g). Therefore, a few variations could be found. In the SIS II Regulation, the creation of an alert is based on the "threat to public policy or public security or to national security" that the foreigner "may pose" by his/her presence (2006: ch. IV art. 24). This could also be the ground for the refusal of a visa (VIS Regulation, 2008: ch. II art. 12 para. g), the return of a given third-country national (ch. 2 art. 6, 2.) or the extension of an entry ban (Return Directive, 2008: ch. 2 art. 11).

Migrants and asylum seekers are definitely associated with threats at the EU level. And in order to prevent a threat or to protect oneself against an actual threat, "exceptional measures" could be taken. This shows that the logic of exception and the one of unease could be simultaneous. The prevention of an existential treat could justify exceptional solutions.

For instance, an exceptional remedy would be a national one and consist in reestablishing control at the internal borders (SBC Regulation, 2006: para. 15, art. 23, 25). Exceptional measures could also be the deployment of a rapid border intervention team (Frontex RABIT Regulation, 2007: para. 7, art. 1, ch. 2 art. 12) in the case of a proven threat.

4.2.2.2. At the French level

From 2006 to 2012, the suspicion and prevention towards migrants is still noticeable. The reasons behind the refusal of a protective status are not as detailed as in the European official documents. Being a threat to the public order remains a reference in every piece of legislation. A visa could be refused to the partner of a foreigner enjoying a "competencies and talents permit" for that reason (Chosen Immigration Law, 2006: art. 3) as well as the foreigner enjoying a "student permit" (Chosen Immigration Law, 2006: ch. II art. 9), people enjoying family reunification ((Chosen Immigration Law, 2006: Title 2 ch. I art. 32; Immigration, Integration and Asylum Law, 2007: art. 4, 15; See also Immigration, Integration and Nationality Law, 2011: ch. 3 art. 21) and people enjoying long-term residence permit (Immigration, Integration and Asylum Law, 2007: art. 17). This is also valid for EU-citizens (ch. IV art. 23). Any refusal could be a reason to be forced to leave the French territory (Immigration, Integration and Nationality Law, 2011: Title II ch. 1 art. 37).

From 2006 to 2012, the idea of prevention is present but actually much more detailed in the EU laws. For instance, the concept of public health has not been transposed into French national law so far. The resort to exceptional measures is not mentioned in French official documents either. And yet, exceptional measures were emphasized in the EU official documents from 2006 to 2012, in particular as a way to prevent some threats. But it might have been more difficult at the French level since there is not an equivalent focus on the exceptionality of the migratory situation (See 4.1.1. and 5.1.1.). Indeed, at the French level, the exceptionality of some situations in terms of suddenness and/or of number of migrants is barely stressed (See 4.1.1. and 5.1.1.).

The logic of anticipation and prevention developed by the different securitization schools has thus been found in the official documents. This indicates a lot about the image of migrants and asylum seekers. They are considered a threat, serious enough to take urgent measures. They are also seen as a danger big enough to implement preventive mechanisms. Moreover, the categories present in both European and national law are generally associated with criminality.

4.3. The EU and the technologies of surveillance: towards an automated treatment of migrants and asylum seekers

The development and increased use of technologies has to be highlighted in order to understand another key aspect of the securitization of the image of migrants and asylum seekers. According to the Paris school, the routinized use of technologies by EU and/or French civil servants is the main reason of a securitized social representation of migrants/asylum seekers (Bigo, 2002: 73). New technologies are supposed to "restore to governments the capacities to regulate violence, crime, public disorder and the flow of people crossing their borders." (Bigo et al., 2010: 3). The increased use of technologies is stronger at the EU level than at the national level (Bigo et al., 2010: 34, 49). Indeed, the Area of Freedom, Security and Justice relies on a "robust confidence in security technology" (Bigo et al., 2010: 34).

4.3.1. Beginning of an increased use of technologies (2000-2005)

A belief in technology's capacity is clear and it leads to a concrete consequence for migrants: a more automated treatment of their case (See 3.2.4.). This can have an impact on their social representations. The Regulation establishing Eurodac (2000) is a good example. The recording of fingerprints is presented as the solution to ensure good application of the Dublin convention (2000: para. 4; ch. 1 art. 1 para. 1). A central unit has to be established and the central database will be computerized (para. 5; ch. 1 art. 1 para. 2; Eurodac Regulation, 2000: art. 3). The development of "biometrics identifiers or biometric data" is suggested in the Thessaloniki EC Concl. (2003: 11) and "biometrics and information systems" in the Hague programme (2004: 1.7.2.). Atak underlines that they create a "myth of efficiency" (2011: 246; Bigo, in Jaffrelot and Lequesne, 2009: 171). The use of technology is foreseen in the 'Global Approach to Migration' (2005: p10). Sharing information and data is enhanced with the increased use of technologies (Hague programme, 2004: p17, 2.1.; ILO Directive, 2004: art. 1). Technologies would thus be an appropriate mean to "control migration flows".

The recourse to technologies, although less emphasized, is nevertheless mentioned in the French documents. Fingerprints and photos are required and an automated processing of data (such as a proof of accommodation, a residence permit) is mentioned (Immigration, Residence and Nationality Law, 2003: Title 1 art. 7, 11 and 12, para. 1, art L. 611-3 and -6;

CESEDA, 2004: Book VI Title 1 art. L. 611-3 and -6). As at the European level, technologies are considered as an efficient way to prevent fraud and abuse of procedure in this precise case (Immigration, Residence and Nationality Law, 2003: Title 1 art. 7, 11 and 12, para. 1, art L. 611-3 and -6; CESEDA, 2004: Book VI Title 1 art. L. 611-3 and -6).

Statistics are also considered useful (CESEDA, 2004: art. L. 111-10). Indeed, in the Immigration, Residence and Nationality Law (2003: Title 1 art. 1) and the CESEDA (2004: Title 1 ch. 1 art. L. 111-10), a report has to be achieved and has as main target to "estimate the number of foreigners in an irregular situation on French soil" (2004: Title 1 ch. 1 art. L. 111-10). Measuring the number of migrants seems to be considered as a useful tool for the policy-making in the migration and asylum field.

Indeed, there is a will to register movements of people in France, as the recurrent idea of an annual report on the multiannual orientations of the immigration policy indicates (In this respect, See Immigration, Residence and Nationality Law, 2003: Title 1 art. 1; CESEDA, 2004: art. L. 111-10). And this is not required by EU law.

4.3.2. A reinforced faith in security technology (2006-2012)

The period starting in 2006 sees the advent of a new generation (the second) of databases. Once again, they are considered as efficient to prevent or "fight" against the migration flows coming to the European Union. The SIS II is a good example of that very fact (2006: art. 1). In the Regulation establishing the SBC Regulation (2006), technologies are seen as one of the best ways to "combat illegal immigration" (ch. II art. 7 pt 2; VIS Regulation, 2008: art. 2 para. g; European Pact, 2008: III, e). The same could be applied to the possibilities offered by the SIS II to use "biometric data", which are considered as "reliable information" (2006: para. 12, art. 1). The Visa Information System started in 2008 follows the same logic (2008: para. 5, 10). Biometrics are also evoked in the European Pact on Immigration and Asylum (2008: II 3. D, III b), p8; See also SIS II Regulation, 2006: para. 12; VIS Regulation, 2008: para. 10).

Statistics have also a key role (SBC Regulation, 2006: art. 13, Annex II; VIS Regulation, 2008: art. 17). They anchor the relevance of categories (SIS II Regulation, 2006: ch. VIII art. 50) since they use them.

One can also observe a combination of the logic of prevention with the technologies. Risk analyses are strongly advocated (SBC Regulation, 2006: para. 8; IBM Council Concl., 2006: 1., 2. and 6.; Frontex Regulation, 2011: para.17, art. 1) and implemented.

The hypothesis of a pooling of fears, associated with an assumed lower scrutiny at the EU level could explain the mushrooming of databases at the EU level (Bigo et al., 2010: 56). They seem so encouraging that a second generation has been developed and the use of biometrics has been deepened. This development highlights that migrants and asylum seekers are definitely considered as a threat since the need for an automated treatment is felt by the EU civil servants. This is also interactive and actually reinforces the securitized social representation of migrants/asylum seekers. Unfortunately, the increased use of technologies might lead to the creation of some new linkages by granting access to services in the field of criminality or by encouraging the cooperation of some agencies in the field of migration, justice and criminality (Guild et al, in Bigo et al., 2010: 224). As Bigo et al. stress: migrants and asylum seekers are treated as "if they were criminals or potential terrorists, mainly because they fall under the same technology of biometric identifiers." (2010: 60; See also Guild et al, in Bigo et al., 2010: 222). Therefore, the development of technologies and the cooperation between fields considered as similar involves a risk of damaging mix of data (Bigo, in Bigo and Guild, 2005: 87). Indeed, as Bigo et al. notice: "[t]here is a clear pattern whereby all information systems- first introduced to manage movement across borders-have become or are becoming criminal management systems." (2010: 60).

The securitization of the image of migrant could happen since the use of technologies is particularly important at the European level.

The logic of prevention described by Bigo and his counterparts relies on an assumed use of technologies. This has been found at both levels and seen as particularly important at the EU one. The increased use of technologies also reinforces the logic of prevention. The new tools created suggest that preventive measures are possible and reliable. This would encourage another policy development such as the externalization of the migration and asylum policy.

4. 4. The particular EU security architecture and its consequences for the social representation of migrants and asylum seekers

4.4.1. The externalization of the migration and asylum policy

In order to understand the main features of the externalization trend of migration and asylum policy, one should bear in mind the particular EU security architecture. The EU project encompasses a specific idea of security. It also changes the points of references:

internal borders were abolished and new external ones created. This is a result of the creation of the Schengen area (Bigo, in Jaffrelot and Lequesne, 2009: 165). Internal and external security are increasingly linked. Securing the external borders of the EU is an objective of primary importance (Nice EC Concl., 2000: pt 49; Laeken EC Concl., 2001: pt 40, 42; Plan, 2002: title and (1) and III (40) Annex 3; EC Concl., 2002: I; See also ARGO Decision, 2002: art. 4; Frontex Council Regulation, 2004: para. 7). It also constitutes the corollary of the suppression of the internal borders (Plan, 2002: (2); Hague programme, 2004: 1.7.1.; Frontex Regulation, 2004: para. 1).

This has an impact on the management of migration and its social representation. It indicates that the phenomenon of migration is seen as a double problem. It is firstly seen as a danger for the security of the external borders and secondly, as a potential threat to stability and internal security.

Scholars also notice that "[b]order control is being externalized beyond the state's confines" (Bigo et al., 2010: 132). This obviously refers to the control at the EU external borders for Member States but also the control and activities beyond the EU external borders. This is about "policing at a distance" (Bigo and Guild, 2005: 1, 91; Bigo, in Jaffrelot and Lequesne, 2009: 165; Bigo et al., 2010: 132). This policy development aims at involving third countries in the external security of the EU. Such an idea could be found in the Laeken EC Concl. (2001: pt 40; Nice EC Concl., 2000: pt 50; Seville EC Concl. 2002: pt 33-34; Thessaloniki EC Concl., 2003: 9, 17; Hague Programme, 2004: 1.6.).

The linkage between internal and external borders, freedom of movement and the security of the external borders was reinforced at the EU level from 2006 to 2012 (SBC Regulation, 2006: para. 2, Title 1 art. 1; SIS II Regulation, 2006: para. 5, ch. 1 art. 1). The concept of border control clearly joins internal and external security (SBC Regulation, 2006: para. 3, 6 and 8, art. 2). It is thus very present in this regulation establishing the Schengen Borders Code (2006). The security inside increasingly depends on the security at the boundaries of the EU. This is explained in a very straightforward way to the Member States: because they abolished the internal frontier, they would all have an "interest" to consider the security of the external borders of the EU (SBC Regulation, 2006: para. 6; Frontex RABIT Regulation, 2007: para. 3; See also Frontex Regulation, 2011: para. 2 and 5).

All those developments have been deepened by the European Council conclusions on Integrated Border Management (IBM Council Concl., 2006: p1). Indeed, the increased importance granted to the external dimension played a role in the advent of the Integrated Border Management concept (See also Stockholm programme, 2009: pt 30; Frontex Regulation, 2011: para. 2). External security is definitely seen as anchored in the partnership with third countries. In a way, EU internal security is also a matter of internal security of third countries (IBM Council Concl., 2006: p2). A solid basis to this development could be found in the European Pact on Immigration and Asylum (2008, p2, especially II, p7, V) or in the Stockholm programme (2009: 32.).

4.4.2. Migrants and asylum seekers at the heart of an "(in)security continuum"

A continuum between external and internal security measures is therefore stressed (Plan, 2002: para. 4; Hague programme, 2004: Introduction, 1.7.2., 2.2.). The concept of continuum is developed by some scholars (Bigo, 2002; Bigo, in Jaffrelot and Lequesne, 2009; See 3.2.2.). This highlights the idea that migration is considered as a danger, coming from the outside which has the potential to be a problem on the inside. It does highlight a linkage, a "(in)security continuum" between the different feelings of insecurity experienced worldwide (Bigo, 2002: 63; Bigo, in Jaffrelot and Lequesne, 2009: 170). As Bigo stressed, there is "a convergence between the meaning of international and internal security" (2002: 63). The heart of this continuum is quite often the migrant (Bigo, 2002: 63; Bigo, in Jaffrelot and Lequesne, 2009: 170). This could have for consequence that the social representation of migrants conveys more fears that it actually encompasses.

The externalization of migration and asylum policy is a direct consequence of the securitization of the migration and asylum policy. This development mainly results from the EU project. This reinforces the securitization of the social representation of migrants and asylum seekers. The concept of "(in)security continuum" is a good illustration of that phenomenon.

4.5. Discussing the nexus Europeanization-Securitization: reasons for Member States to securitize at the EU level

As underlined in this section, securitization from the EU level might happen because of intergovernmental influences. This hypothesis has been raised several times in this section. The idea that some securitizing moves, which are not possible at the national level, happen at the EU level is valid in some contexts.

Indeed, some scholars argue it can be profitable for Member States to let the European Union institutions and actors securitize the migration phenomenon. Boswell thus explains that securitizing migration is not always fully interesting for Member States (2007a: 592). By focusing on migration control, she explains that securitizing migration can even be risky at state level (2007b: 1-2). First, a given state can have conflicting interests *vis-à-vis* migration policies (2007b: 1-2). For example, one state can encourage migration because it is needed for its own economy but will then difficultly fulfill its obligation of fairness in its society (2007b: 1-2). This applies to the French case (See 5.2.). The second point she underlines is called "delivery" (2007b: 2). It has to be understood as the "problem of meeting public expectations" (2007b: 2). A state should not threaten its population too much with migration. Politicians have to be sure they can effectively solve the problem they first created by securitizing the social representation of migrants and asylum seekers. The third element is what Boswell recognizes as the risk of "losing credibility" (2007b: 2-3). Governments cannot construct "implausible correlations between migration and security" (2007b: 2-3).

Therefore, by externalizing (Europeanizing) policies related to the securitization of migration, Member States "avoid[…] many of the conflicts created by attempts to securitize migration within their own territories" (Boswell, 2007b: 5). Moreover, Boswell underlines that the European Union and its policies would not have to face an equivalent high scrutiny (2007b: 5; 2007a: 592). The explanation delivered by Boswell highlight that Member States have sometimes no reason to securitize at their level. As a consequence, she underlines that Member States might indirectly or directly push to the securitization at the EU level.

This precedent development also refers to the "policy-venue shopping" hypothesis. It means that Member States "chose the level of decision (national or European) which maximizes their room for maneuver" (Atak, 2011: 103; See also Maurer and Parkes, 2005: 3). Europeanization could allow an easier enhancement of controversial policies (Atak, 2011:

103). For example, Bigo and Guild explains that Schengen has been "created [as] a tool to transfer responsibility from the national politicians to European institutions in case of failure" (2005: 80-81).

Moreover, the necessity for transposition and respect towards EU law could thus be used as an argument. Atak refers to the example of the notion of "safe country" (2011: 351).

Therefore, the Europeanization of migration and asylum policy could be useful for national politicians. It could be a way to realize the national agenda (Atak, 2011: 351; Maurer and Parkes, 2005: 3).

4.6. Summary of section 4

The Europeanization of policies could thus reinforce securitization, as the case of the migration and asylum policy seems to indicate. There are some autonomous successful securitizing moves from the EU level. A study of the vocabulary of the EU official documents in order to grasp the EU norms and values is revealing. The Europeanization of the migration and asylum field contributes to the anchor of a warlike vocabulary in official documents. It also enhanced and still enhances the linkages between freedom of movement and the security of the external borders. The Europeanization process thus encourages the depiction of migrants and asylum seekers as threats and dangers for the security and safety of the EU. The idea of prevention is another illustration of that very fact. Prevention is important and has multiple forms: visas, control at the external borders, conditionality of the aid to third countries, databases, etc (Atak, 2011: 2). This would be reinforced by the increased use of technologies of surveillance. Those developments confirm the theoretical developments about the security continuum. Internal and external security are linked. And the migrant/asylum seeker seems to represent the heart of this security continuum.

The hypothesis of a pooling of fears could be seen as a concrete consequence of the security continuum (Bigo, 2002: 63). The functioning of the European Union, especially in its intergovernmental structures, might enable "many different actors [to] exchange their fears and beliefs" (Bigo, 2002: 63). This is how a continuum of threats could be created. External and internal threats are considered linked. And the image of migrants is generally considered as the heart of it. Migrants and asylum seekers represent both the dangers coming from the outside and the risks for the inside, for the social cohesion.

Moreover, by highlighting the intergovernmental character of the EU project and the use made by the Member States, one brings the idea of a key role of the national level in the securitization of the image of migrants and asylum seekers coming from the EU level. This suggests that Europeanization cannot be considered as the main and only factor of the social representation of migrants and asylum seekers as criminals. There are other sorts of influences and those of the national level are key ones.

5. Questioning the Europeanization of the securitization of the social representation of migrants and asylum seekers in France

5.1. Strength of the EU securitizing moves

5.1.1. The case of weak effects from the Europeanization process

First of all, the EU's influence on the securitization of the image of migrants and asylum seekers could be questioned since it has sometimes little or no effect on the French level.

One example would be the vocabulary used in the French official documents. The words used do not depict the same image of the migrants and asylum seekers. Expressions such as "fight" and "combat" are not used that often in French legal texts in comparison to EU ones. In the first article of the Immigration, Residence and Nationality Law, "combating against the entry and irregular residency of foreigners" is set out as a key objective (2003, See also art. 11, 12). But that constitutes the only major securitizing move in terms of vocabulary in the French official documents for the first half of the decade. Similarly, nothing has been found in the Chosen Immigration Law (2006) and Immigration, Integration and Asylum Law (2007). The legal document aiming at creating the Eloi Database (referring to the deportation (*éloignement*) of foreigners) prefers the adjective irregular (2006: art. 1, 2), not as strong as the notion of illegality, which is widely repeated in the EU official documents.

The distinction established between illegal and irregular is not clearly used at the national level. The word illegally has not been found in the French official documents studied from 2000 to 2005. Yet, the notion of illegality seems stronger since connoted with criminality (PICUM, 2013). The adjective illegal refers to something or someone being "contrary to or forbidden by the law, especially criminal law" (Oxford Dictionaries, 2013b). As Leonard et al. stress: "illegality connotes the individual violation of a legal norm" (in Bigo et al., 2010: 133). Irregular is about something "contrary to the rules or to that which is normal or established" (Oxford Dictionaries, 2013c).

Similarly, the adjectives suggesting important movement of people such as "mass" are not found. The exceptionality and/or the suddenness of the situation are not stressed in the French official documents. These findings could nuance the idea that the national level is permeable to the securitization moves from the EU level.

Then, one can underline that the EU does not enhance technologies of surveillance at the French level. The increased use of security technologies within the EU does not push to the same developments at the national level. The same fact remains valid concerning the development of databases or the creation of agencies. Indeed, from 2006 onwards, apart from the Eloi Database, there is no mention of technologies and statistics in the official documents studied. In addition, the legal document which created that database was cancelled in 2007 (See Chronology).

One can eventually assume that French politicians have more difficulties enhancing databases and agencies at a national level because of higher scrutiny of their citizens (Boswell, 2007a: 592, 2007b: 1-2, 5; See 4.5.). The EU construction sometimes aids the realisation of political ideas which are sensitive at a national level. Therefore, the weak development of technologies of surveillance in France may not be due to a lack of interest. This means that the concrete use of technologies remains the privilege of the European field. The lack of such a development also indicates that the factors of the securitized image of foreigners in France cannot be fully grasped through the Paris school theory.

Similarly, the externalization of the migration and asylum policy observable at the EU level does not have a big impact in the French official documents studied.

Therefore, even if the EU official documents encompass securitizing moves, this does not mean that it contributes to the securitization of the social representation of migrants in France in the 2000s. In the frame of this dissertation, a securitizing move has to be adopted and thus transposed at the national level in order to assert its success. And yet, the transposition of some securitarian ideas and concepts does not always happen. One thus has to think about other sources of influence concerning the perception of migrants and asylum seekers in the French society from 2000 to 2012.

5.1.2. Other influences are at play: the role of external events

The securitization of (or absence of) the image of foreigners could be due to external phenomena and contextual factors. Bourbeau describes them as "exogenous shocks" which encompass "an event or group of events that induce points of departure from established sociological, cultural and political patterns" (2011: 4, 99). For instance the terrorist attacks of 9/11 in the USA are frequently mentioned. It would constitute a turning point. But this remains controversial. No increase of securitization of the migration and asylum policy has been found during the 2000s (Bigo, in Jaffrelot and Lequesne, 2009: 172).

Boswell explains that the framing of the securitization of migration was "already prominent before 9/11" (2007a: 594; Bourbeau, 2011: 106). Bourbeau underlined the "limited impact" of these attacks in France (2011: 64-65, 108).

Nevertheless, one can admit that it has been used as an additional reason to continue the securitization of the aforementioned policy (Bigo, in Bigo and Guild, 2005: 72). The doubts expressed towards migrants and asylum seekers were then still justified and legitimised.

In addition, Bigo underlines that this event reinforced the legitimacy of security professionals and their claim for preventive strategies (2009: 172). 9/11 would have had an impact on practices at the EU level: this would have increased the use of databases at the EU level (Boswell, 2007a: 590) and the value granted to the proactive logic (Bigo, in Jaffrelot and Lequesne, 2009: 172).

Some impulses for policy-making and securitization are independent from the European level and might explain the failure of the EU securitizing moves (Bourbeau, 2011: 47). They might also underline another source of the securitization process. But this hypothesis will not be scrutinize in details and should be the subject of another analysis. However, thanks to the short example of 9/11, one can keep in mind the role of exogenous shocks. Besides, external events can also be used at the national level to justify the legitimacy of an intergovernmental action (See Sarkozy and Berlusconi letter; See 5.2.4.1.).

5.2. Autonomous securitizing moves from the national level

5.2.1. Reasons to securitize at the French level

As the analysis of data already underlines, one needs to be more balanced. Member States such as France could have reasons to securitize the social representation of migrants.

First of all, migrants and asylum seekers could be considered as a threat to the state, seen as a corporate group, as a "body" (Bigo, 2002: 65). They are a reconsideration of the concept of borders, which have to be controlled by a state in order to ensure its cohesion, its homogeneity (Bigo, 2002: 67). The centralized character of the French state reinforces that general tendency. This explains the necessity felt to select migrants in order to be sure that they can become integrated in their new host society.

Moreover, Bigo explained that the image of migrants is the converse image of "the good citizen" in any given country (2002: 70). This image thus encompasses what a state conceives as the main threat(s) to its cohesion. For example, in France, immigrants tend to be depicted as "religious fanatic[s]" (Bigo, 2002: 70). A logical threat for the French state which values the principle of "laïcité"/secularism. This key principle is stated in the first articles of the French constitution (art. 2).

Securitizing migration therefore helps the consolidation of the collective identity, by rejecting foreigners and depicting them as a threat (Boswell, 2007b: 1).

In addition, migrants and asylum seekers embody the risks to a given society as referent object experience because of transnational activities. As a result of several phenomena such as the Europeanization of politics, national sovereignties become more and more limited. And states are less and less in charge of border controls. The very notion of border progressively loses its meaning and its strength, especially with the Europeanization process (Bigo et al., 2010: 19). It produces feelings of insecurity that are personified by migrants. Migration is the daily proof of the loss of state's control on its territorial boundaries (Bigo, 2002: 65; Atak, 2011: V). The fact that the EU borders are frequently changing because of the enlargements (Atak, 2011: 15) increases the feeling of insecurity by making the concept of border unstable.

Migrants definitely embody the negative aspect of globalization. For instance, they are generally depicted as the primary cause of increasing unemployment of the French citizen. Societies need their scapegoat (Bigo, 2002: 80; See also Dumont, in Berramdane and Rossetto, 2009: 26). The problem cannot come from inside, from the homogenized national body.

By securitizing migration and using repressive means, states also try to maintain their control on their borders (Fernandez et al., in Bigo et al., 2010: 203).

The concept of continuum of threats is also well illustrated at the national level: migrants crystallize fears, whether it be for the control of the French state on its borders or for French social cohesion.

<u>5.2.2. The upstream selection of migrants and asylum seekers, as a preventive measure</u>

5.2.2.1. A strong will to categorize: towards "chosen immigration" (2000-2005):

At the French level, a clear attempt to categorize is visible. Indeed, categories, which depend on the permits issued and the status granted, are enforced. They emphasize the image of foreigners in France. Thus, there are the foreigners with a residence permit, the one coming because of family reunification, etc. But even among the category of a residence permit, one can distinguish between those who can stay for a long time (10 years) and those who can only stay for one year. Those categories or sub-categories are created at the national level and specify who is considered as a danger or a 'disruptive element' for social cohesion of the host society. There is autonomy at the national level. This indicates that the view of migrants and asylum seekers could not be considered as the exact transposition of the one from the EU level (See 5.1.1.).

The different categories established in the national law are quite interesting in order to see how migrants and asylum seekers are considered. Because their entry into France is most of the time not desired (except in cases such as high qualified workforce), their stay in the country is limited. Those categories could also be considered as sub-categories of the categories imposed by the EU law.

In the Immigration, Residence and Nationality Law, one can distinguish the following categories: residence permit holders, beneficiaries of the right to family reunification, refugees and beneficiaries of subsidiary protection. The overall category would be "the foreigners" (2003, Title of the law). The Asylum Right Law is logically about refugees, stateless persons and people who are beneficiaries of subsidiary protection (2003, art. 1). Those categories would refer to a duty that the French state has to enhance human rights by offering protection to those who needs and are present on French soil.

The CESEDA Law copies the category of the law of Immigration, Residence and Nationality Law of 2003 (2004). Residence permits are detailed. Two sorts could be distinguished: temporary residence permits (*carte de séjour*, one year maximum) and long-term residence permits (*carte de résident*, ten years maximum) (Book 3 art. L-311.2). Within the temporary residency permits, some categories are decided such as "visitors", "student" and "scientific" (Book III art. L-313-3, Section 2). This seems to indicate a "chosen immigration" before the official statement of the creation of such a concept.

Another interesting categorization is that concerning third countries. Migrants will not be considered in the same way depending on their origin. Foreigners who are EU citizens enjoy an easier procedure (Immigration, Residence and Nationality Law, 2003: Title 1 art. 11 para. 1, art. 14; CESEDA, 2004: Book 1 Title 2 art. L. 121-1, Book VI Title 1 art. L. 611-3 and -6). Although, the EU citizens from countries which entered the EU recently tend to have a more limited freedom of movement in comparison to the EU citizens from older Member States (Residence and Nationality Law, 2003: Title 1 art. 14; CESEDA, 2004: Book 1 Title 2 art. L. 121-1). The change of status of citizens of recent Member States could be an explanation: time has to prove that they are not a threat to the older Member States (Bigo et al., 2010: 16).

Then, different categories of third countries are established. An interesting concept is the one of "safe country" which appears in the Asylum Right Law (2003, art. 2 and 5; See also CESEDA, 2004: Book VII Title IV ch. 1 art. L. 714-4, 2°). This is obviously about the definition of threats since this consists in the qualification of countries seen as dangerous or not.

5.2.2.2. Deepening of the categories and enforcement of "chosen immigration" (2006-2012)

From 2006 onwards, categories are deepened. The wording clarified the French concept of "chosen immigration". Foreigners have to be an asset to the French Republic in order to be accepted on French soil. For instance, the Chosen Immigration Law (2006) creates two additional subcategories concerning the temporary residence permits (*carte de séjour*). One is called "skills and abilities" (*compétences et talents*) (Chosen Immigration Law, 2006: Title 1, ch. 1, art. 2 modifying the art. L. 311-2). The time limit is longer than a basic temporary residence permit (three years versus one year). The other category is the one of "pensioners" (*retraités*) and is valid for ten years (Chosen Immigration Law, 2006: Title 1 ch. 1 art. 2 modifying the art. L. 311-2). This illustrates the concept of "chosen immigration" because here it is about persons who can either bring innovations and/or money to France (Chosen Immigration Law, 2006: art. 15; Carrère, in Rodier and Terray, 2008: 45).

Concerning the categorization, continuity remains: EU citizens are still distinguished from the third-country nationals (Chosen Immigration Law, 2006: ch. IV art. 23). And again, the citizens of the new Member States would not obtain their permits as easily as the one from older Member States (Chosen Immigration Law, 2006: ch. IV art. 23, modifying the article L. 121-2). Nevertheless, an interesting detail appeared in the new art. L. 121-1: the foreigner

"should not become a burden for the welfare system" (Chosen Immigration Law, 2006: ch. IV art. 23 modifying the article L. 121-1, paragraph 3; See also Immigration, Integration and Asylum, 2007: art. 22 creating the article L. 121-4-1; Immigration, Integration and Nationality Law, 2011: art. 22). The linkage migrant-social welfare benefits abuser could thus be found in a legally binding document. Guild also highlights that "[being] a potential burden to the social welfare" generally leads to the exclusion of the migrant/asylum seeker from a protective status (in Bigo and Guild, 2005: 15, 41).

5.2.2.3. Migrants and asylum seekers, portrayed as a threat to French social cohesion

The categorization found in French official documents emphasizes a new trend concerning the migration and asylum policy: the "chosen immigration". This political will has been translated into legally binding documents and consists of the selection of the migrants/asylum seekers who could enter France. The idea has found new justifications with time, especially with the emergence and persistence of the economic crisis. The popular idea that "France cannot accept all the misery of the world" is definitely implemented. People who have money (pensioners) or can bring some (researcher, scientists, students) or can bring honours (sport, music) should be accepted. This trend could be understood as a way to ensure the social cohesion of the French society and its survival. Having poor migrants is seen as a risk in terms of social welfare benefits. It is a risk that the French citizens develop a feeling of unfairness towards the migrants and asylum seekers who might be granting some financial support they cannot enjoy. This "chosen immigration" concept constitutes an addition to the securitization happening at the EU level. It could maybe be understood as an answer to the freedom of movement granted to EU citizens and some foreigners. By adding categories or sub-categories, the French government has different 'filters' to ensure the future integration of potential migrants and asylum seekers and therefore the social cohesion of the society. Those selections are seen as protective; that is why some are also targeting the EU citizens. The French government wants to have the possibility to exclude the 'potential abuser(s)' of social welfare system. This is a way to ensure a solution in the case of social tensions or even better, a way to prevent them.

"Chosen immigration" is therefore a way to ensure the social cohesion of the French state and its collective identity (See Boswell, 2007b: 1). Indeed, the categories decided allow the 'selecting' of migrants/asylum seekers who have the best chances to become integrated or assimilated. Categories are also a way to distinguish between the potential criminal migrants

and the "safe" ones. Migrants thus represent the two main dangers that a state might experience: criminality and weakening of social cohesion (See Bourbeau, 2011: 71-72.).

5.2.3. The integration requirement, another preventive measure

Integration is presented as a key condition to stay on French soil. This is a way to ensure that the incorporation of foreigners would not imply a change of the collective identity and would not be too risky for the French state's legitimacy. The French policy towards migrants is historically firm: integration is generally associated with the assimilation of migrants/asylum seekers (Zappi, 2003). The French society does not aim at a melting pot. This explains the importance granted to the integration process in the French official documents.

Integration is mentioned for the temporary residence permit (Immigration, Residence and Nationality Law, 2003: art. 8), as well as the long-term residence permit (Immigration, Residence and Nationality Law, 2003: art. 8, art. 21; CESEDA, 2004: art. L. 314-2 and -3). It is more precisely the "Republican integration in the French society" which is required (Immigration, Residence and Nationality Law, 2003: art. 8, art. 21; CESEDA, 2004: art. L. 314-2 and -3). "Sufficient knowledge" of the French language and of the "principles governing the French Republic" are pre-requisites (CESEDA, 2004: art. L. 314-2).

Integration of immigrants or people from "immigrant backgrounds" is also mentioned in the programming law for social cohesion (2005: ch. V).

Integration is particularly important from 2006 onwards. This is the second key word of the Chosen Immigration Law (2006). This reminds that migrants/asylum seekers are feared because they represent a danger for the French social cohesion. Article 5 foresees in a new article L. 311-9 that a foreigner will "prepare his/her Republican integration in the French society". A "hosting and integration contract" (*contrat d'accueil et d'intégration*) is even mentioned and foresees a civic formation and linguistic one (depending on the results the applicant had at a prior test) (Chosen Immigration Law, 2006: art. 5). The applicant should attend a workshop about the way of life in France (Chosen Immigration Law, 2006: art. 5). The integration of foreigners in France is seen as crucial for the French social cohesion. The failure of the integration process is therefore considered as a threat. It is interesting to see that the language remains a symbol of the French identity. France is particularly attached to the prevalence of its language. The civic formation also indicates that foreigners are not trusted to apprehend by themselves the French way of life. The respect of this "contract" will allow a

given foreigner to ask for the renewal of his/her temporary residence permit (See also Immigration, Integration and Nationality Law, 2011: Title 1 ch. 1 art. 8). This conditional entry into the French territory is valid for the issuing and then renewal of long-term residence permits (*carte de résident*) (Chosen Immigration Law, 2006: art. 7).

Integration is also the key word of the Immigration, Integration and Asylum Law which links the control of immigration with asylum (2007). The "Republican integration in the French society" is still mentioned but the content changes a little. This actually concerns third-country nationals involved in a process of family reunification. The requirements are equally demanding. He/she has to complete a test to evaluate his/her "knowledge of the language and values of the Republic" (ch. 1 art. 1 adding the article L. 411-8). The test has to happen in the country of origin, so before entry to France. They have to stick to the "essential principles, which frame, according to the laws of the Republic, the familial life in France, here the host country" (ch. 1 art. 2 adding the article L. 411-5). This replaces the phrase "fundamental principles recognized by the laws of the Republic". The "Republican integration of the family in the French society" and not only the individual is justified by the need to ensure social cohesion (ch. 1 art. 6 adding the article L. 311-9-1). The contract previously mentioned is considered as well. Moreover, the parents have to learn the rights and duties they have as parents. One more time, the respect of this contract and those obligations will help to grant the renewal of a temporary residence permit. The same conditions are advocated for a visa application (Immigration, Integration and Asylum Law, 2007: art. 10 creating the art. L. 211-2-1). Moreover, the "inclusion" of the foreigner having a visa will be evaluated through "his/her knowledge of the values of the Republic" (Immigration, Integration and Asylum Law, 2007: art. 12 about the art. L. 311-11).

Another interesting linkage is established with the Immigration, Integration and Nationality Law (2011). The title one actually concerns the French "Civil Code" (*Civil Code*) and attempts to add some new definitions of the French identity (See art. 2 about the art. 21-24). The "commitment to the essential principles and values of the Republic" is also added. The word "assimilation", stronger than integration, is emphasized since it will be the object of a control (See art. 2 about the art. 21-24). Sufficient knowledge in French is stressed, indicating again the importance of the French language (See art. 2 about the art. 21-24).

For the period 2006 onwards, migrants in France seem to being feared mainly because they represent a threat to French social cohesion.

5.2.4. Questioning the EU influence by highlighting the role of Member States

The national level thus influences the European level. Indeed, the head of states and governments still have a key role in the European project, through the European Councils, Councils and bilateral initiatives. The Member States have their own autonomy. Those facts are particularly illustrated through the enhancement of policies based on shared competencies. And the migration and asylum policy is one of those.

5.2.4.1. Illustration of the pooling of fears hypothesis

A letter co-written by Sarkozy and Berlusconi in April 2011 is an example of the influence of Member States' within the European Union. Indeed, freedom of movement and the Schengen area are praised but are also presented as source of worries. This letter shows the lack of trust that some national politicians have about the EU. For instance, the letter first questions the capability of the EU to ensure security at the external borders, before putting into question national flaws in the host systems (Sarkozy and Berlusconi letter, 2011: II). The first solution offered is also national: the reintroduction of control at internal borders (Sarkozy and Berlusconi letter, 2011: III). The vocabulary chosen is also stronger than that which tends to be used in French official documents, reinforcing the hypothesis of a pooling of fears at a supranational level.

A step towards more supranationalism might help to prevent the pooling of fears' phenomenon. Europeanization would increase securitization when it means intergovernmentalism. Indeed, the European Council currently has lots of power. The Council has equal powers with the European Parliament in lawmaking process. Moreover, migration and asylum policy is a shared competency. There is a risk of increasing the fears and threats perceived by each Member States taken on its own.

Besides, pooling the fears can justify measures at both the European and national level, as the theory of policy-venue shopping suggests it. External event constitute reasonable grounds to act and legislate at both the EU and national level. The Lampedusa crisis and the question of Tunisian migrants coming from Italy to France is an illustration of that very fact. The European policy tools foreseen to deal with migration and asylum could be just an additional way to get rid of migrants and/or to control them out of scrutiny. The Dublin system and its Eurodac database are a good example. The externalization policy provides another illustration.

5.2.4.2. Illustration of the policy-venue shopping theory

Another illustration of the influence of the Member States' politicians at the EU level could be found in the enhancement of integration measures in the EU official documents. Measures about integration are already mentioned in the Council decision creating a European Refugee Fund Decision (2000: ch. 1 art. 4). The "integration of third-country nationals" is also evoked in the Nice EC Concl. (2000: pt 50). In the Seville EC Concl., integration concerned the "lawfully resident immigrants" (2002: pt 28, 29). Again in Thessaloniki EC Concl. (2003: pt 9): "smooth integration of legal migrants into EU societies" and pt 28: "integration of third country nationals legally residing in the territory of the European Union" is stressed. In the Family Reunification Directive (2003), the integration encouraged is that of family members (pt 15). The art. 7 of the same directive clearly states that Member States can require third-country nationals to comply with integration measures. In the directive about the qualification and status of third country nationals (2004), an "access into integration facilities" is foreseen (art. 33). Member states should indeed ensure the establishment of "integration programmes". This concerns refugees but could also concern beneficiaries of subsidiary protection (art. 33).

The Hague Programme (2004) also encourages integration since it is seen as a component of the comprehensive approach mentioned (pt 1.2.). In pt 1.5., the integration of the so-called third-country nationals is clearly linked with the "stability and cohesion" of the host societies. A call for action at the national level is also clearly stated (pt 1.5.). Similarly, the statute of the European Return Fund foresees that some funds could be allocated in order to integrate migrants/asylum seekers in their host societies. This is conditional and should not be seen as a pure humanitarian action. Such an action clearly has to "contribute[…] to economic and social cohesion" (2007: para. 15). Social cohesion is also mentioned in the European Pact on Immigration and Asylum (2008: p3). Encouraging integration is actually one of the five key measures advocated (European Pact, 2008: p4, See I p5 and 6 as well). All those illustrations underline that the concrete measures have to be taken by the Member States.

The importance of integration for the Member States' politicians is reinforced by the fact that most official documents highlighting the necessity for integration have an intergovernmental character. One can deduce the obvious influence of the Member States to draw attention to the internal instability that migrants might bring.

The concept of integration, already important at the EU level, appears even more crucial at the Member State's level (See 5.2.3.). Integration is appropriated, put into the national context

and is definitely a strong factor of securitization at the national level. In contrast to the European level, the risk to social cohesion is first at the French level. A balance also has to be made: if integration has to happen, it is at the national level. Indeed, European citizenship is only possible through the enjoyment of a national citizenship.

The EU project cannot be seen as a pure supranational organization. An influence of the Member States is visible, as the example of the migration and asylum policy indicates. National influences can be expressed at the European level and contribute to securitize the social representation of migrants and asylum seekers.

5.3. Questioning the securitization of the social representation of migrants and asylum seekers

5.3.1. A constrained neutrality of words referring to migrants and asylum seekers

The terms used both at the European and French level to describe migrants and asylum seekers are neutral. This could be explained by the obligation for France to stick to international conventions and treaties ratified, such as the Geneva Convention (For example, See Asylum Right Law, 2003: art. 1, 5; CESEDA, 2004: Book VII Title 1 ch. 1, art. L. 711-1, 731-3, 741-4). Those treaties are also valued within the European Union (European Refugee Fund Decision, 2000: para. 4; Eurodac Regulation, 2000: art. 2; Expulsion TCN Directive, 2001: para. 3, 4; Family reunification Directive, 2003: ch. 1 art. 1 b; ….; See also Dumont, in Berramdane and Rossetto, 2009: 22).

Indeed, the words used at the EU level to categorize migrants are dispassionate. They are also descriptive and refer to specific situations. One can thus read the words: "third-country national", "displaced persons", "refugees", "stateless persons" and "alien". As an illustration, in the Eurodac Directive, three categories are established: those of "applicants for asylum", "aliens found illegally present in a MS" and "recognized refugees" (2000). Therefore, the first feeling one has when reading the EU official documents is one of neutrality towards migrants and asylum seekers.

The period of the implementation of the Hague Programme (after 2005-2006) does not encompass major changes. The use of the expression "third-country national" is, again, recurring (SBC Regulation, 2006: art. 2, 6.). A third-country national is still defined in a

negative light: he/she is not a citizen of the EU (SBC Regulation, 2006: art. 2, 6.). But this is also a straightforward definition.

The references to international law are still present (For example, see European Return Fund Decision, 2007: para. 15).

The same assessment could be made concerning the national level. The term "foreigner" (*étranger*) is used through the whole Immigration, Residence and Nationality Law (2003). The common nouns refugee and foreigner (*réfugié* and *étranger*) are used in the Asylum Right Law (2003). The Code of Entry and Residency of Foreigners and the Right to Asylum also encompasses neutral terms. But a "foreigner" (*étranger*) is defined in a negative light: "Are considered as foreigners in this Code all the persons who do not have the French nationality, either that they have a foreign nationality or that they have no nationality" (2004: art. L111-1, Title 1, Book 1).

The laws passed after 2006 foresee an important amount of sub-categories which clarify the concept of "chosen immigration".

Therefore, the words used in the French and EU official documents to depict migrants and asylum seekers are neutral when considered on their own. They take another dimension because of the categories created and the context and content of the official documents.

5.3.2. No straightforward linkages between terrorism and migration

Furthermore, one has to strike a balance. The assumed linkages between terrorism and migration are not frequently observed for the period 2000-2005 in the EU official documents. For example, in the extraordinary EC of 21 September 2001, no link with migration and asylum policy is established. Only an "inter-disciplinary approach embracing all Union policies" is mentioned (p1). In the Council Framework decision "Combating terrorism" (2002), nothing reminds of migration and asylum policy.

In the annex I of the Thessaloniki EC Concl. named "Presidency report to the European Council on EU external action in the fight against terrorism", no direct links with the migration and asylum policy is established.

The linkage is therefore not automatic. Besides, some guarantees have also been ensured. Thus, in the Directive of the 1 December 2005, it is written that a Member State "shall not hold a person in detention for the sole reason that he/she is an applicant for asylum." (art. 18 para. 1). Securitization is not always happening and could not always be attributed to the Europeanization.

From 2006 onwards and the enhancement of the 'Global Approach', the link between migration and terrorism does not seem to deepen. For example, in the Combating Terrorism Decision (2008), amending the previous one of 2002, no linkage is attempted. A "global response" is foreseen but that could also refer to economic and financial sanctions (para. 6). The only securitizing move found concerns the VIS system (2008): it is clearly stated that the new system is a way to prevent terrorist activities on the EU soil.

Last but not least, the weak or absent linkage between migration and terrorism is also noticed at the French level. Migrants and asylum seekers are considered as danger for the social cohesion or sometimes as criminals but, they are not regarded as terrorists. The securitization has not gone as far as it could theoretically go. The enhancement of the migration and asylum policy is obviously not always leading to the securitization of the image of migrants. And the Europeanization is not automatically securitizing national policies in the field of migration and asylum.

5.4. Summary of section 5:

The EU influence on the social representation of migrants and asylum seekers can be questioned.

First, influences are definitely reciprocal (Atak, 2011: 101). Indeed, if the securitization of the image of migrants and asylum seekers is observed, it should not be considered as the only side or direct effect of the Europeanization of policies. There is also certain autonomy of the national level, as the developments about the "chosen immigration" concept and the integration requirements in France suggests it.

Indeed, a different securitization process as well as a different image of migrants could be noticed in France. The main danger that migrants represent in France, especially from 2006 to 2012, is of the weakening of the social cohesion of the host society (Atak, 2011: V). This is emphasized with the enforcement of categories and the argument of the necessary integration (sometimes assimilation) of foreigners. Besides, if the protection of social cohesion and the continuity of state could not justify exceptional measures, it would at least legitimise the upstream selection of migrants and the hardening of the conditions of entry and stay in France across time. Securitization of migration can happen at the national level, without any impulse from the EU level.

Then, the EU influence can be put into question since securitization is not always happening at the European level, as the study of official documents highlights. Europeanization should not be considered as the only factor of the securitization of some national policies and of the image of migrants and asylum seekers. The European project can even slow down the securitization happening at the national level.

Some positive elements about migrants and asylum seekers have even been found. In the European Pact, migrants are associated with "opportunities" (2008: pt 19). It is also stated that "the hypothesis of zero immigration is both unrealistic and dangerous." (European Pact, 2008: p2). This stance clearly rejects a French leitmotif about migration and asylum policy (about the immigration zero concept, see Bourbeau, 2011: 15).

Moreover, there is a will not to indirectly restrict the right of free movements of EU citizens and of people who were granted a protective status (SBC Regulation, 2006: para. 5, art. 3). As far the migrants/asylum seekers are concerned, a respectful treatment is foreseen. For instance, the recourse of coercive measures and detention should not be systematically used (Return Directive, 2008: para. 13 and 16, ch. IV art. 15). The European Union could also bring some guarantees and eventually legitimise the call for protection made by some migrants and asylum seekers.

Therefore, the relationships between the French and the European level about the securitization of the image of migrants/asylum seekers are not unilateral but reciprocal. There are some influences coming from the EU level to the national level (in particular through law and official documents), and some from the national level to the European level. But the EU influences are sometimes unsuccessful securitizing attempts (See 5.1.1.). Besides, the EU level could slow down securitizing moves as much as the French official documents might not contain every EU securitizing attempt. The absence of a warlike vocabulary at the national level in comparison to the EU one is one example. The creation of an impressive number of subcategories at the French level is another one.

Last but not least, the case study scrutinized made clear that the enhancement of the French and European migration and asylum policy does not always lead to the securitization of the image of migrants and asylum seekers in France from 2000 to 2012.

6. Conclusion

The aim of this dissertation was to scrutinize the effects - or absence of effects - of the Europeanization process on the securitization of the migration and asylum policy. The interactions between those two processes are complex; a prism through which to study them was needed. This was the social representation of migrants and asylum seekers as criminals in France from 2000 to 2012.

The prism chosen thus refers to the securitization phenomenon. This process is explained differently by various schools such as those from Copenhagen and Paris (See 3.1 and 3.2.). The Copenhagen school highlights a logic of exception and the Paris one, a logic of unease and prevention. A comprehensive approach based on the complementarity of the two logics was presented as the best way to fully grasp the essential features of the securitization process, its successes and failures (See 3.3. and 3.4.). The speech act theory stresses the importance of words, the existence of a grammar of security and gives tools to recognize securitizing moves. The theory of the Copenhagen school helped the conceptualization of the methodology of this dissertation. But, it appeared as not enough to assess the evolution of the social representation of migrants and asylum seekers in France from 2000 to 2012. The concepts offered by Bigo are a relevant complement. Indeed, the focuses of the Paris school on practices and use of technologies are pertinent for the analysis and interpretation of the evolution of the image of migrants and asylum seekers in the 2000s.

That is why this dissertation methodology relied on the approaches of Bourbeau and Balzacq, who underline the necessity of a mix of approaches (See 1.2. and 3.3.2.). It is particularly useful to grasp the complexity of the relationships between national and European levels.

The approach of Balzacq was interesting to delineate the material used in this dissertation: official documents. French laws, decrees and orders, as well as European regulations and directives have been the subject of scrutiny. This material is relevant to assess the successful securitizing moves since they are outcomes of political acts. And official documents such as laws and directives, in contrary to speeches, are supposed to have a longer lifetime and influence on the practices. And yet, practices are important since they have an impact on the social representation of the image of migrants and asylum seekers and its eventual securitization.

France, the case study of this dissertation, has been chosen because it is a country historically concerned by migration and asylum. France would also highly securitize the image of migrants/asylum seekers (Bourbeau, 2011). As a consequence, the securitization of the social representation of migrants and asylum seekers in France has its own national roots because of history and own policies. The migration and asylum policy was therefore already committed and engaged in the securitization process before the start of the Europeanization in that field.

But nowadays, the European construction did and does influence the French policy-making process (See 2.2.) and social representations. Indeed, the European policy-making plays a key role since it enhances the creation of binding norms and ensures their transposition to the national level. That is why it is interesting to focus on the nexus Europeanization-Securitization.

The key result of this dissertation is that migrants and asylum seekers are at the heart of a continuum of insecurity and threats experienced at both the national and the European level (See 4.4.2. and 5.2.). Their image conveys all sorts of fears. The social representation of migrants and asylum seekers has thus been securitized in France in the 2000s. This is anchored in previous tendencies in France (See 2.1). No turning point has been noticed. The securitization has constantly increased from 2000 to 2012 and the linkages between migrants/asylum seekers and criminality deepened.

The influences coming from the European level are numerous; an EU grammar of security has for example been highlighted (See 4.1.). Indeed, migrants and asylum seekers are associated with notions of illegality and fraud, as the presence of a warlike vocabulary in the EU official document highlights (See 4.1.1.). At the EU level, the criteria of an existential threat are thus observable: the important scale and the suddenness of the migratory phenomenon are emphasized. Moreover, the construction of an Area of Freedom, Security and Justice indicates that migrants and asylum seekers are considered as related to the freedom of movement issue but also, treated as a question of security (See 2.2.1.1., 4.1.2.). Migrants and asylum seekers are considered as an existential threat. The logic of prevention has simultaneously been found. Migrants and asylum seekers are considered a threat since preventive mechanisms are enhanced (See 4.2.). And this logic of anticipation has been particularly well transposed at the French level. Policing at a distance, the profiling, the risk analyses are illustrations of that very fact (See 4.4.). Besides, the technologies of surveillance are valued and seen as a necessary part of the preventive mechanisms, especially at the

European level. The increased automated treatment of the migrants and asylum seekers' cases lead to confusions and an easier linkage between migrants/asylum seekers and criminality (See 4.3. and 4.4.).

The European level definitely has an influence on the national level in the process of securitization.

But, the national influences within the European Union structures are also crucial. The Member States' politicians often use the European project as a way to circumvent the national limits, such as people's scrutiny. This was the theory of policy-venue shopping, illustrated several times in this dissertation (See 4.5.1. and 5.2.4.2.). Indeed, one can speculate that if Europeanization is equal to securitization, it could be because this process is foreseen as an intergovernmental tool. The complexity and doubts of a shared competency, such as the EU migration and asylum policy, could be the main reason of an increased securitization of the social representation of migrants and asylum seekers coming from the EU level. The intergovernmental structures foreseen at the European level might give an additional room for maneuver for French politicians. This indicates that the relationships between the European and French level are not unilateral but reciprocal concerning the field of the migration and asylum policy. The hypothesis of pooling of fears is another illustration of this very fact (See 5.2.4.1.). And this suggests that other influences are at play in the process of securitization of the image of migrants and asylum seekers.

Generally, the EU influence on the social representation of migrants and asylum seekers as criminals should be questioned.

First, the impact of the EU securitizing moves has to be nuanced. If the EU policy-making does have an influence on the French level, in particular through the transposition process, it is not automatic. The warlike vocabulary has little impact at the national level (See 5.1.1.). The EU project has not contributed to a similar and proportionate development of technologies of surveillance at the French level (See 5.1.1.).

Then, other influences are at play. The role of exogenous shocks should be taken into account (See 5.1.2.). External events like the terrorist attacks of 9/11 also have a key role as impulse in the policy-making and securitization processes. This indicates the presence of multiple influences.

The negative image of foreigners can also be a direct consequence of the securitization at the national level (See 5.2.). Indeed, France has developed some additional categories in order to select even more the foreigners who desire to stay in its territory. The concept of "chosen immigration" is revealing (See 5.2.2.). The capacity to become integrated is another 'filter' and a way to ensure the social cohesion of the French state (See 5.2.3.). National reasons to securitize the social representation of migrants and asylum seekers do exist.

From 2000 to 2012, the social representation of migrants and asylum seekers has been securitized in France. Foreigners have been considered both as a danger for their presumed link with criminality as for the weakening of the social cohesion. The threat to the social cohesion appears to be first. The migrant/asylum seeker thus constitutes the heart of an (in)security continuum in France in the 2000s.

However, on a positive note, the securitization of the image of migrants and asylum seekers has not gone as far as it could theoretically go. For example, the linkage between foreigners and terrorism appeared weak both at the French and European level from 2000 to 2012 (See 5.3.2.). Migration could even been seen as a positive element at the European level (5.4.).

Multiple elements have thus to be taken into account when one wants to measure the role of the Europeanization of policies in the increased securitized image of migrants and asylum seekers in France from 2000 onwards.

In addition, the case study of France could easily be extended to other countries in order to compare the outcomes and successful securitizing moves coming from the EU level. For example, one can foresee some criteria in order to evaluate the permeability of countries to security tendencies.

Light was shed on the effects of the Europeanization on the securitization of the migratory and asylum issues. An extensive analysis could also be led in order to compare with other sectors and other policies. This could help to test the hypothetical and causal link found between intergovernmentalism and high securitization.

The conclusions drawn from this dissertation could help prospective analysis and also contribute somehow to the understanding of the policy-making process at both the European and French levels.

One aim of this dissertation was to nuance the assumed link between Europeanization and securitization. Europeanization can actually slow down the securitizing move of the national level. Furthermore, the role of the national level in the securitization process, as much as within the EU project, should not be neglected.

This work also aimed at giving an insight and warning of the potential negative side effects of Europeanization on the securitization of the migration and asylum policy. Indeed, wanted or not, those effects lead too often to first reduce the fundamental rights of the foreigners and then, secondly, to weaken the rights and fundamental freedoms in our contemporary societies.

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