

4 Grenoble, 2010

Failed Attempts to Securitize the Roma Squats

Thus far in this work, we have examined squats in Britain—including the art squat as well as the survival squat. We have also considered the squatter enclave in Denmark that was described as a heterotopia, a space within a space characterized by a unique ideology, residence pattern and philosophy. In this chapter, we will turn our eye towards the decision in the summer of 2010 by the right-wing government of Nicolas Sarkozy to demolish the over 300 so-called Roma squats located throughout France and to deport their residents. In doing so, we will consider the events of 2010 as a case of unsuccessful securitization—since the international community criticized and condemned Sarkozy's attempts to frame these activities as a justifiable response to an epidemic of crime within France and within the Roma community.

Squatting in Britain was successfully securitized—in the sense that legislation was passed and not subsequently changed—largely through the actions of politicians and the media to portray lifestyle squatters as a threat to British national identity and property values. Squatting in Denmark in contrast was successfully securitized through the efforts of elected politicians and bureaucrats, who focused on portraying not individuals but rather the space of Christiania itself as an existential security threat. That is, Christiania itself was characterized as a sort of internal failed state within the confines of Copenhagen that provided a haven for drug-dealing and gang violence. For this reason, many Danes came to view the reincorporation of Christiania into the confines of Copenhagen proper as a necessary and justified step by Denmark's government. As we have seen, in both the Danish and the British cases, policy towards property squatting did not emerge in isolation, nor were efforts to securitize the issue created out of thin air. Instead, rhetoric by politicians and the media regarding the dangers presented by squatters, who and what they threatened and the measures that needed to be taken to counteract squatting rested on older conversations and discourses—about who belonged in a society, the obligations of citizenship and the nation's future.

However, in considering the decision to securitize and crack down on unregistered squats, both large and small, France in particular has taken a hard line—making international headlines in 2002, 2005, 2007, 2009, 2010

and on into the present day as the result of the demolitions of encampments of Roma throughout France, and the demolition of the squatter camp known as “the jungle” in Calais. Indeed, following the imposition of a policy in 2010 under President Sarkozy to close over three hundred illegal Roma encampments, the term “ethnic cleansing” was used in the European press,¹ with many analysts suggesting that France was not conducting a war on crime nor a war on squatting, but rather that France was using rhetoric about crime and squatting as a subterfuge in order to conduct a war (which enjoyed high levels of domestic support) on the Roma people living in France.² Since the Roma people in particular are a protected class of citizens within the European Union, attempts by the French government to address the problems of large squats—which were depicted by the Sarkozy government in 2010 and later by Francois Hollande's socialist government in 2012 as a threat to internal security—quickly became the subject of international scrutiny and regulation, with EU representatives in particular commenting harshly on the French decisions to deport residents of the squats back to Bulgaria and Romania. In France in particular, squatting has become a direct foreign policy issue, in the case of negotiations between Britain and France regarding the situation of illegal immigrants living in the squat known as the jungle in Calais. It has also become an international issue as both the EU and international bodies have weighed in on decisions regarding the Roma immigrants as well as the mostly African and Arab residents of “the jungle.”

In this chapter, we will consider in particular the attempt by then president Sarkozy to raze approximately three hundred Roma squats around France beginning in July 2010. In looking at the 2010 rhetoric and actions for the deportation of Roma immigrants, one can see that efforts to securitize the problem of Roma squats succeeded internally in France, while simultaneously failing as a strategy within international affairs. That is, domestic French public opinion was overwhelmingly supportive of the hard line taken by French president Sarkozy towards what he depicted as a crisis situation, with over three hundred Roma “camps” located outside Paris's largest cities. The camps were (according to Sarkozy and his supporters) the site of “illegal trafficking, of profoundly shocking living standards, of exploitation of children for begging, of prostitution and of crime.”³

However, as Sarkozy went forward with an initiative to shut over three hundred illegal camps and deport the approximately twelve thousand illegal Roma immigrants from Bulgaria and Romania in France, members of the European Union Parliament roundly condemned actions that they saw as violating EU antidiscrimination laws, including the Charter of Fundamental Rights.⁴ Attempts by President Sarkozy and Interior Minister Brice Hortefeux to reframe the issue of Roma squats as an issue not of human rights and the rights of national minorities but rather of security and safety for France's residents fell on deaf ears in the European Parliament, where the prevailing view was that the issue was one of freedom of movement and ethnic discrimination, not crime—either domestic or transnational.

Thus, one can view the events of France's so-called Summer of Shame as an attempted securitization that ultimately failed. Thus we must consider why the securitization of property squatting was relatively successful in England and Denmark but not in France. In this chapter we explore the significant differences in the French example. First we can consider the objects of securitization, the Roma themselves. As Jean-Pierre Liegeois notes, the category of those who are "travelers" in France is quite broad. Those who refer to themselves as Gitanes are originally from Spain, Portugal and France. Manouches, or fairground gypsies, are actually from Germany and France, while those who are described as Roms are from Hungary, Romania and Bulgaria predominantly.⁵ In addition, there are French citizens who are of Romani extraction, or second-generation Roma in France, though both public policy documents and the general public often fail to make a distinction between French-born Roma and those from Eastern Europe.

What is important here, however, is that France's decision in July 2010 to both close Roma encampments or squats and repatriate Roma who lived in the camps back to their countries of origin (largely Bulgaria and Romania) was not regarded as merely an internal French policy decision; because of the status of the Roma within the European Community, the European Parliament has a particular interest in coordinating Europe-wide policies on the rights of Roma people due to the Roma's status as one of the most marginalized groups in the EU.⁶ The long and violent history of persecution of the Gypsies—from the Middle Ages to the Nazi holocaust, when an estimated five hundred thousand gypsies died at Auschwitz and Dachau—has rendered European institutions particularly sensitive to the need to safeguard the human rights of this group.⁷ Thus, the European Parliament is working to implement a European Strategy for Roma Inclusion by 2020, which would include Europe-wide goals and policies in the areas of education policy, employment policy, housing policy and health policy.

Because of this propensity by the European Union (as well as other international bodies) to regard even Roma citizens who carry citizenship of the EU nations as a special sort of category of citizen, it was impossible for President Sarkozy to securitize the issue of Roma settlements without the full cooperation and concurrence of many additional European and international players, and this did not occur. Furthermore, because of the history of the Nazi holocaust and the persecutions of Gypsies that occurred throughout Europe including in Vichy France, any attempt to stigmatize a particular minority ethnic group or to blame them for generating a social problem was likely to be read within this historic context, thus limiting the effectiveness or attractiveness of a securitization strategy.

Because of the legal and cultural status of the Roma, Sarkozy's attempt at securitizing the matter of Roma encampments succeeded on an international level while failing externally. That is, when the closure of the camps was marketed to French citizens as a necessary step due to dangers posed by the encampments—including the risk of criminality as well as a health

risk—many of France's citizens supported this initiative. They agreed with Sarkozy about the need for a national response to what they saw largely as a domestic social problem of housing, and agreed with him about the solution as well as the need to implement it rapidly as part of a war on crime.

However, Sarkozy massively underestimated the role that international actors would take in this situation. He essentially saw it as a matter of internal politics, while Europe saw it as a matter of European politics and the UN saw it as a matter of international policy. While the threat may have seemed severe to villagers on a local level, neither the regional (European) community nor the international community agreed with Sarkozy's assessment of either the danger presented or the necessity of taking steps to deal with this danger. Instead, Sarkozy was widely criticized by the European Union, which undertook infringement procedures against him. This outcome suggests that attempts to securitize squatting and encampments in the future may be markedly less successful as Europe integrates, since individual states will have far less latitude in articulating and framing security threats or in establishing a hard-line state response to these problems. The French examples may thus provide clues as to how these issues might look elsewhere in Europe in the years to come as the border between domestic and international issues becomes less clear and freedom of movement continues to grow. And securitization, which seems more effective as an internal strategy than an international strategy, may come to have limited utility in the future as a result.⁸

HOUSING POLICY IN FRANCE

As noted, what is unusual about the French situation is that a language of housing rights and public responsibility to provide housing to citizens arose *at the same time* as rhetoric of exclusion and criminality in reference to the housing situation of immigrants. Thus, providing housing to all eligible citizens was described as a duty of both the French government and its citizens, and the language of charity and provision was frequently used in making these claims. At the same time, one can identify the growth of right-wing, anti-immigrant rhetoric that described the ways in which immigrants would be excluded from the social system and even deported if necessary. Thus, providing housing to French citizens was part of a politics of positive identity, while excluding the non-French from accessing the same services was part of a politics of negative identity.

Analyst Marie Loison calls our attention to the existence of housing rights in France, which can be traced back to the Constitution of October 27, 1946. This document notes that:

The Nation shall provide the individual and the family with the conditions necessary to their development. . . . All people who, by virtue

of their age, physical or mental condition, or economic situation, are incapable of working shall have the right to receive suitable means of existence from society.⁹

However, as Lanzaro point out, until the 1950s, private charities had exclusive responsibility for sheltering the poor and the state did not create social assistance services until 1953.¹⁰ While France's efforts to shelter the homeless and socially vulnerable populations were considered adequate, difficulties began in the 1980s with increasing unemployment and job insecurity, and since then the number of homeless, particularly in urban areas, has grown. Thus, at least some of France's squatter problem is considered by housing analysts to be internally generated—as the result of market inefficiencies, insufficient housing stock and economic factors.

As the result of the growing problems in the housing sector in the 1980s, the Quilliot Act was passed in 1982, which restated the principle that “the right to housing is a fundamental right.” However, the right to housing was substantively strengthened with the passage of the Besson Act in 1999. (Besson was France's minister of housing at the time.) This legislation noted that “guaranteeing the right to housing is a duty of solidarity incumbent upon the whole nation” while clarifying the principle that France's government was not obligated to provide housing as such, but was obligated to assist all who qualified for social housing in their attempts to procure such housing. (That is, the government was not obligated to respond to a housing shortage by creating new housing, but was required to assure that the existing housing was allocated fairly.) In addition, the Anti-Exclusion Act of 1998 reinforced tenants' rights through implementing measures to prevent eviction, to force landlords to take action and empty homes and to tackle substandard housing.

As noted in Britain, rhetoric about housing policy in France rested on a notion of social inclusion. While Britain's government made reference to a property ladder that all should wish to climb, France's government spoke of a “staircase of transition” that was to allow categories of individuals such as the homeless and disadvantaged the chance to become normal housing residents.¹¹ (Here it should be noted that private home ownership is less widespread in France, particularly in urban areas, so the rhetoric of normal homeownership might include both those who rent for their whole lives as well as those who own homes.) Thus, a government that was unable to house its own people and to gradually include them in the political system was seen as one that was illegitimate and as failing at least some percentage of its population.

The housing crisis again made headlines in 2005, as a result of two events. First, a heat wave in Paris in August 2005 led to many deaths, particularly of elderly residents. In addition, that same month, a fire occurred in a temporary shelter located in a six-floor building in Paris's thirteenth district. The fire injured thirty people and killed seventeen, mostly children.

(Many of those killed were immigrants from Mali.) Although the shelter was described as temporary, the residents had lived there since 1991, while waiting for public housing to open up. Public outrage led to another of the many long-running attempts to pass legislation in the French National Assembly to strengthen the right to housing, through providing legal provisions to force the government to provide it if shortages of affordable housing made it inaccessible to large groups of people. However, the bill was not passed.

In 2006, then, large public protests grew as homeless French citizens—backstopped by the media, well-known actresses and celebrities and the socialist government—began developing large public squats in Paris. The demonstrations began when the charitable group *Médicines du Monde* distributed tents to the homeless during a cold winter. However, the tents and tent cities remained in Paris in the spring of 2006. That same year, entertainment personality August le Grand, head of the organization *Enfants de Don Quichotte*, set up a blog, reached out to the public and invited them to come and spend time in the tent cities. The organization made up a charter for access to housing for all and met with the minister for social cohesion.¹² The movement spread to other French cities, including Orleans, Lyons, Toulouse, Marseilles, Nice, Strasbourg and Bordeaux.

French housing squats were met with public charity, public outrage and ultimately a decision to implement legislation to create an “enforceable right to public housing” (known as DALO), which essentially gave teeth to citizens' claims that they had a right to be housed by their localities through allowing them to petition the courts if this obligation was not met. The DALO legislation was implemented through bill no. 2007-290, which created a performance standard for the government in relation to the provision of housing.

The demonstrations in Paris in 2006 helped create the narrative of a housing sector crisis, which enabled Deputy Prime Minister Erienne Pinte to assemble a report on housing that proposed emergency measures. (In this way, the domestic housing crisis became securitized—since it was regarded as a crisis that required the commitment of serious resources immediately in order to fend off future harm.) Emergency measures included creating a new position of prefect for housing policy, who was authorized to coordinate shelters and access to housing. In addition, construction work rose to the rank of a national priority for 2008-2012. Targets were set for local authorities to create stocks of appropriate housing and communities that failed to comply were fined.¹³ In this way, a local issue rose in rank on the national agenda, with more coordinated national action to reduce the number of people sleeping on the streets.

However, from the beginning critics argued that DALO—while doing much to shore up the position of French homeless people—was discriminatory since it didn't extend to all the homeless and unsheltered in France.¹⁴ As Aubry points out, only permanent residents and French citizens were eligible for DALO protection. Documented immigrants needed to have been on

French territory for at least two years. For this reason, a legal suit alleging discrimination was filed against France's housing ministry and heard in the French antidiscrimination commission known as HALDE (Haute Autorité de lutte Contre les discriminations et pour l'égalité or the High Authority Fighting against Discrimination and for Equal Rights) in 2007. HALDE found that anyone living in the country who fulfills the necessary conditions for securing housing access is eligible for DALO protection, noting that "There cannot be any orphan category deprived of fundamental rights provided by law." Thus the ruling indicated that from January 1 2012, DALO should extend to everyone who qualifies for but has not received social housing.¹⁵ The new bill also includes measures to create more social housing in addition to providing better immediate measures for relief for those who are homeless. Such measures include specifying a maximum length of stay in emergency accommodation before the state is required to provide more permanent housing, as well as measures providing for social follow-up for homeless individuals. Finally, the legislation sets targets dates for local authorities to create stocks of appropriate housing and provides for fines if targets are not met.¹⁶

Thus, France appears to have carried out exactly the measures that housing activists in Britain accused their government of not doing—namely, going beyond merely punishing those who carry out squatting to instead figuring out the causes of the housing crisis and providing genuine government support in addressing them, through increasing the stock of permanent housing available, as well as providing a greater variety of options for those who require housing. However, the solution is incomplete—largely because DALO applies only to those who are living lawfully in France but do not have decent housing.¹⁷ Thus, in contradiction to the European mandates, housing is regarded predominantly as a domestic policy issue within France, without being tied into the larger European conversation about the right to free movement or the rights of those who are non-French but living in France—as legal refugees, legal European visitors or illegal or unregistered individuals, including refugees and Roma.

Instead, within France a separate policy has evolved to define the housing rights of French travelers and Roma in France, as well as to lay out the legal responsibilities of the government (both local and national) to provide housing for this group.¹⁸ In France, the legal framework for describing and discussing the rights of travelers themselves as well as the responsibilities of the government on all levels to accommodate these European citizens rests on the 2000 Law on Welcome and Accommodation of Travelling People. This legal document spells out the responsibility of each town in France to have a consultative commission that includes representatives of the municipality, of traveling people and of charitable organizations associated with housing, homelessness and the Roma. The state is also required to participate and encourage meetings.¹⁹ In addition, any city with more than five thousand residents must set aside areas for travelers to camp on—although the nongovernmental organization Amnesty International suggests that in

point of fact less than half do.²⁰ In addition, an analyst from *Der Spiegel* calls attention to the problems of *de facto* and *de jure* implementation of the rules. Thus, he notes that while municipalities are required by law to provide camping space for Roma they often provide space near a sewage plant, near a dump or on otherwise undesirable land so that Roma are then forced to camp illegally. City officials then can choose either to ignore the existence of the illegal camps or to make a point of enforcing the rules as they are written. In addition, European mandates note the obligation of local communities to make an effort to include Roma travelers in the life of the communities where they are located, through, for example, encouraging Roma families to send their children to the local school up until the legally mandated age for leaving school. In point of fact, however, municipalities in France and elsewhere in Europe may differ greatly in how seriously they take this responsibility and the steps they take to ease the incorporation of Roma into the life of the community.

THE EVENTS OF 2010

Thus, as the brief history just outlined shows, the tendency of both politicians and French citizens to regard Roma in one's community as a "problem" and the existence of debate regarding the community's obligations to the Roma are not a new theme in French—or indeed in European—politics. And even the rhetorical linking of the Roma people to the problem of crime was not a new strategy when President Sarkozy began to use it in 2010. Rather, as ethnologists have noted, the tendency for cultures to link the most socially marginalized group (those with undesirable social status) with ideas of purity and defilement as well as crime and socially undesirable behavior is quite ancient.²¹ In Western Europe, the issue of Roma citizens and the social problems associated with the communities came to the fore once again with the fall of the Berlin Wall in 1989, and the lifting of tight border controls in the nations of Romania, Bulgaria and the former Yugoslavia. Thus, initiatives to exclude Roma travelers, as well as conversations about social integration, were on the agenda of most Western European nations throughout the 1990s and 2000s.

In addition, France is not the only nation to have attempted to remove the Roma population from its borders or to use force to shut down camps and squats of the Roma. Indeed since 2008, Italy has conducted expulsions of Roma, and in 2010 the vice mayor of Milan confirmed that Italy also had an agenda to destroy Roma camps there. Human rights groups also allege that Belgium has conducted the clandestine removal of Roma from camps there, and France's own policy of "voluntarily" deporting Roma people back to Bulgaria and Romania was ongoing since 2007.²²

Thus, what is significant about the events of 2010 was not that Sarkozy was introducing a new or novel strategy of responding to the Roma

problem. Indeed, Sarkozy's own history of dealing with squatters and refugees in France can be traced back to 2002, when, as interior minister under the government of Jacques Chirac, he led the drive to shut down the refugee camp at Calais for the first time.²³ (The camp was the subject of negotiations between Britain and France in the late 2000s, was shut down in 2009 and has subsequently reappeared.) In addition, in 2009, France expelled two hundred to three hundred Roma from a camp near Paris. Riot police acted to break up the camp, acting on orders from a local judge. In addition, the Minister of the Interior Hortefeux noted that almost ten thousand Romanian and Bulgarian Roma were expelled from France in 2009.

However, what *was* new was the way in which Sarkozy and his government framed the existence of Roma squatter camps as a security threat, as well as the ways in which he built the notion that France was under siege and therefore required to fight back against a problem of criminality that threatened to destroy France. As in other securitization situations, we can note in particular the rapid pace at which the initiatives to shut down Roma squats were undertaken. In his famous "Grenoble speech," Sarkozy promised that half of the 539 illegal camps in France would be gone "within three months."²⁴

In addition, the plans that were put into place to raze camps were drawn up and disseminated to the local and regional police in a climate of secrecy, with information about the content of the memos issued by the government only coming out several months after their issuance, due to investigative reporting efforts carried out by French journalists. Thus the same complaints that British activists made—that there was no time to include outsiders in debating what the proper response to this alleged threat should be and no effort made to include them—can be made about the French situation as well.

Thirdly, we can identify the implementation of a national, coordinated response that relied on the working together of immigration, housing and security elements as a hallmark of securitization. In addition, we can point to the use of the language of campaigns, including the trope "war on" in both Sarkozy's July 28 ministerial meeting as well as his speech in Grenoble on July 30. We can also point to the setting of targets for action, as in the target of dismantling three hundred settlements set by the interior minister. Finally, we can identify efforts by Sarkozy to frame the events of July 28, 2010, as a problem requiring an international solution as a hallmark of securitization. In his remarks following the Grenoble riots, Sarkozy suggested bringing in Romanian and Bulgarian police officers to work in France as well as sending French police to Romania and Bulgaria to help fight crime and trafficking by Roma.

The Timeline of Events

In analyzing the response to the July events, it is first necessary to spell out exactly what happened. On July 17, 2010, a twenty-two-year-old French Roma citizen named Luigi Duquenet was killed by police in Saint Aignan,²⁵

town in central France. Duquenet was shot after he drove through a police checkpoint, knocking over a policeman.²⁵ After the shooting, fifty Roma people armed with clubs, hatchets and iron bars stormed the local police station. Cars were burned and a community hall in a neighboring town was burned down.²⁶ By July 21, rioting spread to the town of Grenoble, where a group of Roma protestors burned cars, attacked a tram, shot at police and destroyed government property.

After the events, Interior Minister Hortefeux organized a visit to Grenoble, where he promised that the national government would take quick action to restore public order. In his remarks, he noted that "When I say quick, I mean immediately, that's how we are going to reestablish public order and the authority of the state. . . . There is a simple and clear reality in this country: there's no future for hoodlums and a delinquents because in the end the public authority always wins."²⁷ Here, we may identify a common securitization strategy—the need for a swift taking of action, often with little or no public debate.

A few days later, on July 28, French president Nikolas Sarkozy visited Grenoble and gave a press conference in which he gave a speech that was widely reported and dissected by the press, not only in France but also throughout Europe and abroad. In this speech, he declared "war" on urban violence, noting that "The government will continue to wage a relentless fight against crime. This is a war that we will take to the traffickers and criminals—the rule of law must be respected throughout the national territory."²⁸ The speech was thus described as the launch of an "offensive *securitaire*" or security offensive.

The speech, however, singled out the Roma people as the particular subjects of securitization. First, Sarkozy declared that he had asked his interior minister to put an end to the "wild squatting and camping of the Roma."²⁹ Here again, we may note his use of the language of barbarism. The Roma squatter is again othered as he is described as a monolith, with all Roma being described as having the same values and displaying the same tendency. Furthermore, in describing them as "wild" (sauvage), a distinction is drawn between the civilized Frenchman and the uncivilized Other.

However, in his speech, Sarkozy made references both to the squatters themselves as a source of danger and to the places that they occupied as sites of danger. Here again we can note the comparison (as in Christianity) with the squat as a type of internal failed state. Just as Denmark's politicians regarded Christianity as a place where laws had no power and lawbreakers went to hide, Sarkozy also described the gypsy camps as "lawless zones."³⁰ At the same time, a statement from the president's office described the camps as sources of illegal trafficking, of profoundly shocking living standards, of exploitation of children for begging and of prostitution and crime.³¹

In the speech, Sarkozy laid out the specific initiatives that his government would undertake as part of its offensive on urban crime, noting that many of these measures were aimed at the Roma in particular. He began by noting

that "These incidents (destruction of police station) highlight a certain kind of behavior among some of the travelling people and Roma. Those living in illegal settlements will be evicted." He then noted that the government would create legislation "to facilitate the deportation of foreigners in irregular situations including, in some circumstances, citizens of the European Union." He proposed a new rule that would come into effect, saying that when immigrants threaten public order, have no durable means of supporting themselves or abuse the right of free movement, they then could be removed from France.³² In addition, Sarkozy took decisive action, immediately firing the government prefect in the Grenoble region and replacing him with a former police officer, again signaling his commitment to law and order.³³

On July 30, 2010, the actual campaign to clear Roma encampments began when the government issued an order to expel illegal Roma and itinerant immigrants and to dismantle their camps "for reasons of public order." In explaining the order to close three hundred illegal camps, two hundred of which belonged to the Roma, Interior Minister Hortefeux argued that the government was not stigmatizing the Roma, but responding to concerns about public safety. He noted that "the evacuation and demolition operations of illegal and illicit camps will continue because they are legitimate and necessary."³⁴ At the same time, new surveillance measures were implemented, including the use of digital fingerprinting technology to track immigrants so that they could be more easily deported and so that they could not claim the deportation benefit multiple times if they were deported more than once.³⁵

In mid-August 2010, the French government hired several charter flights to carry ninety-three Roma back to Bucharest, Romania. Each Roma citizen who returned was given a sum of money for settlement. Adults received €300 or approximately \$390 per adult. Families also received a smaller sum for each child repatriated.

At same time, eighty-four Roma in Tremblay-en-France, a Paris suburb, were forced to leave public land belonging to the city. In Bordeaux, Roma were expelled from a campground and they blocked roads in the region in protest. Police also cleared out a Roma camp in Harmes, a city two hundred kilometers north of Paris. By mid-August Interior Minister Hortefeux claimed to have closed down forty illegal camps with a total of seven hundred people affected.³⁶

Europe Reacts

The reaction to Sarkozy's speech, as well as the slum clearing actions that soon occurred, was swift throughout Europe. Analysts made three major criticisms of the policy.

First, many doubted that the threat that Sarkozy claimed to be reacting to was genuine—that is, they did not agree with his use of the language of security to describe the threat. In the words of an analyst for Britain's

Financial Times, "The controversy concerns, at its heart, whether France is responding to legitimate security concerns—be it over public disorder or immigration—or acting out of racial prejudice."³⁷

Next, they questioned whether Sarkozy *himself* actually viewed France as genuinely threatened by the violence—or whether he was being opportunistic and using the July 2010 events to carry out a set of anti-immigrant policies that he had planned for some time. Here, the *Financial Times* analyst notes that people doubted Sarkozy's motives in July because earlier in the spring of 2010 he made a speech in which he suggested establishing a list of crimes for which newly naturalized immigrants could lose French nationality—including female circumcision, polygamy and domestic slavery—thus suggesting that national citizenship for new immigrants was conditional rather than absolute, to be granted and then later rescinded at the whim of the state. By claiming that some citizens should be subjected to this type of conditional citizenship, Sarkozy thus attempted to create a dual-class system of citizenship, with some citizens enjoying "more" citizenship than others. Later Sarkozy backtracked on these statements by noting that in the case of polygamists, they would lose citizenship only if they claimed the welfare benefits of multiple wives.³⁸ Nonetheless, analysts read this rhetoric regarding the "stripping of nationality" within a broader historical context, with the analogy to citizenship practices of the Nazis again surfacing.³⁹ In particular, Nabila Ramdani, a French analyst of Algerian descent writing in the *New Statesman*, noted that the collaborators under the Vichy regime in France also stripped "undesirables" of nationality and later deported them—though by train, not chartered airline.⁴⁰

In other words, the rhetoric of securitization as typically used by politicians suggests that in times of grave national threat, citizens should be willing to put up with fewer civil rights for the good of the community in the short term. Thus, securitization provides the justification for imposing martial law-like situations, in which citizens give up some freedom in exchange for security. However, in the French case, analysts alleged that Sarkozy was not interested in taking away civil rights for the short term, but rather as a matter of practice, and that he was interested in taking away civil rights selectively, in essence securitizing not the situation but rather a group of people associated with the situation. This is a major issue of securitization and one reason why so many analysts and citizens are critical of all securitization attempts. Authorities often claim that all citizens will, for example, give up their right to Internet or phone privacy in the short term for the good of society, while many citizens believe that securitization practices are likely to fall much more harshly on groups identified as suspicious—not necessarily because of evidence or practices but often because of preexisting prejudices in society, as well as racism and nationalism. Thus, Jocelyn Cesari points to a pattern in the domestic politics of several European nations—including Britain, France and the Netherlands—of "securitizing Islam" through treating citizens of Islamic descent as inherently more suspicious, and thus requiring

these citizens to prove their loyalty to the regime in many ways, including by engaging in assimilation.⁴¹ In the French case, Ramdani claims that Sarkozy was actually “securitizing” non-French citizens, rather than practices of squatting, and that he was doing so out of political motives.⁴² That is, he hoped to win votes in the upcoming elections from the Front National Party of Jean-Marie Le Pen through “demonizing immigrants.” Green Party representatives described a policy of state racism and the Socialists referred to a “summer of shame.”⁴³

A German analyst writing in *Der Spiegel* made even more serious charges against Sarkozy:

In fact, what is happening in France today would most likely be referred to as “ethnic cleansing” in less prestigious countries. Crews are showing up in shantytowns with bulldozers and backhoes, destroying the roofs of shacks and demolishing them completely. Before the demolition crews arrive the residents are driven out by canine squads, often provided by private security firms. Then the police units arrive, together with teams wearing white overalls and facemasks, suggesting a need for disinfection.⁴⁴

The German analyst again makes the analogy with Vichy France, noting that Sarkozy and others have used the term “raffles” to refer to a roundup of Roma that would occur, noting that this was the same term used by Nazi occupiers in France, who also engaged in “rounding up” Gypsies.⁴⁵

On September 9, 2010 (just in advance of the EU Summit), French newspaper reports carried a leaked memo that was allegedly issued to local and regional prefects from the Ministry of the Interior on June 24—before violence erupted in Grenoble.⁴⁶ In this memo, the department lays out three concerns posed by illegal settlements—the fact that they infringe on property rights, the fact that health and security risks are associated with occupants’ living conditions and the fact that the camps could potentially serve as a haven for illegal activity.⁴⁷ Here again, the use of security language to describe settlements in advance of the Grenoble violence suggests that the planned campaign against settlements likely preceded any particular incident, rather than serving as a reaction to that incident. Interestingly, when asked in September, Immigration Minister Besson said he had not seen the internal French departmental memo and did not know about its existence⁴⁸—suggesting that at this point internal security officials were making housing policy and excluding housing officials from the process. Indeed, France’s minister of housing, Fadela Amara, opined in a Parisian newspaper that she did not support the Roma expulsions and that she and her department opposed broadening the list of crimes leading to loss of citizenship. (Here it is important to note that Amara was born in Algeria and brings to her work a background as a former antiracism activist. Amara, a socialist, was brought into Sarkozy’s government as part of his policy of overture, or opening up to left-wing figures.)⁴⁹

Reaction to Sarkozy’s initiative led to a split within the center-right bloc on immigration issues, with Prime Minister Francois Fillon admitting that there was unease within the government about Sarkozy’s policy. Foreign Minister Bernard Kouchner noted that he considered resigning over the policy.⁵⁰ Herve Morin, defense minister from the centrist Nouveau Centre party, expressed misgivings,⁵¹ while Jean Pierre Grand, a member of parliament from Sarkozy’s own Union for a Popular Movement, stated that the arrests recalled the mass incarceration of Gypsies in occupied France during World War II.⁵² In addition, three right-wing former prime ministers—Jean-Pierre Raffarin, Alain Juppee and Dominique de Villepin—questioned the strategy publicly.

Echoing a common theme of antisquatting activists in Europe, the opposition socialists noted that the government really needed to address the underlying social problems leading to the violence—rather than simply engaging in a security crackdown.⁵³ Pouria Amirshari, socialist national secretary for human rights, accused Sarkozy of following a “xenophobic logic.”⁵⁴

In addition, individuals objected to the manner in which the deportations and slum clearing actions took place, suggesting that France had violated several European Union legal policies. As noted, securitization rhetoric focused not only on the association between squats and criminal behavior, but also on the association between Roma people specifically and criminal activity. Questions about the legality of French actions became more salient in the conversation in September 2010, when the British newspaper the *Independent* published an article detailing the contents of a memo allegedly issued by the Department of the Interior on August 5, 2010. In this memo, France’s Interior Ministry provided guidance to police officers throughout the region who would be involved in the squat clearing activities, noting the need to make the removal of “the Roma” a priority. The *Independent* alleged that the failure of the French government to distinguish between those Roma who were the subject of security complaints and those who were not amounted to an order for collective punishment of the Roma people on the basis of their nationality. The Interior Ministry and by extension the French government thus violated EU standards by engaging in the collective stigmatization and punishment of an entire ethnic group.⁵⁵

For this reason, the United Nations Committee on the Elimination of Racial Discrimination (ICRED) began looking into the matter of the “collective deportation of the Roma people.”⁵⁶ The foreign minister of Romania also objected to what he saw as the collective punishment of Roma. The UN Committee concluded that while the security concerns raised by Sarkozy and his government may have been real, their major concern was with the proposed solution to this problem. They described the solution imposed as inappropriate, disproportionate and illegal. In considering whether France violated EU procedures regarding freedom of movement, they noted that the deported were not fully informed of their rights nor did they freely consent to leave—regardless of whether they received money for doing so.

The League for Human Rights (Ligue des Droits de L'Homme) noted that the government was mixing up the situation of European Roma with travelers who have French nationality. (Here again, this is a sign of the securitization of an issue—when the object of securitization is being presented as a one-dimensional Other.) They noted as well that France's government was developing the idea that there is an ethnic solution to the problem of delinquency.⁵⁷ Human Rights League president Jean-Pierre Dubois noted that "Mr. Sarkozy is there to stand for the constitution, not to trample it. . . . We consider this situation extremely dangerous."⁵⁸ Mouloud Aounit, head of MRAP, an antiracism organization, echoed the same sentiment, referring to Sarkozy's July 30 speech as "a declaration of war against the (French) republic."⁵⁹ The Tuscan-based Gypsy leader Marcello Zuinisi also reminded France of its commitment to the stated values of *liberté, égalité* and *fraternité*, noting that "we want those values to be respected today."⁶⁰ A representative of the European Roma Rights Center (ERR), based in Hungary, also noted that the mass expulsions ran counter to several laws—including the EU Freedom of movement directive, the EU Charter of Fundamental Rights and the ECHR—European Convention on Human Rights.⁶¹ In addition, Pope Benedict voiced his criticism of the policy.⁶²

Several Romanian public officials spoke out about the deportations as well. Romanian prime minister Emil Boc noted that all European countries have a common obligation to millions of Roma on the continent,⁶³ while Romanian foreign minister Teodor Baconschi noted concerns about a possible populist backlash against Gypsies in France and in Western Europe. He cautioned against generating "xenophobic reactions" during an economic crisis.⁶⁴ Finally, Romanian president Traian Basescu noted that his government supports the "right of every Romanian citizen to travel without restrictions within the European Union."⁶⁵

France Responds

In responding to allegations of abuse and improprieties in its campaign against the property squats, France's government used two tactics. First France charged that the measures implemented conformed with citizen rights and European rules. In particular, Interior Minister Hortefeux noted that "the measures are not meant to stigmatize any community, regardless of who they are, but to punish illegal behavior."⁶⁶ Here, Hortefeux also used the phrase "war against insecurity" and again sought to link illegal camps with criminality, noting that "When we must adapt to or confront new difficulties, we don't hesitate to do so. We're waging a war against insecurity. We're on the side of the victims and we have but a sole enemy: the crooks."⁶⁷ In this speech, Hortefeux also noted that the traveling population was not above the law—here attempting to rally the French public by playing on the perception that the Roma in particular sometimes received favored treatment as part of a national minority. (Again, this is a common theme in

antisquatter rhetoric seen in both Britain and Denmark: the notion that squatters are somehow taking advantage of the system because they believe and act as though the rules that all other citizens must follow somehow do not apply to them.)

In responding to criticisms of French policy, Immigration Minister Besson also reiterated the stance that France is not engaged in "collective expulsions," noting that France is respecting European Union laws on the freedom of movement. In addition, Besson apparently sought to separate out the actual actions occurring from rhetoric about what was likely to occur in the future, through noting that in particular changing the rules for acquiring and revoking nationality "requires extremely deep examination" and may have to be referred to France's highest legal body, the State Council.⁶⁸ However, he too noted that the French government had no intention of backing down on policy towards Roma immigrants—despite concern from the UN and antiracism groups.⁶⁹

Claude Gueant, the president's chief of staff, noted that public opinion in France supported the actions since most citizens feared the rising trend of illegal camps. He noted that "We do not intend to abandon an action that is perfectly legal and the French expect from us. France has the right to apply the law on its own territory."⁷⁰ And a senior UMP deputy accused the media of creating frenzy against Sarkozy, noting that "He may be wrong in the style but he is right on the substance."⁷¹ Finally, Christian Estrosi, France's minister of industry (and the mayor of Nice, France), noted that all cities should be required to comply with the campaign and that those who do not should be fined. In response to his statement, a group of socialist mayors led by Jacques Peissard, head of the Association of French Mayors, noted that the state was violating the rights of local officials in requiring them to enforce the campaign and threatening to sanction them if they did not.⁷²

The EU Summit in Brussels on September 13, 2010, was thus largely taken up with the issue of France's policies towards the Roma, with several European nations reacting angrily towards France. EU Justice Minister Viviane Reding used particularly harsh language, calling the policy "a disgrace . . . a situation I had thought Europe would not have to witness again after the Second World War."⁷³ She mentioned the possibility that the EU could implement an infringement process against France for failure to comply with EU law regarding freedom of movement. Infringement is the first stage of a multistage process, aimed at allowing the nation that is out of compliance to voluntarily undertake measures to bring its domestic laws and procedures into compliance with EU standards.⁷⁴

Over lunch at the EU Summit, President Sarkozy objected to Reding's comments and had an altercation with European Commission President Jose Manuel Barroso. He then sought to deflect attention away from his government's policies and France's policies in particular by suggesting that other European states either had implemented or planned to implement similar security measures in regard to the presence of illegal squats on their land.

Sarkozy claimed to have spoken with Chancellor Angela Merkel of Germany, who noted that Germany would soon be embarking on a similar campaign.⁷⁵ In response German foreign minister Guido Westerwelle denied Sarkozy's statement that Chancellor Merkel or the German government supported France's policy, noting that policies of collective punishment and deportation violate the German constitution.

At the same time, the European Parliament passed a resolution condemning France's action and calling for an end to the expulsions. The resolution was not legally binding but again called attention to the EU's general ire with regard to France's policies. In response to the actions of the European Parliament and the European Commission, France's government went back and amended the second memo sent to France's policemen from the Ministry of the Interior, removing specific mentions of the Roma.

On September 29, the European Commission ended the infringement proceedings against France due to the change in the wording of the memo, so that it no longer appeared to support discrimination against any specific group. EU legislation notes that EU residents *can* be expelled from a nation for reasons of public health, public security or public policy; however, it must be an individual who poses this threat and it cannot be a group.

However, the commission also found that France did not sufficiently adhere to the EU Directive on Freedom of Movement in its national legislation. Freedom of movement needs to be identified as a "fundamental right" in the constitution. Thus, they sent a formal notice stipulating that France needed to fix the wording by October 15.

More Recent Developments: 2012

After the events of summer 2010, Roma encampments no longer occupied a central place in either France's media or France's policies. However, the issue has once again emerged in the summer of 2012. Although France is now ruled by the Socialists and not the center-right, Roma encampments continue to be portrayed as a security issue. And now France's Socialist Party is threatening to dismantle Roma encampments and carry out mass expulsions, and in a new twist it is suggesting that the Roma who do remain in France should be forced to live in so-called integration villages. Again it is a minister of the interior (this time, Manuel Valls) who is leading the campaign to close down Roma camps. And as of August 2012, eight villages (village d'insertion) were constructed. An anarchist web site run by the organization Black Bloc notes that creating integration villages represents government overreach, as "the Roma would be forced to live in ultra-cheap fabricated houses and be monitored by state employees and security forces."⁷⁶

Once again, the securitization rhetoric is not read in isolation, and again historic parallels are being drawn with the French experience in World War II, through describing integration villages as "ghettos." An editorial by a Greek commentator notes that even the title of the French immigration ministry

(Ministry for Immigration, Nationality and French Identity) is problematic. However, Minister of the Interior Valls has added a slightly new reading of securitization, not focusing on crime as a security threat but instead using the language of "health security"—arguing that camps near Paris, Lille and Lyon must be dismantled on health and sanitation grounds.⁷⁷ In particular, he has described sanitary conditions in the Avey settlement as "unbearable."

Again, the government quickly moved to action, ordering local police to carry out an early morning raid on the Evry camp on August 28, 2012. (Evry is a suburb of Paris.) The eviction and expulsion order was signed by local mayor Francis Chouat, who claimed the sweep was necessary on safety and public health grounds.⁷⁸ In response Catholic bishop Jacques Gaillot described the police sweep as "scandalous."⁷⁹

However, as in 2010, efforts at securitizing the encampment issue seem destined to fail. Already, Francois Crepeau, UN special rapporteur of the human rights of migrants, has noted "the ultimate objective seems to be the expulsion of migrant Roma communities from France. . . . Collective expulsion is banned under international law and any repatriation should be voluntary, in compliance with international standards and based on individual assessment and independent monitoring."⁸⁰ Meanwhile, Mutuma Ruteere, UN special rapporteur on racism, has noted that "the evictions are fueling an already worrying climate of hostility against Roma in France."⁸¹ Finally, Raquel Rolnik, UN special rapporteur on adequate housing, has noted that "forced eviction is not an appropriate response and alternative solutions should be sought that conform with human rights standards. People should not be left homeless as a result, particularly the socially vulnerable."⁸²

CONCLUSIONS

The question raised by the French example is ultimately how much freedom individual EU member states should have to frame their own migration and housing policies, particularly when there is a perceived security threat to crime or public health in a region. It also suggests that in the present climate of closer EU integration, securitization may work better as an internal strategy than it does on the international level.

If we regard securitization as an extreme form of politicization, we can see it as an attempt to escalate both the rhetoric and policy making regarding an issue outside of the normal bounds of politics, so that the speaker may then go on to take unusual actions or devote unusual amounts of resources to an issue.⁸³ In the case of the Grenoble incidents, we can see both the interior minister and President Sarkozy engaging in securitizing speech acts—by virtue of their use of the phrases "war on" and "extreme security threat." Here, Atland and Bruusgaard note that "the essence of securitization theory is that security is a 'speech act' whereby a state representative moves a particular development into a specific area and thereby claims a special right to use

whatever means are necessary to block it."⁸⁴ However, while they did make the speeches and in their own minds declare the issue of Roma violence and Roma living conditions to be an existential threat to the French nation—thus authorizing a national policy to confront the issue, and the devotion of large numbers of resources (including police manpower) to the issue—the question is ultimately whether such a securitizing act succeeded or failed. Balzacq notes that successful speech acts are made by a person in authority under facilitating circumstances, and that they thus convince a significant audience.⁸⁵

Why then did Sarkozy fail? First, he underestimated the number of people, including the Roma representatives themselves, who would speak back to these attempts to portray them as a security threat. In the final analysis, those who came out in support of the Roma included French party representatives, the European media, and European and international actors. (He also underestimated the extent to which this would be seen as a domestic policy issue alone.)

Furthermore, his attempt to portray the Roma squats as an existential threat was not believable or credible and thus his motives in responding as he did were suspect. He may also not have had the authority that he thought he did (as he was embroiled in personal scandal at the time as a result of some tax dealings that his wife was engaged in). It also appears that he overestimated the number and names of those in Europe who would back him in this strategy. It appeared that he was not speaking on behalf of France or French citizens but only his own behalf—as he was seen as wanting to win votes and reelection.

Finally, he could not have predicted the emergence of evidence that the events were planned in advance of the securitization act. Furthermore, public evidence showed that Sarkozy did not arrive at this new policy nor at his views regarding the Roma as a result of the events of July 2010. Instead, media analysts point out that in 2005, when he was minister of the interior, Sarkozy first publicly used the term “*racaille*”—which translates as scum, thugs, rabble, scoundrels, lowlife and riffraff—to refer to youth violence.⁸⁶ Later that same year, Sarkozy again spoke publically of wishing to “flush out delinquent vermin with a power-hose.”⁸⁷ In this way, one can suggest that Sarkozy did not suddenly gravitate towards incendiary language to describe the rising crime problem in France, but was rather reaching back into a package of rhetorical devices that he had previously deployed with varying degrees of success.

The French example shows as well the consequences that may ensue as the result of framing something (a place, activity or group of people) as a security threat.⁸⁸ Here, national and international representatives rightly identified the ways in which security language had been used in the past to frame socially vulnerable people (including Jews and Gypsies) as threatening, and as a pretext for robbing them of their civil rights. Hitler's defeat in World War II helped to discredit this securitization strategy and made it less likely to succeed as a strategy in the future.

5 “The Last Bastion of Squatting in Europe” or the End of Dutch Tolerance

In her work on European immigration policies, Sophie Body-Gendrot suggests that such issues are “fractal,” in that the same issues with the same players and the same positions on an issue can be identified on many different levels of analysis.¹ That is, the factions that preach openness and welcoming and the factions that worry about loosening the grips on border control can be identified within neighborhoods, in city government, in regional government, on the state level and on up to the European level.

This same fractalization can be found in Europe when looking at squatting and antisquatting policies. The fractalization of squatting issues is best illustrated by comparing two newspaper articles that appeared in recent years in France and in the Netherlands. In an article that appeared in the French newspaper *Le Monde* on September 1, 2012, the policies of clearing Roma slums being carried out by various municipalities within France are described with reference to a card game analogy. The analyst Delphine Roucate suggests that local officials were playing “*Mistigri*,” a card game in which the loser is the one who ends up holding a certain card.² In the same way, she suggested, whichever municipality was last to crack down on Roma squatting within its vicinity would be left “holding the bag” or “holding the hot potato” in the American vernacular. That is, each municipality maneuvered to be the place in France with the harshest antisquatting policy, in order to avoid becoming the soft spot (or undefended place) that therefore drew additional squatters to its region.

Along the same lines, a series of articles appeared in the Dutch newspaper *Elsevier* between 2007 and 2008 that likewise described Holland itself as being in danger of becoming the soft place in Europe. For that reason, the *Elsevier* editor argued that it was imperative that Holland toughen up its policy on squatters or else it risked attracting additional squatters from all over Europe. In this way, van Rijckevorsel set up an analogy again of a race in which each country scrambles to defend its borders and its housing first, lest he be the one left holding the bag at the end of the game.³

This chapter examines the scramble that thus led to the adoption of anti-squatting legislation in the Netherlands in 2010. What is striking here is the ways in which Dutch squatting culture shares much common ground with the