ETHNIC INTEGRATION AND POSTINDUSTRIAL SOCIETY

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1. Contemporary liberal democratic culture is based on multi-cultural imperatives underpinned both by values and interests. Multiculturalism is perceived as a kind of corollary to the freedom and the faculty of doing and believing, with the sole limit of not causing material harm to others.

In some cases multiculturalism comes across as a pure and simple consolatory ideology, or a rhetorical expedient. In this case the multicultural message tends to conceal certain specific aspects of the meeting / clash of cultures; or else tries to pass for a just-round-the-corner perspective, or even to disguise interests (which at times proclaim to be radically, and by definition, antagonistic to any possible perspective of the exclusion of diversity) which radically obstruct the process of integration between cultures.

Multicultural rhetoric utilises certain analysis carried out in specific phases of the economic cycle to demonstrate that a perspective of integration:

a) is of easy realisation;
b) is assuredly effective;
c) can be put into practice even in the absence of radical modifications to the internal rules of the community and, above all, to those which discipline the rapport between different communities.

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The model most favoured by multicultural rhetoric is the one sketched by Tocqueville in his analysis of democracy in America: a nation made up of various ethnic groups and of diverse religious creeds and yet one which achieves solidarity and develops a specific common identity. In truth, multiculturalism alone does not always prove to be an effective instrument of cohesion and growth of a community. In the 19th century multicultural powers rose, but in the 20th three great multicultural empires fell: the Ottoman Empire, the Austrian Empire and the Soviet Union. What the sermons promoting multiculturalism often do not mention are:

a) the linkages, now clear to all, between the economic cycle and the acceptance of foreigners,
b) the phases of the economy which accompany the triumph of the multiethnic models of society,
c) the types of cultures which have come to coexist in inclusive societies.

2. Migratory movements during the phase of industrial growth have traditionally been characterised by their being functional. The host society was in a more favoured situation than that of the societies releasing the emigrants; it had a high level of industrialisation, or else had available land good for intensive agriculture or for pasture; and in all cases needed a work force[1]. The ability of factories to take on work, indeed to devour it, increased considerably as Fordism gained recognition.

The <u>Fordian</u> model had the (secondary) effect of making it easier for those coming from areas lacking an industrial culture to find a job. The subordination of man to the machine and to the fragmented organisation of labour asked only minimal technological know-how of the worker, and favoured a fast and extremely economical training for the job. The ex-farmer, the day-labourer on farms, the small businessman, the artisan, the servant, figures which people the migrations in Europe and from Europe to America, though formed far away from industry could integrate in the new work organisation

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[1] V. M. Paci, *Migrazioni interne e mobilità sociale negli anni di espansione economica,* "Quaderni di sociologia", XVI, 1, 1967; Alberoni F., *Caratteristiche e tendenze delle migrazioni interne in Italia,* "Studi di sociologia", I,I, 1963.

of the country receiving them. Besides, these immigrants found before them vast possibilities of work in those areas which entail great expenditure of energy (building, agriculture, deforestation, pasture, harvesting) and in the network of the distribution of services.

3. Immigration assumes different characteristics in the post-industrial society and in the era of globalisation. Functional migration still exists, but there are also strong forms of conflict-ridden immigration. Functional immigration is in certain aspects different from the immigration typical of the industrial society. The difference lies in the quality of some of the persons who move from one country to another. The migratory flux does not carry only a work force, seen only as a supply of physical force; it carries also a vast range of knowledge and know-how. These could be the fruit of sophisticated formative systems (say, as regards mathematics and informatics in India) based on traditional national vocations (one cannot fail to note the fact that in India the attitude for the study of virtual dimensions develops in a spiritual environment dominated by the imperative of freedom from the shackles of material things). Or else they could be the fruit of an informal acquisition of competencies in certain communities; these competencies can now substitute attitudes that overdeveloped societies have lost as a consequence of the impact of technology. Care of the person, especially of the person in critical moments, infancy and old age, needs vocations and competencies which are much more readily found in societies that have hardly been touched by technology and by the various benefits that this brings.

The galaxy of competencies and knowledge which moves around with migrations is very diversified and can be grouped in the following series of sub-groups:

- Entrepreneurs and bearers of innovations who move from one end of the world to the other.
- Ultra-specialised workers who move from less developed countries to more developed ones.
- Specialised workers ready to carry out jobs, which in developed countries are not considered attractive to those qualified for them because they are considered exacting (or risky), poorly paid, or not enjoying enough social prestige.

- Poorly specialised workers ready to carry out jobs which in developed societies are exacting, dangerous and poorly (or inadequately) paid.
- Non specialised workers available for auxiliary work which citizens of developed societies consider unpleasant or even stigmatised.
- Workers with a sophisticated traditional culture of personal relations and who satisfy urgent needs of developed societies.

4.   One must evaluate not only the generic perception the host society has of the migratory phenomenon but also the gratification it receives from it. In one phase of the industrial society the host nation saw in the influx of emigrants not only a source of certain material benefits but also a confirmation of the goodness of its institutions, and this in spite of the conflicts and xenophobic pressures[2] this influx caused. And also in spite of the fear that a multitude of foreigners, constituting a reserve work force seeking employment, could lower working conditions, especially of salaried workers. At times it was the symbolic satisfaction that made bearable the strains created by difficult forms of cohabitation and by increased competition. The countries first to receive immigrants, the USA, Canada, and Australia, consider immigration "part of the national epos", "one of the founding myths" and "celebrate it in the national ideology"[3].

Migrations in the epoch of industrial maturity moved hundreds of thousands, even millions, of people to nations which enjoyed democratic institutions and where freedom, in the sense of providing the possibility for human potentialities to develop, was strongly rooted. The host nation saw the migratory phenomenon as a

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[2] This is essentially a European phenomenon closely allied to antisemitism and which spread wildly after the great crisis of 1929. One has but to think of France in the '30s and the national campaigns against the metics. The exclusion of foreigners reaches its peak with the law of the 17th July 1940 which barred any person born of a foreign father the possibility of employment in the public service. On the 16th August 1940 this norm was extended to the legal profession. Some exceptions regarded military persons and combatants. With the law of the 3rd October 1940 Jews were excluded from public service and important posts with the press and in business.

[3] M. Martiniello, Le società multietniche, Il Mulino, Bologna, 1997, p.25

testimonial of the goodness of its institutions. It knew that it was reaping benefits from the work and the knowledge of the emigrants, but it was also fully aware of the fact that it was offering a socio-political context which favoured the development of human dignity.

The host nations offered merciless competition, hard work and subordination, but they also offered equal rights. Phenomena of hostility to foreigners were absorbed by an awareness common to all the members of the host society which acknowledged that immigration was to it a factor of gratification, a confirmation of its good qualities.

Migration is perceived very differently when it underscores, as is happening today in the post-industrial society and where the economy is subject to the dictates of globalisation, the great differences in the stage of development and the privileges of the host nation. The presence of the immigrant produces an ever increasing hostility / sense of guilt in the host society. This begins to perceive the immigrant as a permanent warning on the effects of opulence, on the consequences of an unequal distribution of resources, on the responsibilities of individual, group or class narcissism. The host society no longer sees immigration as a testimonial of the quality of its political and economic institutions; it looks on it as proof and indelible evidence of a faulty, and perhaps unjust, economic / normative equilibrium.

5. The presence of immigrants in post-industrial societies arouses two kinds of fears: social fears and institutional ones. Here I intend to analyse the latter. By institutional fears I mean those involving the powers of the state (as commonly defined), and the party forces which maintain the political life of democratic countries.

Institutional fears have a wider spectrum than social fears. The former manifest themselves as fears concerning the behaviour both of the foreigner and the native. I will try to draw up a brief catalogue of them:

- Fear of public disorder.
- Fear of a lowering of consensus.
- Fear of dropping out of the free trade system.
- Fear of the politically incorrect.
- Fear of delegitimizing the process of globalisation.

The convergence of fears concerning divergent situations produce in the countries involved in the migratory wave a series of policies

and a system of communication which are substantially homogeneous.

First of all legislative policies of control are adopted which, rather than try to mitigate issues, emphasise regulatory aspects. There is no doubt that in matters concerning immigration communication has a role to play: a negative message, one that prohibits strongly, could inhibit attempts at clandestine immigration. Often enough, however, the prohibitive message is annulled by other messages, those relating to the well being and to the opportunities to be enjoyed in that nation, and which the network of the media supplies to whoever is in some way in contact with it.

Institutional fear manifests itself in the form of strong campaigns against xenophobic cultures and against those ideologies that despise and preach hatred towards 'others'. The range of interventions in this field is quite varied. It is often the case that the prohibition and censure of propaganda based on racial hatred are formulated in severe penal laws. Punitive legislation on incitement of racial hatred and on propaganda of ethnic intolerance has received a new thrust in the last twenty years of the 20th century. And this coincided in the European political scene with the birth of localised parties and with a series of phenomena (ranging from the fiscal crisis of the State to the fall of the Soviet empire) that helped a new philosophy of ethnic identity to gain ground.

The experience of the application of such laws in Europe has shown that:

a) they are applied to repress very small extremist groups who resort to explicit symbologies which recall National Socialism or European Fascist movements;

b) when political organisations of xenophobic tendencies acquire some electoral weight and manage to get over the threshold of representation, or even get near it, they generally become immune to censure;

c) in no case has it been proved possible to suppress social racism through laws; nor those forms of intolerance which reveal themselves in the behaviour typical of the social group;

d) at times legal proceedings have been taken against intellectuals or scholars who expressed strongly critical opinions regarding religions or ethnic groups;

e) at times the legislation in question has been made use of to put under accusation scholars whose interpretation of socio-historical phenomena was not in line with the prevalent cultural/academic tendency. (This is the problem of historical and sociological 'revisionism').

6. In matters concerning migrations and multiculturalism one must also reflect on a variable which has a bearing on the preparedness of a society to accept the 'other'. I refer to the social policy and the state of public finance in the host nation.

A society whose foundations lie on the principle of the free market, or as some prefer to call it 'the unbridled market', has a greater potential to accept foreigners. Countries with a multicultural genesis (the USA, Canada, Argentine and Australia come immediately to mind), or those in which the multicultural model did not end with their dissolution (as in the case of the Austrian Empire, the Ottoman Empire, the Soviet Union, and in the Yugoslav Socialist Federation) rooted their pluralism in economic phases which go from that of *primitive accumulation* to more or less pure liberalism. Where a State which does not concern itself with the social conditions of the citizen and the guest, where everyone is expected to claim his own frontier, the problem of migration has no fiscal or redistributive impact. Quite different is the case when a country has institutions with a strong public commitment to sustain the quality of life of the citizen, the resident and the guest[4].

Strong Welfare institutions in a country provoke a double conflict regarding solidarity. In the first place they give rise to strong competition for the destination of the benefits of solidarity. A sector of the natives holds that these benefits should not be shared with the alien population and with immigrants. The second conflict is related to the difficulty of integrating the immigrants as a result of the excess of Welfare and of the normative/administrative control system which permeates daily life.

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[4] On the various meanings of citizenship and the politics of integration v. V. Mura, *Sulla nozione di cittadinanza*, in V. Mura (a cura di), *Il cittadino e lo Stato*, Angeli, Milano, 2002.

At times an overburdening of the Welfare State multiplies the difficulties of putting multiculturalism into practice. In some European countries a pervasive social legislation, one which is too detailed, makes the conflicts with the guest communities more serious. A nation wishing to protect the individual from the cradle to the grave finds it difficult to include persons who are 'different', persons who have deep existential identities which have to do with birth, socialisation, the rapport between sexes, roles, formation, social destiny, or destiny *tout court*, without any adjectives.

Difficulties in integration arise also out of public expectation that certain profound aspects of existence, as well as the values one wants to internalise, should be guaranteed. We owe to Alessandra Facchi the distinction between the English and French models of multiculturalism[5]. The former is pragmatic, the latter prescriptive[6]. In the establishment of norms by the French, often copied in continental Europe, there is at times a claim to the right to invade and leave a deep mark in the personality of the individual. The chador can certainly limit the freedom of Islamic girls because it is not a free choice but an imposition of the group and/or the family[7]. One must never forget, as Passerin d'Entrèves reminds us, that the most disquieting aspect of Rousseau's philosophy manifests itself just when he proclaims the necessity of constraining man to be free[8].

7.   From time to time the idea of introducing a system of personal rights related to one's ethnic group and religion is floated in the European debate. Such a system aims at facilitating coexistence between ethnic groups which embrace conflicting systems of relationships. As Alessandra Facchi[9] reminds us, both Bruno Etienne[10] and Erik Jayme[11] have advanced the hypothesis of

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[5]   A. Facchi, *Immigrati, diritti e conflitti*, Clueb, Bologna, 1999, p.71 et seq.

[6]   v. M. Martiniello, op.cit., p.47 et seq.

[7]   v. on this matter the reconstruction of French jurisprudence carried out by A. Facchi, op.cit.

[8]   Passerin d'Entrèves A., *La dottrina dello Stato*, Giappichelli, Torino, 1967, p.309

[9]   A. Facchi, op.cit., p.35

[10]   Etienne B., *La France et l'Islam*, Hachette, Paris, 1989

[11]   Jayme E., *Diritto di famiglia, società multiculturale e nuovi sviluppi del diritto internazionale privato*, in "Rivista di diritto internazionale privato e processuale", 2.1993

introducing institutions of Islamic law within European contexts or of legal systems recognising personal cultural identity. They are possible itineraries and not radically incompatible with the legal system of the modern state. One must not forget that in Italy, up to the introduction of divorce, annulment of marriages was entrusted to the ecclesiastical tribunal whose pronouncements were based on ecclesiastical law and jurisprudence. Nor should one forget that that in countries of the European Union the prevalent religion is still given privileged treatment. The Greek constitution lays down that religious proselytism is prohibited, which is very much like many Islamic legal systems. In the English legal system the Crown appoints the head of the religion of the state and religious dignitaries carry out functions of a civic/legal nature. And these facts are constantly quoted by Islamic jurists to those European jurists who take the moral high ground because cases of human rights are left to the *sharia* (Islamic jurisprudence) or because in some Islamic countries lay legislation and religious principles are too closely interwoven.

Pluralism is basically a challenge and, considering that all modern institutions constitute a challenge and bring along with them risks, it has to be accepted as such. On this point Vincenzo Ferrari has recently underlined the complexity, both technical and where values are concerned, of a juridical discipline of multiculturalism. The right to differentiated treatment, this author says, is at the same time a conquest and a paradox of our times. It is a conquest because it defines a fourth generation system of rights. It is a paradox in as much as it has to contend with identities and customs that are often illiberal and antidemocratic[12].

A ductile legal framework could make it possible for host countries to reduce conflicts with sectors of the immigrant population[13].

A return to a system of personal rights is not, however, a solution easy to adopt in the juridical systems of the west based as they are on the principle of universalism.

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[12] Ferrari V., *Citizenship and Immigration, Introductory Remarks*, in Ferrari V., Heller T., De Tullio E., *Citizenship and Immigration*, Giuffrè, Milano 1998, p.7

[13] On the techniques of the regulation of coexistence and on multiethnic experiences v. Facchi A., *I diritti nell'Europa multiculturale*, Laterza, Bari-Roma, 2001; Mancini L., *Immigrazione musulmana e cultura giuridica. Osservazioni empiriche su due comunità di egiziani.* Giuffrè, Milano, 1998.

In order to adopt a juridical pluralism which is adequate to the multiplicity of identities present in the developed countries one would have to grant to diverse communities diverse rights. One still has to find a way of how to define in a general way the areas in which communities could be free to institute their own jurisdiction and to regulate themselves according to an autonomous discipline.

Perhaps alongside the above it is possible to hypothesise a different type of solution to the problem, one with a stronger dose of universalism and which could be applicable to all the communities without creating forms of discrimination and without underlining differences and / or privileges.

Many of the problems of integration derive from the fact that in time, but particularly in the second half of the 20th century, developed countries have produced a normative system which percolates too deeply into the universe of vital areas. To use the language of Schutz, the juridico-burocratic organisation of developed countries progressively denies the existence of a multiplicity of "finite provinces of meaning" and imposes a single system of meanings. It is a phenomenon which Max Weber had clearly anticipated in his reflections on the risks of bureaucratising social life. "It is terrible to think, Weber writes, that the world could one day be full of nothing but of small cogs of a mechanism (...) This bureaucratic urgency leads to despair (...) It is in an evolution of this kind that we are already caught up, and the big problem is not to find a way how to promote and speed it up but in finding means to oppose this mechanism, in order to save a part of humanity from this dismemberment of the spirit, from this absolute dominion of a bureaucratic concept of life[14].

For the coexistence of ethnic groups and of identities, together with pluralism one must also prescribe a study of how to reduce public interventions which are too pervasive of the sphere of personal life and also of work. In some sectors a repristination of minimal law would certainly improve integration.

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[14] Speech to the assembly Verein für Sozialpolitik in 1909. v. Ferrarotti F, *Max Weber e il destino della ragione*, Bari, Laterza, 1968, p.209. On the pre-eminence of the sphere of daily life in Schutz, v. Izzo A., *Introduzione a A. Schutz, Saggi sociologici*, cit.