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Informal Work and Protest: Undocumented Immigrant Activism in France, 1996–2000

Natasha Iskander

Abstract

Nominally, the wave of protests by undocumented immigrants that swept through France in the late 1990s successfully challenged the restrictive Pasqua immigration laws. However, despite appearances, the mass movement was at base a labour protest: undocumented workers demonstrated against immigration laws that undermined the way they navigated informal labour markets and, in particular, truncated their opportunities for skill development. Furthermore, it is proposed in this article that examining social movements for their labour content can reveal erosions of working conditions and worker power in informal sector employment. A case study of the Paris garment district is presented to demonstrate how the spread of 'hybrid-informality' made legal work permits a prerequisite for working informally and relegated undocumented immigrants to lower quality jobs outside the cluster.

1. Introduction

What makes a social movement a labour protest? And what can a mobilization that casts its demands in terms of identity other than that of 'worker' reveal about changes in working conditions? This article considers these questions by examining a wave of protests by undocumented immigrants that swept through France in the late 1990s and continued unabated for the next four years. The immigrants who participated in this mobilization called themselves the '*sans papiers*', literally those without papers, and demanded that they be granted legal residence and work permits. To lend weight to their demands, groups of undocumented immigrants occupied churches and other public spaces throughout the Republic, and went on prolonged hunger strikes in a bid to pressure the government to review their petitions. The protests jolted the nation to the core, and sparked a debate around the issues

Natasha Iskander is at the Wagner School of Public Service, New York University.

of immigration and the changing role of migrants in the French economy so politically charged it would ultimately precipitate a major reform of French immigration law.

Although the protests were cast as a call for papers and used the language of human rights to press their cause, I argue that they were at base a labour mobilization. The strikes grew out of profound changes to undeclared employment through which the vast majority of the protesting migrants secured their livelihood. An anti-immigrant policy package, magnified by a crackdown on undeclared work, hit a subset of highly flexible industries especially hard. Together, the two policy initiatives bore down on the use of undeclared workers, and shut undocumented immigrants out of the informal labour markets where they had held good jobs and enjoyed opportunities for advancement. Firms in these industries, dependent on informal labour for their flexibility, bypassed attempts to bring their employment arrangements into full compliance with immigration and labour law, and instead adopted legal stratagems that gave illegal work the appearance of formality. They developed hybrid forms of informality, where one part of the work arrangement was above board and could thus provide regulatory cover for the elements of the employment relationship that were informal. As a result, legal work permits became an absolute prerequisite for access to informal off-the-books employment. Undocumented immigrants were relegated to poorly paid, dead end jobs at the margins of industries where they had once worked, many of them for close to a decade. In response, undocumented workers addressed the government — and not their employers — because it was the state that had, through its policies, made itself the gatekeeper of the informal labour markets where the *sans papiers* had worked for so long.

In addition to documenting why the *sans papiers* protests were at base a labour mobilization, my project with this article is to demonstrate how examining protests that on their surface do not appear as labour mobilizations can reveal erosions of worker power and changes in working conditions that may otherwise be invisible because the employment relationships in which they are embedded are informal, and thus hidden from regulatory view — and, all too often, from analytic view as well. As studies on the informal sector and on immigrant enclaves in particular have shown, production and employment in the informal sector are highly regulated even though they escape full state control and often afford workers protection against egregious exploitation (Benton 1990; Portes 1994; Portes and Sassen 1987). Dense social networks, shared cultural and ethnic identities, and repositories of trust among community members not only serve as the institutional infrastructure for economic exchange and collaboration, but they also modulate working conditions and provide workers with leverage to negotiate with their employers (Bailey and Waldinger 1991; Light *et al.* 1999; Sanders and Nee 1996; Waldinger and Lichter 2003). However, the regulatory function played by these social relationships and norms exists in a dialectic with formal state rules about firm activity and employment (Razzaz 1994). Consequently, the organization of production within firms and within enclaves is an intricate

composite of formal and informal practices, and is often structurally complex as production adjusts repeatedly to meet both the requirements of the market and the constraints of formal regulations. For workers, this means that their sources of power and their employment trajectories are shaped by the interaction between the two regulatory systems that govern informal production: the social relationships that enable informal practices and the formal regulations that curtail their scope.

The complexity of production and employment relationships in industries that rely heavily on immigrant labour is an issue that recent studies on immigrant labour movements have tackled head-on (Fantasia and Voss 2004; Milkman 2000). Focusing primarily on declared work, they have noted that the employment relationships that define immigrants' working conditions are often more convoluted and multilayered than traditional manufacturing-based models would allow, coming at the end of cascading contracting chains, as well as being more fragile, with temporary and part-time work arrangements predominating (Crawford 2005). As a result, successful labour campaigns are those that have targeted the weakest link in employment arrangements, often lambasting the firms that are several contracting relationships removed from the direct employers of immigrants. Because these labour drives have spread beyond the bounds of a linear employment relationship between management and workers, they have depended on identities broader than one delineated by a job category or work classification. Much like a social movement (hence, the term social movement unionism that is often used to describe them), these organizing drives have drawn on founts of ethnic and community solidarity to build adhesion, and have relied on the social networks that weave through immigrant communities to mobilize participation (Fantasia and Voss 2004; Ganz 2000; Sherman and Voss 2000; Wells 2000).

The insight that social resources were crucial to immigrant mobilizations against conditions in exceedingly complex employment arrangements applies equally well to the *sans papiers* protests. However, in contrast to the immigrant labour drives studied by industrial relations analysts where employment was formal, if precarious, the social networks, ethnic solidarity, and identities on which undocumented immigrants in the *sans papiers* protests drew did more than serve as an organizational glue that held together a labour mobilization. Rather, they were at the heart of the grievance that drove the mobilization itself. Because the informal employment on which undocumented workers relied was overlaid onto ethnic identities and social networks, the precise manner in which social networks structured the *sans papiers* protests and the specific identities that held their movement together were in and of themselves a direct expression of the way that immigration legislation impacted informal labour markets and the sources of worker power embedded within them. They indicated the precise places where immigration policy had ground down the social networks that provided immigrants access to jobs and skills, and the particular ways in which the legislation had worn perilously thin the leverage workers had drawn from the

social fabric that wove through their industries. Moreover, the organization of the *sans papiers* protests suggested that the effects of immigration policy and the accompanying crackdown on illegal work were more powerful than a simple dialectic between formal and informal practices could produce, and that the immigration policy would have impacts that would last much further into the future than either labour market analysts or politicians could have predicted.

To illustrate the changes in informal labour markets and the way they produced immigrant protests, I present a case study of the Paris garment cluster and of the protest actions carried out by immigrants who had worked there. The case study, as well as of the immigrant protest wave more broadly and of the industry changes that led to it, are based on qualitative on-site fieldwork carried out in July and August 1998 and January 2000. I conducted 62 semi-structured interviews with a wide range of actors, including workers and employers in the garment sector, church officials, labour inspectors at the Ministry of Labour, government officials, government demographers, academics, legal aid organizations, immigrant social service organizations and journalists. My interviews were supported by a total of 10 weeks of ethnographic observation at three venues: in the district's firms and in affiliated production sites in Parisian suburbs; at immigrant protest sites and at the church where immigrant workers from the cluster held a hunger strike in the summer of 1998; and at immigrant social service organizations that lent logistical support to the protesting *sans papiers*. I backed up this qualitative research with a detailed press review and with quantitative data on immigration trends and on citations for violations of France's labour and health and safety codes.

The remainder of the article is organized as follows. Section 2 provides an overview of the *sans papiers* protests, describing their genesis and lineage as part of a history of immigrant hunger strikes in France that reached back to the mid-1970s. It also supplies a more complete description of the two main policy changes — a crackdown on undeclared work and a restrictive set of immigration measures — that produced them. Sections 3 and 4 provide a portrait of informal labour markets in the Parisian garment cluster before and after the implementation of the Pasqua laws and the crackdown on informal work. Section 5 demonstrates how the structure of protests launched by immigrants from the garment cluster reveals their roots in grievances over working conditions in the industry as much as in resistance to restrictive immigration measures. Section 6 concludes with implications for industrial relations theory and its treatment of immigrant workers.

2. Protesting to live and protesting to work

The immigrant protests that would transform French immigration policy began with a small protest action launched on 18 March 1996, when several dozen undocumented Malian immigrants occupied the St. Ambroise Church

in the north of Paris and refused to leave. All residents in the same low-income housing complex in a Parisian suburb, the group, made up of single men who had come to France in search of work, political refugees, and families with French-born children who had been in the country for many years, resorted to direct action when their multiple administrative appeals for legal work and residence permits were rejected. The exhausted immigrants had come up against the bureaucratic wall that the anti-immigrant Pasqua laws had erected both to keep them out of the French polity and, more pointedly, out of French labour markets (Abdallah 2000).

The Pasqua laws, a set of measures and directives passed in 1993 under the Minister of the Interior whose name they bore, were the centrepiece of the centre-right government's 'zero immigration' policy. The legislative package created a battery of new and often contradictory requirements for all persons filing a request for legal status. These ranged from proof of uninterrupted housing and employment for those seeking to renew their visas, to income and lodging requirements that were, depending on the method used for calculation, a hefty cut above the minimum wage, to an abrogation of *jus soli*, making the French citizenship of French-born children contingent on an oath of loyalty and lack of criminal record. Because the legislative hurdles proved, more often than not, to be insurmountable, the Pasqua laws produced a new and growing category of immigrants: immigrants who had been denied legal status, despite the fact that many had at one point held legal residence permits, but who could not be legally expelled — immigrants who would thus remain *sans papiers* on French soil indefinitely. Not only did the Pasqua laws relegate significant numbers of immigrants to legal limbo, they also mandated a crackdown on undocumented immigrants. The police were tasked to verify the legal residence papers of anyone who appeared 'foreign-looking' and detain for up to three months anyone who could not provide valid documents; aiding and abetting undocumented migrants became a criminal offence; and an unprecedented number of them, some 12,000 in 1996 alone, were boarded against their will on flights chartered by the French government to transport them back to their country of origin (*Migration News* 1994, 1996; see also Abdallah 2000; GISTI 1994).

Less than 24 hours after the *sans papiers* occupied the St. Ambroise Church, migrant aid organizations brought the French press to the site. As stories began appearing in the papers about the church occupations, the protest action became a flashpoint for national political tensions around the Pasqua laws. Believing that the media coverage of the protest would provide protection from police retaliation, scores of undocumented immigrants flocked to the church in the hopes of joining a protest that seemed to hold the promise of residence and work permits for the participants. The initial group of *sans papiers* closed their rolls at 300 immigrants, and those that they turned away began to form their own collectives. The French government, alarmed at the momentum that the *sans papiers* action seemed to be garnering, began a war of attrition against the protestors. Some five days after the *sans papiers* took over the church, the government forcibly evicted them from the space,

arresting 43 of the immigrants during the raid and dozens more at subsequent street demonstrations, and expelling a large quorum of those detained. As the *sans papiers* moved from public space to public space, with their growing numbers of supporters in tow, the authorities responded with more arrests and deportations, even chartering a special flight to send 57 Malian immigrants detained during the protests back to their country of origin (Abdallah 2000).

Faced with the government's recalcitrance, the *sans papiers* decided to draw on a protest tactic that had been used repeatedly by preceding generations of undocumented immigrants. A couple of weeks after occupying the St. Bernard Church in the north of Paris in mid-June, they launched a hunger strike. Hunger strikes were not a new tactic in immigrant politics in France. In 1973, 1980, and in 1992, undocumented immigrants in France had gone on major hunger strikes to challenge the introduction of restrictive immigration measures, with several minor strikes in the intervening years, and to great effect, with each round resulting in at least a change in immigration policy and often in the passage of a sweeping amnesty programme. As Siméant (1998) and Ticktin (2006) have argued, the effectiveness of the hunger strikes lay in their symbolism. By refusing to eat unto death unless granted legal residence and work permits, the successive generations of protesting immigrants equated, in a most visceral manner, political rights with biological life, and framed the government's refusal to confer those rights as tantamount to a death sentence issued by the authorities. 'We demand nothing more and nothing less than the right to live,' declared Madjiguène Cissé, the group's spokeswoman, implicitly laying responsibility for the life and death of the strikers at the government's feet (quoted in Abdallah 2000: 12). The impact of the simile in 1996 was no less powerful than in its previous deployments. As evening news broadcasts and newspapers displayed images of the increasingly emaciated fasters, the prostrate immigrants' sunken cheeks and protruding ribcages made the relationship between legal status and the life of the strikers shockingly clear. Left-of-centre political parties, trade unions, and a coalition of renowned writers and performers all issued public appeals urging the government to negotiate with the immigrants, and traffic in Paris ground to a halt every few days as protestors took to the streets in solidarity with the *sans papiers*.

Despite the groundswell of popular support for the immigrants, the rightist government insisted that it would not be blackmailed into giving residence and work permits: 'We will be firm,' declared Jean-Louis Debré, the Minister of the Interior (quoted in *Le Monde*, 9 August 1996). The government kept to its word: at dawn on 23 August, the 49th day of the strikers' fast, a police force of 1,500 men was sent in to raid St. Bernard Church and round up the 300 immigrants that were squatting there. The police used liberal force against the immigrants, dragging fasters, too weak to stand, down freshly bloodied steps into waiting police vans, using billy clubs on women who wrapped their children's faces against the tear gas released in the operation, and shackling already bruised protestors in preparation for their deportation by charter flight (11 members of the group were ultimately deported). Photos

of the police action appeared in the afternoon editions of the daily papers, and by evening, over 100,000 protestors poured into the streets in an expression of public outrage that would contribute to the Socialist Party's electoral victory against the Right later that year.

The raid on the St. Bernard Church detonated dozens of copycat actions in cities throughout the Republic. The new collectives adopted tactics patterned after those of the St. Bernard *sans papiers*: they made a public demand for residence and work permits, and when their appeals were formally denied, they occupied a public space, usually a church, and began a hunger strike. The immigrant protests were generally short-lived, lasting no more than a few months. Together, however, these episodic flashes of unrest made up an unprecedented wave of immigrant protest that continued unabated for the next four years. The protests forced the hand of the French government, and it ultimately granted legal status to close to 150,000 undocumented immigrants, or one third of the estimated total population of undocumented immigrants in France.[1]

For analysts of the protests, the pressing question elicited by the immigrant mobilization was not 'why hunger strikes' but rather, 'why now?' (Morice 1996). The first church occupation, and the explosion of collectives that followed, occurred 'to the general amazement even of the groups specializing in immigrant issues' (Abdallah 2000: 13). Even though previous immigrant hunger strikes had been framed as a matter of life and death, and not as a matter of employment, the immigration policies they challenged all brutally impacted immigrants' access to jobs: the 1972 Fontanet circular's directive to limit work permits to skilled application precipitated the hunger strikes of 1973; myriad restrictive immigration laws, culminating with the 1980 Bonnet circular, which for the first time put in place a policy of expedited and large-scale expulsions, bred newly exploitative conditions in industries where immigrant workers had previously held well-paying, quality jobs, and brought on the hunger strike of 1980–1981; and the implementation of a policy in the late 1980s to dramatically curtail the number of refugees granted asylum, and the work permits that came with it, led to the hunger strikes of 1991–1992 (Siméant 1998). The Pasqua laws differed in that they had neither an obvious nor a uniform effect on immigrants' livelihoods. Instead of descending like a legislative mallet on immigrant communities, the Pasqua directives, issued in successive waves, tightened like a slow vice around immigrant communities, gradually stripping immigrants of their rights and restricting their field of movement. Their impact did not seem abrupt enough to detonate the massive wave of church occupations and hunger strikes.

Why, then, had tens of thousands of immigrants who had lived and worked in France without legal permission for years, a good proportion of them for over a decade, suddenly resort to such a drastic form of public protest against the Pasqua laws, and at great personal cost to themselves? Why had the first church occupation sparked protest actions throughout the Republic, and why did the wave of hunger strikes last for four years, extending past the passage of the amnesty programme in early 1998? The St. Bernard hunger strike and,

crucially, the media coverage and political support it received, created the political opportunity for protest (Tarrow 1994), and the strikers' skilful revival of the rhetorical equation of political rights with biological life provided the language of protest — or frame, as scholars of social movement would call it (Gamson 1992; Johnston and Noakes 1995) — but in and of themselves, these factors were not sufficient to catalyse and sustain scores of organized hunger strikes throughout France (Piven and Cloward 2000). They were not enough to answer the question of 'why now?'

When I asked Tobé Conaté, founding member of the immigrant collective that occupied the St. Bernard Church 'why now', he replied simply, 'We could no longer feed our families' (interview, August 1998). Members of his collective, as well as protestors in the collectives that the initial hunger strike inspired, echoed his explanation. 'Without papers, there is no work. I will remain here until I die,' said Sidi Diarra of Mali, part of the first cohort of fasters (quoted in *UPI*, 11 August 1996). Protestors I interviewed consistently complained that their wages had dropped appreciably over the past few years, and that jobs were harder to come by (see also Diop 1997). They added that skill acquisition in the industries in which they worked had become more difficult. They no longer had easy access to the training and learning-by-doing that would have allowed them to get better jobs at better wages (interviews, July–August 1998; Goussault 1999).

Clearly, the Pasqua laws did injure some immigrants' livelihoods, but it was an effect that was averaged out when immigrant employment in general was examined. It was only when the employment profile of the specific immigrants who participated in the protests was disaggregated from the employment of immigrants overall that the economic significance of the Pasqua laws emerged in high relief. Although *sans papiers* protestors came from diverse national and ethnic backgrounds, and had held a wide range of jobs, the industries in which they worked shared strikingly similar features. They were employed in industries where production systems were organized to be flexible enough to expand or contract in response to volatile market demand. 'When we are not unemployed or underemployed, we work hard in garment production, in leather working, in construction, in restaurants, in cleaning', specified Madiguène Cissé (quoted in *Libération*, 25 February 1997). Other examples included small-scale furniture production, seasonal segments of the service industry and petty commerce (especially street vendors). Undocumented immigrants employed in industries with predictable demand curves and steadier production systems were pointedly absent from the protests[2] (Marie 1997; Merckling 1998: 321–77).

The industries represented in the protests had historically depended on undocumented immigrants to afford them production flexibility: as a secondary labour force that could be easily hired when demand expanded and just as easily fired when demand contracted, undocumented immigrants had provided a buffer against market fluctuation (Morice 1996; Piore 1979; Terray 1999). They had worked under temporary and sporadic job arrangements, and with the end of a job always looming, these workers were

perpetually seeking employment. Competition for work was heated, with factors such as a slight differential in skill or a mild advantage in navigating the dense social networks that wove through the industries affecting access to employment. However, the working conditions under which they had laboured had been relatively good, modulated by the social ties that had overlaid employment relationships and that had provided workers with sources of power derived from the social norms in immigrant enclaves (Marie 1992a, 1996).

In the mid-1990s, a campaign to crack down on off-the-books employment and related fiscal evasion complicated the use of undocumented immigrants to build flexibility in production systems. Responding to the political tension generated by double-digit unemployment rates, the Ministry of Labour, through its labour inspectorates, targeted industries that were heavy users of informal and immigrant labour: it concentrated its enforcement campaign on the garment industry, the construction industry, janitorial services and restaurants (interviews, August 1998). In 1995, the labour inspectorates had apprehended 2,000 undocumented immigrants, and in the first four months of 1996, had raided no less than 114 businesses in Paris alone (*Migration News*, May 1996).

Firms in flexible production industries responded to the rise in enforcement by spinning off new, more sophisticated forms of informality that were gilded with the appearance of formality — semi-formal arrangements that afforded firms the flexibility to modify their production systems while creating the illusion that they were operating on-the-books. These set-ups included — but were not limited to — full-time work declared as part-time, 'freelancers' that worked regularly for a single employer, illegal temporary employment that masked repeated lay-offs during periods of low demand, and convoluted sub-contracting agreements, with firms 'borrowing' workers from others so many times that it became impossible to pinpoint the actual employer (De Courson and Léonard 1996; Marie 1996).

Data collected by the Ministry of Labour on citations of illegal work illustrates this trend. The citations for illegal work — that is, any work that violated the labour code — increased substantially from 11,500 in 1990 and 20,000 in 1995, a rise that reflected the spread of informal work practices as well as stricter enforcement. Significantly, this upsurge in infractions was accompanied by a precipitous drop in citations for work without a legal permit: in 1990, these citations were 33 per cent of the total; by 1995, the proportion they represented had fallen to a little over 5 per cent. The proportion of undocumented immigrants among all those cited for work infractions also fell by half: in 1992, undocumented immigrants represented 17 per cent of the total, and by 1994, they made up only 8.7 per cent of all persons caught working illegally (Marie 1997; Haut conseil à l'intégration, French Ministry of Labour 1992: 93–111).

Because the informality of these hybridized employment arrangements was masked by at least one aspect that was formal and above board, they required that the person hired under their terms hold a legal work permit. The

government's actions had the perverse effect of making legal work permits a prerequisite for working *informally* (Morice 1998; Willard 1991). Undocumented immigrants found themselves excluded from the labour markets in the industries where they had worked for years, and by the same token, separated from the informal institutions that had regulated their working conditions and that had provided the on-the-job training that would have allowed them to advance professionally once the political winds had shifted. Workers' long-term job prospects had been seriously, and many feared irrevocably, compromised.

The all-or-nothing situation that this created — immigrants either had work permits *and* access to jobs, or they had neither — is what compelled tens of thousands of undocumented immigrants in these industries to act. In an expression of their sophisticated understanding of how policy levers affected their working conditions and undermined their negotiating position in the workplace, the protesting immigrants directed their demands at the state. They based their mobilization on their identity as 'undocumented immigrants' rather than on their identity as 'workers-who-laboured-off-the-books' precisely because it was the legal implications of being an undocumented immigrant, as opposed to a worker whose employment was undeclared, that degraded their working conditions and narrowed their access to informal sources of worker power. The *sans papiers* were not calling for the state to improve the informal labour markets and undeclared employment practices that the Pasqua laws and the crackdown on undeclared work transformed so profoundly, if indirectly. They were petitioning the state for access to employment relationships that would remain beyond the purview of state control, and to the social networks that would ensure their quality.

3. The Parisian garment cluster and its immigrant workers

Some of the first immigrants to ask the initial group of *sans papiers* protestors squatting in the St. Ambroise Church if they could join their collective was a group of Chinese and Turkish immigrants who worked together in the Parisian garment cluster. On the surface, their reasons for seeking out the *sans papiers* activists were very different. Chinese-language newspapers had misrepresented an off-the-cuff statement by the Minister of the Interior that the government might re-examine protestors' applications for papers as an official guarantee that all protestors would be granted legal and work residence permits, and with headlines about the imminent regularization plastered throughout Chinese neighbourhoods in the city, the Chinese immigrants rushed to join the strike before the window of opportunity had closed (Picquart 2002). The Turks were motivated by the historical experience of their compatriots in Paris. Turkish garment workers were the instigators of the 1980 hunger strike to press the government for legal status and were heavily favoured in the amnesty programme that followed as a result (Husson 1980; Cealis *et al.* 1983). However, the Turkish and Chinese workers

shared the same underlying motivation for joining the protests: they wanted papers. The garment industry jobs they had counted on were suddenly off-limits to anyone without legal work permits. Relegated to poorly remunerated home-based piecework or to sweatshops in distant Parisian suburbs, they needed papers to regain access to jobs in the garment cluster in the heart of the city.

The immigrants had been exiled from a cluster that was as much a geographic place as a grouping of firms. Since at least the early 1930s, the nucleus of the French garment industry had been concentrated in the Sentier neighbourhood in central Paris. Spatially, the Sentier strictly speaking stretched only across a couple of *arrondissements* — or wards — in the city centre, but it housed an impressive number of small firms. By the late 1980s, the Sentier was home to approximately 2,500 ateliers that employed an average of less than 10 workers, with fully 96 per cent of workshops employing less than 20 (Green 1997; Lazzarato *et al.* 1993: 151). An estimated 20,000 people worked formally in the cluster, and in 1990, they represented about 13 per cent of the 145,000 workers employed in the French garment industry as a whole (Ministère de l'économie, des finances et de l'industrie 1997: 163; Lazzarato *et al.* 1993: 151). Added to that number were anywhere between 5,000 and 40,000 workers labouring informally, depending on the study cited (Green 1997: 195). The hundreds of small businesses squeezed into the historic district individually focused on slivers of the garment production process, but when taken together, the firms completed the entire process of clothing manufacture, covering everything from garment design through the packaging and distribution of the completed item for clothing boutiques (Lazzarato *et al.* 1993; Ma-Mung 1991; interviews, July–August 1998).

Successive waves of immigrants laboured in the district. The cluster's first post-Second World War expansion coincided with the arrival of North African Jews in the 1960s. Emigrating after independence, the Tunisian and Moroccan Jews lent their labour to the rapidly growing production of women's sportswear in the district. Yugoslavs and Turkish immigrants followed shortly thereafter, some of them new arrivals and others casualties of the industrial slowdown of the late 1970s who were laid off from their jobs in heavy industry. Chinese immigrants burst onto the scene in the early 1980s, and quickly established a significant presence in the cluster: by some accounts, 15,000 Chinese workers were affiliated with the cluster by the mid-1980s, with some working in the district's workshops and a much larger proportion doing subcontracted piecework for the cluster. By the mid-1990s, Pakistani, Sri Lankan and Bangladeshi immigrants were already following on the heels of the Chinese workers, jostling for entry-level jobs in the Sentier (Green 1997: 210–14; Lazzarato *et al.* 1993; Ma-Mung 1991; interviews, July–August 1998[3]).

Each generation of immigrants followed a similar employment trajectory in the cluster, and in so doing, they hewed a clear job ladder out of the chaotic production in the district. New entrants took work when they could get it, either the lowest-skill and lowest-status jobs in the neighbourhood's ateliers,

or did home-based piecework for the cluster's firms. Over time, they developed the capacity to perform the more complicated aspects of garment production and were able to find steady employment. Eventually, they acquired the skills, the social networks and the capital to open their own workshops in the district. In keeping with this employment arc, the North African Jews that had flooded into the district in the 1960s as labourers were by the 1980s its main firm owners: according to the Sentier section of the Fédération des Juifs de France, 70 per cent of the workshops in the area were owned by Jews from Tunisia, Morocco and Algeria. By the 1990s, Turks had edged out the North Africans and could claim the largest share of the district's firms (Green 1997: 210–14; Lazzarato *et al.* 1993; Ma-Mung 1991; interviews, July–August 1998).

The specific working conditions that immigrants, especially those that had yet to get their work papers, faced along this employment trajectory grew out of the Sentier's role in French garment production. Although the Sentier had always represented only a fraction of French garment production capacity, it was indispensable as an interpreter of couture trends for assembly-line producers. The Sentier produced the first iterations of the fashion trends that emerged out of Parisian design houses, and then translated esoteric design concepts into simplified and standardized clothing patterns that large garment firms could mass produce, either in France or abroad. However, firms in the Parisian district were unable to foresee how the market would respond to their experimentation with new design concepts. The factors that determined whether an item would be popular with consumers were capricious, with variables like a change in weather or whether an outfit was worn by a celebrity shaping demand. Profit margins were equally unpredictable: distributors would not infrequently renegotiate payment — readjusting downward — based on how previous batches of the garment were faring in the market, even after workshops were well into the assembly of a follow-on consignment of the item. Moreover, the compressed timeframe within which firms were expected to deliver on orders they received, generally a matter of days and weeks rather than months, made it impossible for them to adopt a 'wait-and-see' attitude: they had to confront the market's volatility head on (Lazzarato *et al.* 1993; Ma-Mung 1991; interviews, July–August 1998).

In response to extremely variable demand, an idiosyncratic and highly flexible mode of production emerged in the Sentier. Firms operated less as organizations that brought together capital, labour and knowledge in an ongoing and stable way, and more as what Lazzarato *et al.* (1993) describe as 'virtual firms'. They specialized in bringing together various factors of production on a temporary basis for the express purpose of completing an individual order. Firm expertise shifted in emphasis from mechanics of garment manufacture to the assembly of the specific production inputs best suited to the particular item of clothing ordered, and to the particular design challenges that it represented. So, for example, a firm commissioned to sew a complex women's blouse, perhaps with an intricate sleeve design, would be selected based on its capacity to bring together the machinery required, the

right fabric and finishings, and workers skilled in sleeve construction rather than on the workshop's in-house proficiency in shirt production. Lead firms in the cluster also displayed the capacity to configure contracting relationships 'on the fly', rearranging subcontracting chains to meet the specific production requirements of a given garment, bringing together firms with the requisite sewing and cutting specializations, the right fabric suppliers and specialized distributors.

Both individual workshops and lead firms gathered factors of production *solely* when there was a garment to be manufactured. When workshops were not filling an order, only the shell of the firm remained, empty except for idle equipment, and when lead firms were not commissioning workshops in the cluster to produce garments, subcontracting relationships fell away, dormant until contractors reactivated them. During periods of inactivity, the resources firms and contractors had used returned to a common pool. The capacity to appropriate production inputs fully for short periods while at the same time preserving their status as a community resource transformed the district from a cluster of co-located firms to an integrated production system. Arguably, it was the single most important reason the district rose to prominence as the interpreter of designs for the French garment industry as a whole (interviews, July–August 1998; Delorme 1986; Lazzarato *et al.* 1993; Marie 1992b: 35–39).

The dual quality of production inputs in the Sentier as simultaneously shared and proprietary was not easy to achieve or maintain. It depended on two mutually reinforcing characteristics of production in the cluster: a high degree of informality and the strength of the social networks that regulated informal exchanges. The informal activities of firms in the Sentier ran the whole gamut, and included everything from fiscal fraud and the fabrication of false receipts to the casual 'borrowing' of intellectual property (generally clothing patterns) and the judicious use of undeclared labour. These informal practices were essential to maintaining the communal nature of the cluster's factors of production: it allowed their temporary use, enabling firms to shed labour, capital or subcontracting ties freely, without legal consequences or fiscal penalties. The social networks that wove through the district kept routine fraud from careening toward malfeasance. The threat of exclusion from social exchanges ensured that business owners kept their word, that no one atelier monopolized intellectual property viewed as communal, and that subcontracted firms were paid. In this sense, the 'virtual firm' approach to garment manufacture embodied a social system as much as it did a production strategy (Delorme 1986; interviews, July–August 1998; Lazzarato *et al.* 1993; Ma-Mung 1991; Marie 1992b: 35–39).

Until the mid-1990s, undocumented immigrants were an asset on which the Sentier depended heavily. Happily for employers who rearranged their entire production system with each new garment, undocumented immigrant workers could be hired and fired on the spot, without labour code regulations or fiscal filing obligations placing a drag on the transaction (Terray 1999). Like other inputs marshalled for garment production in the Sentier,

undocumented immigrant workers were a shared resource whenever they were not working for a particular firm (Lazzarato *et al.* 1993; Ma-Mung 1991.) In this regard, it is more accurate to view their employment as associated with the cluster as a whole rather than with any individual firm operating within it.

While advantageous for employers, this set-up meant unrelenting job insecurity for undocumented immigrant workers. To maintain steady work over the course of a year, they were forced to cycle through numerous firms in the Sentier, completing short stints with each of them, often holding jobs at two or more workshops at a time. The situation of Kemal, an undocumented Turkish immigrant who had worked in the cluster for six years, was typical: 'I work here until 7 p.m., and then I go help my uncle with ironing (the garments assembled that day). The order is due in two weeks. I am not sleeping much these days, but better to eat than to sleep. Last month, I had time but no money' (interview, August 1998). When workers did find employment, however, pay scales were relatively high. In the mid-1990s, skilled workers in the cluster could earn up to 14,000 francs, an amount equivalent to more than twice the minimum wage (INSEE 2006), during 'a good month', defined by immigrants in the Sentier as a month with at least full-time employment (40 hours per week). Unfortunately, months were not uniformly, or even reliably, 'good', and undocumented immigrants assiduously cultivated the social relationships that could give them access to their next job. Workers spent the equivalent of a second shift in neighbourhood tea houses, tending their social networks and turning the local spots into informal hiring halls (interviews, Paris, July–August 1998, January 2000; Lazzarato *et al.* 1993; Ma-Mung 1991).

The same production system that had workers ceaselessly scrambling for work also equipped them with the skills to access their next job, to command higher wages, and eventually, to open their own workshops. Skill, in the Sentier, meant more than the speed and accuracy required in garment production. It also meant the ability to translate quickly already acquired skills to new designs. This capacity is developed through 'imitative' rather than 'initiative' practice: that is to say, it is learned through observation and work-based interaction, rather than through a formal apprenticeship (Green 1997: 177). The Sentier's bedroom-sized workshops were extremely conducive to imitative skill-building: novices, elbow to elbow with experienced sewers, mimicked the way their senior colleagues adjusted their sewing techniques to the requirements of each new garment pattern, and workers still struggling to stack fabric observed how skilled fabric cutters, standing right alongside them, sliced agilely through layers of cloth.

Supervisors' hands-on mentoring during quality control complemented the imitative learning in the district. In keeping with the virtual firm style of production in the Sentier, workshops operated with absolutely no stock base and had on hand only the precise amount of materials they needed to complete their current order. So tight was the supply that if a line of stitching was sewn incorrectly, it had to be picked out manually, delaying production,

staining the cloth, and reducing payment for the order. In order to catch mistakes early, before a worker's misplaced basting damaged the whole series of clothes being assembled, firm owners checked garments frequently enough during production to ensure that no more than five or six passed through the hands of any one worker, and quickly rectified any problems with technique. On numerous occasions, I observed employers, skilled tailors and seamstresses in their own right, demonstrating the correct way to do a particular task: the manager, sitting behind the worker's sewing machine with the chastened employee standing at his shoulder, would point out details like the tensile 'feel' that the fabric should have when pulled under the sewing machine needle, and in the process, taught his employees the tacit, inarticulable skills they needed to produce garments in a variety of styles. Thus, as workers cycled through several ateliers in the course of a year, at each site learning from different co-workers and employers and discovering how to tailor their skills to the requirements of yet another design, the Sentier was transformed into a veritable training centre for garment manufacture.

In addition to equipping undocumented immigrant workers with skill, the Sentier's system of production and the social networks that held it together yielded sources of worker power not derived from expertise. The contingent virtual firm style of operating in the district heightened the controls against exploitation that social norms and interpersonal relationships often provide in informal production. In a district where the casual exchange of information was key to co-ordinating production among firms, word travelled fast. An employer that mistreated his workers or paid them less than the district standard would quickly be branded as unfair, and would find himself hard-pressed to find anyone — except for the most recent arrivals and the most desperate — to work for him. Because mobilizing labour, especially skilled labour, under very short notice was the linchpin of the virtual firm model, poor repute, and possible exclusion from the Sentier social networks as a result, quickly translated into bankruptcy. The density with which social networks cut across the distinction between employers and employees also strengthened the workers' hand. An employer who mistreated a worker might have, by the same token, mistreated the relative of a contractor who supplied regular garment orders to fill and, thus, have jeopardized a steady source of business. As workers cycled through multiple firms in the district, this deterrent effect was magnified (Lazzarato *et al.* 1993; Ma-Mung 1991; interviews, July–August 1998).

In the mid-1990s, the situation of undocumented immigrant workers in the Sentier took a turn for the worse. The same two regulatory changes — the Pasqua laws and a government crackdown on informal work — that damaged the economic position of undocumented immigrants in a compendium of flexible production industries also hobbled undocumented immigrants' ability to navigate the Sentier's labour market. However, because the policies were refracted through the cluster's idiosyncratic organization of production, its effects were as distinctive as the virtual firms that were constantly appearing and disappearing in the neighbourhood.

4. 'Hybrid informality' and a divided labour market

The Pasqua laws affected the lives of undocumented immigrants working in the cluster in myriad ways, but two provisions hit their employment relationships hard. The first was the provision that ordered police and public transport employees to check the identity papers of any and all 'suspicious' and 'foreign-looking' individuals, and to arrest and deport anyone without papers who represented a very loosely construed threat to public order. Because the authorities targeted public transport for identity checks, undocumented immigrants felt that travelling to jobs that were not within easy walking distance of their homes was, in the words of one immigrant I spoke with, 'like playing a game of Russian roulette', where the penalty for getting caught was deportation. Many undocumented workers reported taking steps to make themselves appear less foreign — Turkish and Kurdish men in the district shaved off their Middle Eastern looking moustaches — but most stayed home anyway on days they spotted police near the Metro stops. For the small firms in the cluster, the absenteeism this generated was devastating. One worker's failure to report to work for a single day could mean the difference between meeting a deadline or not — and often, the difference between further orders from the subcontractor or none.

The provision that criminalized aiding and abetting undocumented immigrants was the second measure that affected employment of undocumented workers in the Sentier. Employers became legally liable for the presence of undocumented immigrants in their ateliers, even if they denied that the immigrants were in their employ. Nervous business owners became reluctant to hire undocumented immigrants, especially those that they did not know well, a trend which created friction in a labour market that supported production in the Sentier by virtue of its fluidity.

The Ministry of Labour's crackdown on illegal work compounded the Pasqua laws' impact on the Sentier's labour market. The labour inspectorate conducted a series of high-profile raids in the district, as part of a strategy designed to make an example of the district and its well-known reliance on undeclared work. 'Our most serious problem (with illegal work) was in garment production,' reported one director in the labour inspectorate charged with the portion of Paris that included the Sentier neighbourhood. 'There, you find economic exploitation in a setting of cultural intimacy. We found that we had to intensify our application of measures designed to dissuade illegal practices if we wanted to have any effect at all' (interview, August 1998). With the district in the labour inspectorate's cross hairs, workers who could not provide legal work permits, particularly those workers who were 'foreign-looking', drew attention to the work practices of the firm as a whole. 'When someone can't provide papers, it's a red flag,' explained one labour inspector responsible for the Sentier: ordinary checks became thorough audits of all the work practices in the firm, with everything from employment arrangements to fiscal irregularities to health code violations subject to scrutiny (interview, August 1998). Given the Sentier's reliance

on informal practices, these inspections almost invariably led to fines and sometimes firm closure. The indirect costs were likely to be even steeper: if a fine deprived a firm of the working capital to buy the necessary inputs for an order or closure forced it to shut down production, causing it to miss its deadline, its subcontracting relationships were often seriously — even permanently — damaged. All of a sudden, the undocumented immigrants that had been a key source of flexibility became a liability that firms in the cluster were eager to shed.

Garment firms salvaged the buffer they needed to ride the clothing market's rough demand curves by obfuscating the informal aspects of their employment practices. They adopted employment arrangements that blended elements that were legally declared and above board, with elements that were off-the-books. The semi-formal set-ups that firm owners devised spread like wildfire in the cluster: full-time workers were declared as part-time; others were hired under temporary contracts (often lasting less than a week) only once an order came in; some were classified as 'freelance' seamstresses, tailors and ironing men; still others were 'borrowed' from other firms, sometimes several firms removed so that it was impossible to identify a worker's legal employer, and a few even worked for firms in the district while claiming to be members of a 'federation of independent workers' in the industry. While no data quantifying this shift are available for the Sentier, state records on infractions of employment law in the garment industry as a whole, with most inspections having been conducted in the Sentier, reflect this trend. The French Inter-Ministerial Delegation for the Control of Illegal Labour (DILTI) reports that in 1992, 40 per cent of all citations in the garment industry were for the employment of undocumented immigrants workers, and 60 per cent were for other violations of the labour code (Marie 1999). By 1997, that distribution had become more pronounced, with only 20 per cent of citations issued for the use of undocumented immigrant labour and 80 per cent for other infractions (Marie 1999). As hybridized semi-formal work arrangements became commonplace, the majority of undocumented immigrants, without the papers needed for the appearance of legality, found themselves increasingly excluded from the Sentier's labour market.

A fraction of undocumented immigrants, all of them highly skilled, did manage to buck this trend. Their abilities made them attractive to employers despite the hazards involved in hiring someone that could only work illegally. In my fieldwork, I found, for example, that talented ironing men, seamstresses adept at specialized tasks like collars and sleeves, and workers whose detail stitches were exceptionally precise had no problem finding work even if they did not have legal work permits. Moreover, in keeping with long-standing labour market norms in the Sentier, their wages and working conditions were equivalent to those of their documented co-workers. They had liberal access to the dense networks in the cluster, and with it, the multiple employment opportunities and protection against exploitation they provided. Furthermore, their skill level meant that they were already well

positioned in those networks, and could look forward to the prospect of setting up their own shop if they were ever able to obtain a legal work permit.

Low-skilled undocumented immigrants, by contrast, were relegated to the margins of the garment cluster — both figuratively and literally. Displaced from the Sentier neighbourhood proper, they were pushed out to jobs in productions sites in Parisian suburbs where the practice of sweating labour was the norm. I use the term 'sites' purposefully: most could not be called firms in their own right, and were instead merely satellite production spaces for the completion of the sewing and assembly phase of garment production. The sites were set up by Sentier business owners during the 1990s, either because they had decided to produce low-cost clothes for low-end markets in French and other European cities, or because they wanted a workspace where they could direct production overflow when an order was too large for them to complete in-house.

To turn out low-cost clothes, these business owners adopted a 'low road' production strategy. The piece-rate wages workers earned were sub-par: according to interviews I conducted, they were paid less than the 6,500 French franc minimum wage, sometimes well under that floor, receiving between 3,500 and 5,500 francs, an amount that was less than half what their counterparts, armed with legal documents, could earn in the Sentier for equivalent work. Employment arrangements at these production sites were completely undeclared, and the sites themselves were set up in places that were hidden from public view and, hence, government scrutiny. Some fit the traditional profile of homework set-ups, with one or more members of a family producing garments out of a private home, while others more closely resembled a workshop, with sewing machines crammed into basements of suburban houses, hidden in garden tool shacks, or packed into converted garages. Working conditions in these sites were sub-standard: lighting was poor, the machinery was dilapidated, and the air was heavy with fabric fibres in windowless rooms. Moreover, the working hours were extremely irregular: when and only when the contractor dropped off packets of cut fabric, workers would put in long hours, up to 16 hour days according to the workers I interviewed, to complete the garments by the deadline a few days later. At all other times, the undocumented immigrants were out of work.

For undocumented immigrant workers relegated to these underground production sites, the physical and social isolation under which they laboured made it impossible for them to challenge their working conditions. Because of their geographical distance from the Sentier, undocumented immigrant workers, fearful of moving about the city, were cut off from the social networks in the district. As a result, they were segregated from the informal social mechanisms that would have otherwise offered them both a measure of protection against exploitation and access to other employment opportunities. Any contact they did have with the Sentier's social networks was mediated through their relationship with their employer. Often a cousin or an uncle, the employer acted as both the gateway and the gatekeeper to the broader web of social connections in the district, a situation which eroded

workers' bargaining power by making them wholly dependent on their employer for work.

Even more troubling was that undocumented immigrants' isolation from the Sentier truncated their opportunities for skill development. The two main mechanisms for upskilling the garment cluster — quality control and learning from skilled co-workers — were absent in the satellite production sites. Employers checked clothes only when they picked up their order, once the whole batch had been assembled. Unless mistakes were serious, employers would accept the order with the defect, preferring a reduction in their profit margin over the delay that re-stitching would involve. Consequently, workers had no way of discovering which of their sewing practices led to errors. Opportunities for imitative learning were also absent. Because those undocumented immigrant workers who had mastered their craft were able to find jobs in the Sentier, workers at production sites laboured alongside workers who were as poorly skilled as they were. Furthermore, their exclusion from the Sentier and the variety of jobs it could supply meant that they were stuck working with the same handful of workers day-in-day-out, in the same production space, and were unable to observe the range of sewing approaches and styles required to assemble a wide variety of garments.

As undocumented immigrants perceived, these barriers to skill development would have long-term impacts on their career trajectories and on their basic ability to earn a living wage for themselves and their families. 'I used to work in the Sentier. Now I am stuck out here working for Selim [his elder cousin]. My mother and my sister sew with me now, and we still make less than I did before. If I don't get papers, I'll be stuck here forever', explained Mehmet, a garment worker doing home-based piecework. The lack of opportunities for upskilling at satellite production sites meant that the social isolation those work spaces imposed on workers would be permanent. Workers would never be able to acquire enough skill to offset their undocumented status and to graduate into the Sentier proper. Trapped indefinitely working at low wages and under sub-standard conditions, they would never be able to climb the career ladder implicit in the Sentier's organization of production, and move from apprentice to master tailor, and ultimately to firm owner. Even more pernicious was the possibility that if undocumented immigrants' isolation lasted long enough, they would find themselves confined to a second-class status in garment production even if they eventually obtained legal residence permits. Their atrophied skills would not be sufficient to break into the labour market that had closed them out.

The Pasqua laws and the mid-1990s' government campaign to enforce the labour code opened a chasm among undocumented immigrant workers in the garment industry. On one side of the split were the skilled undocumented immigrants who worked in the Sentier district proper, alongside immigrants with work permits, earning passable wages and perfecting their skills through learning-by-doing; on the other were unskilled undocumented immigrants, working in isolation, for miserable wages, with no prospects for skill development or advancement. Immigration law combined with labour code

enforcement created a new underclass of workers with few rights, without power and without skill. Barring a change in immigration laws, the divide was unbridgeable. And so, when undocumented immigrant garment workers were turned away by the *sans papiers* at the St. Ambroise Church, they organized themselves into their own collective, took to the city's streets in protest, occupied a church, and went on a hunger strike.

5. 3ème Collectif as an informal labour union

In its broad strokes, the protests launched by the Sentier's Turkish and Chinese undocumented garment workers mimicked those of other *sans papiers* protests. The garment workers called the group that they formed the 'third collective' — *3ème collectif* — to mark their place in the lineage of Parisian immigrant collectives. In early June 1998, the collective, 2,000 strong, crashed a crafts fair at the Temple of the Batignolles, a protestant church in the north of Paris, and set up dozens of cots in the church meeting hall. Two weeks later, 30 of its members began a hunger strike, pledging to fast until all of the members of their collective received legal work and residence permits. The group drew on the same rhetorical tactics adopted by other *sans papiers* collectives, and framed their demand for papers as no less than a struggle for life itself (Siméant 1998). 'We know this decision [to go on a hunger strike] is grave, but because we are desperate, hundreds of us are wiling to resort to this ultimate step', read the opening line of the group's mimeographed leaflets.

In part, the third collective's use of the same general protest structure and the same rhetoric was strategic: it enabled them to ride the wave of media interest generated by the first *sans papiers* protests and to enrol the backing of individuals and organizations that had already come out in support of undocumented immigrants. However, it also was a reflection of the fact that the economic conditions to which the third collective was responding had been produced by the same set of policies that had driven undocumented immigrants in other industries to protest. Moreover, the organizational form of the collective itself bespoke its function as an industry-based labour mobilization that emerged in response to the specific changes that the Pasqua laws had visited on the Sentier's organization of production. A careful examination of the third collective's internal structure and of the profile of its protest action reveals the particular ways that the Pasqua laws and the crackdown on illegal work acted on working conditions in the industry and thinned undocumented immigrants' prospects for advancement over the long term.

Even though the third collective mobilized around *sans papiers* identity, the group functioned as an informal union of garment workers. While the collective had no explicit policy limiting membership to garment workers, the group went to great organizational lengths to reinforce industry participation as the glue that held the collective together. One of the most powerful illustrations of this industry focus was the collective determination to include

all of the ethnic groups to which undocumented immigrants with long-standing work histories in the industry belonged. Rather than merely relying on the intra-ethnic social networks to mobilize protestors, the collective developed a series of practices, most of them quite labour-intensive, to build solidarity among workers who coexisted uneasily in the industry and to override some of the simmering tensions between Turks and Chinese workers in particular, with the former anxious that the latter were encroaching on their jobs. The collective was divided into three language groups: Turkish (for Turkish and Kurdish workers), Mandarin Chinese (for Chinese workers), and French (for the few Arab workers and for French allies). Each language group selected a small number of representatives to co-ordinate the day-to-day activities of supporting a hunger strike, to attend detailed strategy sessions with lawyers, trade unionists, and seasoned activists, and to run mandatory weekly meetings for their co-ethnics. The collective brought the three groups together for weekly plenary sessions, obligatory for all members, held in all three languages of the collective, with bilingual volunteers from each language group providing simultaneous translation. The collective made a formal commitment to address the concerns of each language group at every plenary meeting, and the gathering often stretched on for several hours in order to fulfil the pledge.

The particular manner in which the collective carried out its protest actions pointed to the specific ways the Pasqua laws had undermined their standing in the Sentier's labour market. The collective levelled a series of 'in-house' complaints against their exclusion from the Sentier and about the exploitative employment of the cluster's firm owners deployed in their satellite production sites — grievances that, by design, were not publicized in the mainstream media, but were clearly understood by employers in the Sentier to whom they were directed. The group, for example, staged frequent street demonstrations through the main street of the Sentier district, an area too cut off from the political centre of Paris for the protestors to receive media coverage. While ostensibly no different in the demands made than the demonstrations that they held in other parts of the city, the poignant symbolism of garment workers slowly marching through the neighbourhood where they could no longer find employment was not lost on the many firm owners and documented workers who stopped their machines and leaned out of windows to watch, stony-faced, the *sans papiers* file past. Collective members also gave interviews to the Turkish and Chinese language press, in which they detailed the ways employers were increasingly taking advantage of their workers' undocumented status to violate community norms around fair pay and fair treatment, information which the protestors pointedly refused to provide in their interviews with the mainstream media. When asked why the *3ème collectif* resorted to a measure as drastic as a hunger strike, Hakan, a Turkish member, told the Turkish-language newspaper, *Posta Europe*, that, 'the Turkish employers make us work for 3,500 francs a month [about half the minimum wage] and we have no other choice. They do not want us to be regularized [to get legal residence and work permits]' (*Posta Europe*, June

1998). 'The sans-papiers of *3ème collectif* feel abandoned', read the July issue of the same paper, 'no one [in the community] is supporting them' (*Posta Europe*, July 1998).

Both the way the collective was managed and the behaviour of individual members illustrates how thoroughly instrumental was its quest for papers. Its members were not appealing for an improvement in working conditions in satellite production sites, nor were they pressing for a change in employment practices in the Sentier, especially the increased reliance on semi-formal employment arrangements. Instead, they mobilized to gain entry *back into* the Sentier productive system, and they viewed participation in the collective's protests and hunger strike as an alternative to the bureaucratic channels for legalization that had been closed to them.

In the months leading up to the hunger strike, the collective had completed formal residency applications for all of its members. Once the hunger strike began, the collective closed its membership rolls and negotiated with the government only on behalf of those *sans papiers* in the group. To maintain the strength of its mobilization, leaders of the collective's language groups took attendance at all collective meetings and weekly street demonstrations. If an immigrant was absent more than three times, he or she would immediately be removed from the collective's roster, and his or her file would be withdrawn from the application packet submitted to the government. Because of this policy, members attended all of the activities mandated by the collective, even if it required them to leave work and jeopardize employment that was already tenuous, even if it meant risking identity checks on public transport.

However, if a member's application for legal residence received government approval during the course of the protests, members would quit the collective almost immediately. In fact, several of the collective's *sans papiers* were awarded their papers over the summer, and almost invariably they dropped out on the very same day they got the good news. One of the 30 hunger strikers was among the lucky group. So weakened was he by his fast that he had to be hospitalized after the first 24 days, but he still refused to eat. However, the day he heard that he had been granted a residency permit, the 28th day of his fast, he straight away told the hospital staff to begin feeding him, and once he regained his strength, he never came back to the church. Among the collective members, his actions were not viewed as a betrayal of their cause, but rather were considered a reasonable response to his change in legal status and were taken as clear proof that the collective's strategy was effective. He had crossed over the legal boundary that kept garment workers away from the jobs they had once held; his protest had become redundant.

On 17 July 1998, on the 32nd day of the *3ème collectif*'s hunger strike, Prime Minister Jospin finally agreed to a negotiated settlement with the group. The government agreed to grant legal residence and work permits to the remaining 29 fasters, and during successive bargaining rounds, granted papers to enough of the protestors to sap the collective of momentum. Within a few months, the *3ème collectif* was disbanded (Herzberg 1998).

6. Conclusion

This article began with two questions: What makes a social movement a labour protest? And what can a mobilization that casts its demands in terms of identity other than that of 'worker' reveal about changes in working conditions? The answer to both lies in a careful examination of the protests themselves. A detailed and grounded exploration of the membership of the protests, of the motivation behind them, of their organizational structure, and of their tactics can show whether or not a social movement is at base a labour protest. It can indicate how policies designed to regulate arenas other than employment can erode job quality, leeching informal repositories of worker power and narrowing prospects for advancement. The examination of the *sans papiers* protests presented here reveals how the Pasqua laws, underscored by a crackdown on illegal employment, expelled undocumented workers from the informal labour markets where they had once worked, depriving them of on-the-job training and stripping them of the protections afforded by the social relationship that governed informal work. The close-up analysis of the *3ème collectif* shows how the effects of the policies were refracted through the garment cluster's complex production system, with its convoluted contracting arrangements and varied expressions of informality. It shows not only how nuanced the consequences for undocumented immigrant employment were, differing according to skill, but also how enduring they were, opening a divide in the garment cluster's labour market, as well as in the social networks that underpinned it, that would be difficult to close.

This answer to these questions matters very much, and I end with an exhortation that industrial relations scholars concerned with the welfare of workers broaden their scope to consider protests that may appear to have little to do with work. Social movements that stem from economic displacement are like floodlights that shine on the informal employment relationships which remain understudied by labour analysts. They make visible employment relationships designed to remain hidden, and create the possibility for a long overdue labour analysis. They expose the sophistication of informal work arrangements and informal labour markets, and reveal the well-developed mechanisms for worker contest as well as for skill-building and professional advancement that they hold. The protests also point out the specific levers that affect informal employment — be they policies, economic shifts, or political trends — especially when their effect is subtle and acts over time. By their very existence, they foreground modes of collective action against working conditions in the informal sector and show how their resistance is often oblique, aiming for the external factors that affect employment rather than for work arrangements themselves. In sum, social movements that seem at first blush to have no connection with labour grievances can offer industrial relations scholars an entry into the informal sector where many immigrants — undocumented or not — work, and can thus empower labour analysts to bring emerging forms of exploitation to the surface and open them to challenge.

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Notes

1. The circular of 24 June 1997 authorized the granting of legal residence and work permits to migrants who fulfilled the criteria specified by the state, including one to five years of residence, documented employment (through pay slips), and family with legal status, especially children who were French. Out of 179,264 applications, the state offered papers to 145,690 immigrants. The undocumented immigrant population in France in 1997 was estimated to be between 350,000 and 400,000 (Siméant 1998; Terray 1999: 24).
2. Examples of the more stable sectors that employed undocumented workers underrepresented in the protests included retail (like corner stores and dry cleaners), janitorial and housekeeping services, and segments of service provision that catered to immigrant clients (like hair salons and public telephone centres).
3. If information provided in this section is based on interviews I conducted *and* other sources, then I cite the interviews I conducted. If the information is based solely on interviews I conducted, the interviews are not cited.

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