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THE FOREIGNISATION PROCESS IN SWITZERLAND
The Swiss and their *Ausländer*

by
Ivan Inderbitzin
(Hon. in Anthropology and Sociology, Monash University)

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Australia

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THE CHALLENGE OF ASYLUM SEEKERS AND EUROPEAN INTEGRATION: WHO IS AN *AUSLÄNDER* NOW?

ABSTRACT

Switzerland has often been celebrated for its democratic, voluntaristic concept of the nation (*Willensnation)* which allowed the successful integration of linguistic, religious and regional diversity. Some social theorists and social actors claim that this historical concept of the nation provides the basis for a multicultural model capable of admitting culturally diverse migrants to the national community. Consequently, racism and xenophobia have been regarded as marginal phenomena unrelated to the dominant conceptualisation of the nation by the Swiss state and intellectual elite.

This thesis challenges such reductionist categorisations of the Swiss case. It examines the modern history of alter tive, deterministic concepts of the Swiss nation which have been dialectically linked with discourses about 'unassimilable' and threatening Others within the Swiss nation-state ('Jews' in the 19th century, 'foreigners' in the 20th century).

Based on the historical model of anti-Semitism, the 20th century Swiss 'process of foreignisation' (which incorporates discourses, state laws and institutions) has constituted both the *Ausländer* (foreigners) and the Swiss nation. This process has included completely deterministic as well as assimilationist representations of the nation and its *Ausländer*, thereby undermining voluntaristic and multicultural concepts of the nation. The thesis introduces the analytic concepts of 'complete determinism' and 'assimilationism' in order to overcome the shortcomings of concepts such as 'racism', xenophobia, and *Ausländerfeindlichkeit* (hostility towards 'foreigners'). These concepts help to identify and clarify the role played by discourses about 'Swiss democracy' in enabling the permanent exclusion of *Ausländer* from the nation and citizenship.

The hegemonic foreignisation process systematically and pervasively turns migrants and their children into '*Ausländer*'. This hegemonic process has provided the

framework for state policies, as well as popular attitudes and political mobilisation in the 20th century.

This thesis explores the paradox of the remarkable longevity of this entrenched foreignisation process. In particular, it suggests that the foreignisation process has not just been a political-economic mechanism to provide the Swiss industry with foreign workers, but it has also played an important role in on-going attempts to identify a stable, homogeneous 'Swiss character', in spite of Switzerland's diversity and in spite of rapid changes due to globalisation processes. However, the contradictions contained in the foreignisation process have rendered this search for stability rather precarious. In addition, as recent debates and events in relation to asylum seeker migration and Switzerland's problematic relation to Europe testify, the reproduction of completely deterministic assumptions in the foreignisation process is more likely to support 'neo-racist' exclusions than to allow moves towards a more universal multicultural model.

In sum, this thesis aims to fill an important empirical gap in the Anglo-Saxon academic literature, and strives to make a contribution to the broader theoretical and historical debate about nationalism, racism, and democracy.

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GLOSSARY

ANAG	*Ausländer* Law
Asylant	derogatory term for asylum seeker
Asylbewegung	social movement in support of asylum seekers
Asylbewerber	asylum seeker
Asylpolitik	politics and policies in relation to asylum seekers
Alte Eidgenossen	'The Old Confederates/Oathcomrades' (seen as the ancestors of the modern Swiss)
AUNS	Action group for an independent and neutral Switzerland (*Aktion für eine unabhängige und neutrale Schweiz*)
Ausländer	foreigner, alien
Ausländerpolitik	politics and policies in relation to *Ausländer*
Ausländerangst	Fear of foreigners, xenophobia
Ausländerfeindlichkeit	Hostility towards *Ausländer*
BfA	Federal Office for Foreigners Issues (*Bundesamt für Ausländerfragen*)
BFF	Federal Office for Refugee Issues (*Bundesamt für Flüchtlingswesen*)
BIGA	Federal Office of Industry, Trade and Labour (*Bundesamt für Industrie, Gewerbe und Arbeit*)
BODS	Movement for an open and democratic Switzerland in Solidarity (*Bewegung für eine offene, demokratische und solidarische Schweiz*)
Bund	Federation; Swiss state
BVO	Decree on the Limitation of Foreigners (*Verordnung über die Begrenzung der Ausländer*) (since 1986)
Botschaft	report by the Federal Council accompanying proposed new legislation
Bundesrat	Federal Council (executive of the Swiss state consisting of 7 'equal' Federal Councillors elected from the four major parties according to the 'magic formula')
EEA	European Economic Area
Eidgenossenschaft	lit. Oath-comradeship, Confederation (important aspect of the *Willensnation*)
EJPD	Federal Justice and Police Department (*Eidgenössisches Justiz und Polizei Departement*)
EKA	Federal Commission for Foreigners (*Eidgenössische Ausländerkommission*)
EKR	Federal Commission against Racism (*Eidgenössische Kommission gegen Rassismus*)
Federal Council	Executive of Swiss state (see *Bundesrat*)

Federal Councillor	One of the seven members of the Federal Council
Federalism	Political principle of preserving the strength of Cantons in relation to the Federation (*Bund*)
Flüchtling	refugee
Foreignisation Process	Process by which migrants (and more generally, humans) are constituted as *Ausländer*
Fremder	stranger, foreign
Fremdarbeiter	foreign worker
Fremdenangst	Fear of foreigners/strangers, xenophobia
Fremdenfeindlichkeit	Hostility towards foreigners
Fremdenpolizei	Foreigners' Police
Fronten	Fascist Movements in the 1930s; new racist movements in the 1980s/1990s (for instance, *Patriotische Front*)
Gewaltflüchtlinge	'Refugees of violence', war refugees
Gotthard	Swiss mountain, rich with symbolic meanings
Initiative	Citizen-initiated popular initiative demanding the introduction or amendment of a law (the people start the decision-making process)
Jahresbewilligung	Annual residence permit
Kontingente	Annual quotas for new temporary migrant workers
Niederlassungsbewilligung	Permanent residence permit
Referendum	Citizen-initiated (*fakultativ*) or mandatory (*obligatorisch*) referendum on parliamentary bills or an amendment to the constitution. (the people approve or reject decisions by the parliament)
Saisonnier	Seasonal worker (9 months permit; no family reunion)
Secondos	Second generation migrants
Sonderfall	Special Case, unique case
Three Circle Model	Model which guided Federal policy in relation to *Ausländer* in the 1990s
Überfremdung	over-alienation, over-foreignisation, sense of being swamped by foreigners and foreign influences
Verordnung	Decree
Vernehmlassung	Official Hearings in relation to proposed legislation
Volksgeist	spirit/essential quality of a people
Willensnation	Nation of the will (popular and political definition of the Swiss nation)

STATEMENT OF AUTHORSHIP

This is to confirm that this thesis contains no material which has been accepted for the award of any other degree or diploma in any university or other institution and to affirm that to the best of the candidate's knowledge, the thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

Ivan Inderbitzin

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INTRODUCTION

RACISM, *FOREIGNERS* AND SWISS MULTICULTURALISM

This thesis deals with a particular product of the imagination, of discourses and of actions by a whole range of individuals, organisations and state institutions in Switzerland. In other words, it deals with the invention and reproduction of *Ausländer* (foreigners/aliens). The thesis is guided by the argument that *Ausländer* are not alien migrants who come from outside the country and struggle to assimilate to the Swiss way of life, but are in fact a domestic product of what I shall call the foreignisation process. Instead of assuming that ready-made foreigners encounter a ready-made Switzerland, I argue that a complex and dynamic process within Switzerland constitutes the *Ausländer*, as much as it constitutes the Swiss. The deep historical roots, remarkable continuity and important contemporary implications of the foreignisation process will be at the heart of my argument. The failure to take into account the particular workings of the Swiss foreignisation process, and even the failure to escape from the foreignisation process, has not just hampered academic work on issues such as racism, multiculturalism and nationalism in Switzerland, but such failures have also negatively affected state policies in relation to migrants.

The notion of the foreignisation process draws our attention to the way in which the representation of non-national Others have been linked with the imagining of the Swiss nation. In particular, the focus is on the historical interplay between various kinds of representations of the Swiss nation on the one hand, and the various kinds of representations and treatments of non-national Others, such as labour migrants, refugees, and Jews on the other. It will become clear that recent violent acts, and other forms of antagonism against asylum seekers and 'foreigners' generally, can only be understood properly in relation to this ongoing dialectic between national self- and Other-representation. Similarly, recent Swiss public debates and political activities in relation to migrants, as well as in relation to xenophobia and racism have been substantially affected, framed and, indeed, hampered by this dialectic of national self and Other representations. In fact, the particular Swiss historical trajectory of this dialectic has

given key concepts, such as 'migrant', 'foreigner', 'racism', 'integration', 'assimilation', 'multiculturalism', 'democracy' its specific meaning in the Swiss context. As I explore the historical roots and contemporary effects of this dialectic, I challenge the one-dimensional characterisation of the Swiss nation that dominates much public, as well as academic discourse. This also entails a challenge to some common interpretations and explanations of antagonism and violence against 'foreigners'.

Switzerland has long been celebrated as a 'special case' (a *Sonderfall*) by Swiss and non-Swiss observers (Leimgruber 1992). There is a long list of supposedly unique features that are said to characterise this little country: uniquely neutral, uniquely democratic, uniquely diverse in terms of languages and religions, uniquely peaceful, uniquely pragmatic, uniquely open and tolerant to refugees. In time, the characterisation as a 'traditional asylum country' has also been incorporated in this 'special case' discourse. Switzerland has also witnessed a large influx of migrant workers from other countries since World War II. Despite initial expectations of labour migration as a temporary phenomenon, Switzerland still has the highest proportion of 'foreign' or non-national populations in Europe.

These introductory statements lead to the central questions of this thesis: given the above observations, is Switzerland uniquely placed to deal with the contemporary European challenges posed by migration and the presence of migrant minorities with a variety of cultural backgrounds? In other words, has the historical experience of incorporating religious, linguistic and class diversity within a framework of federalism and semi-direct democracy, underpinned by a non-racial and non-ethnic imagining of the nation, placed Switzerland at the forefront of the development of a truly multi-cultural democracy? Or has there been an alternative, darker side to the Swiss 'uniqueness' which in fact hinders the integration of migrants and their children? In other words, has the discourse of the democratic and peaceful 'special case' masked a history of significant exclusions, even of xenophobia and racism, combined with a more racial imagining of the nation, which undermines the hope that Switzerland could be the model case for multi-cultural democracy in immigration countries?

THE *SONDERFALL*: SWITZERLAND AS A 'SPECIAL CASE'

Examples of the perception that Switzerland was somehow unique can be traced back to the so-called *Ancien Régime* pre-dating the modern Swiss nation-state. The medieval Confederation of Cantons appeared to be an oasis of relative communal liberty to other European peasants who suffered under the feudal system. Religious refugees found a safe haven in parts of the Confederation. The Confederation managed to survive centuries of serious religious tensions and internal conflicts between Catholics and Protestants in the wake of the Reformation and Counter-Reformation.

Since the collapse of the *Ancien Régime* (1798), the establishment of the Helvetic Republic under Napoleon, and especially since the formation of the modern Federalist nation-state and constitution in 1848, modern Switzerland continued to be celebrated as a country that has succeeded to peacefully integrate not just the two major religious communities, but also three language communities and a variety of regional populations or cultures.[1] The way in which the Swiss nation began to be imagined as containing several languages and religions in the 19th century appeared – and still appears - astonishing, considering Switzerland was surrounded by countries in which increasingly aggressive and intolerant linguistic nationalisms saw cultural heterogeneity as a grave danger to the nation. As a democratically conceived nation, Switzerland appeared to defy the excesses of ethnic nationalism and racism. As democratic revolutions failed elsewhere in Europe, Switzerland again became a haven for refugees. Not surprisingly, various observers have described the modern history of Switzerland as a successful multicultural model, even though the term 'multiculturalism' is of rather recent origin

[1] The celebrations of the modern *Sonderfall* over the last two hundred years almost always included a particular nationalist portrayal of the medieval history of the Confederation. As the discipline of history emerged within the context of the rise of the nation and the nation-state, it provided the new nation with a long and deep tradition and memory. Historiography tended to be a teleological, nationalist construction of a nation with a long history, with a clear goal and with certain essentialist characteristics. Rather than simply describing the past, nationalist historiography was guided by and served the purposes of the present and future nation (Jost 1987). Consequently, my thesis will be less interested in the actual historical events, and more in the contemporary *uses* of historical writings, especially its instrumentalisation by the state.

and its meaning hotly debated in Switzerland. Hence, Switzerland may have been multicultural, before the term existed.

The 'uniqueness' of the Swiss nation-state appears to have been confirmed most dramatically during the two World Wars. Switzerland's political neutrality, which historians have traced back to forms of neutrality within the medieval institutional contexts in the 16th century (Bonjour 1970), was maintained. Again, Switzerland became a preferred destiny for all of those (notably Jews, Roma, Communists, Social-Democrats), who were threatened by the oppressive and increasingly exterminist policies of the surrounding fascist regimes. In the post-WWII decades, the fact that Switzerland was not directly drawn into the war was frequently interpreted as further proof of its uniqueness, thus confirming older nationalist myths and giving rise to new ones. For instance, it has often been argued that the nation was somehow chosen by God, that it was protected by the roughness of the alpine terrain, and that Hitler's army was deterred by the exceptional defensive will and military capacity of the Swiss. Not just God, but also the indomitable spirit of the medieval fore-fathers, such as Wilhelm Tell, appeared to be on Switzerland's side in this time of emergency.[2]

In the post-World War II era, neutrality, direct democracy, and Federalism have remained institutional key elements in this discourse of the *Sonderfall*. The notion of the 'special case' has also been important in Switzerland's peculiarly ambiguous relations with the rest of the world. While neutral Switzerland has remained outside the EU and even the UN[3], it nevertheless hosts the head-quarters of the UN, the International

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[2] In recent years, this nationalist discourse which glorified the Swiss *Sonderfall* during and after the World Wars has not just been questioned by historians (Leimgruber 1992), but – and this is socially and politically more significant – it has been publicly challenged and debated, especially in the context of the recent international controversy over the dubious role played by the Swiss state and the Swiss banks in relation to the Jews and their investments in Switzerland (Bergier 1999).

[3] In 1992, the Swiss voters narrowly rejected joining the European Economic Area, widely seen as a prelude to full EU membership. Since then, Switzerland has concluded a series of bilateral agreements with the EU after years of protracted negotiations (Ferrari and Niederberger 1998), but still is not a member. The Swiss voters also rejected membership of the UN in 1986 (Nef and Rosenmund 1987), however they eventually voted in favour of joining in March 2002 (see article 'Erleichterung nach dem Ja zum UNO-Beitritt', in *Neue Zürcher Zeitung*, 4 March).

Olympic Committee, the Red Cross and the International Labour Office. While conservative parts of the country tend to be inward looking[4], the Swiss economy has in fact been highly integrated into the world market with its strong export orientation and large tourist industry. While the Swiss state was not involved in the European projects of colonialism and therefore did not go through a traumatic process of decolonisation (unlike the surrounding countries of France, Germany and Italy), its multinational companies have nevertheless played a dominant role in formerly colonised countries (Bauer et al. 1989).

During the Cold War, Switzerland again became a haven for many political refugees from the Eastern bloc. Economic development has led to over a million migrant workers, mainly from Mediterranean countries, becoming employed and incorporated in Switzerland since the late 1940s. This has been achieved without major social or even racialised conflicts. Since the 1980s, increasing numbers of asylum seekers from other parts of the world – frequently characterised as 'Third World' – have come to Switzerland in search of a better future. Some have gained refugee status in Switzerland, but the majority, whose applications for refugee status are eventually rejected, end up staying and often working in Switzerland for many years as they await the outcome of the authority's decision.

As violent tensions between religious and ethnic groups pose seemingly insurmountable problems, even culminating in cases of 'ethnic cleansing' and attempted genocide elsewhere in the world, the Swiss model has frequently attracted the attention of observers. There is a long history of suggestions that other countries, or new formations such as the EU, could learn from the Swiss case of dealing with ethnic and cultural diversity and tensions.[5] Of course, these public and academic debates in turns have also contributed to the 'special case' discourse. In particular, some have expressed the hope that the long history of democratic multiculturalism in Switzerland may yield some valuable lessons about how to deal with the increasingly urgent question of incorporating

[4] In Switzerland, the term *Igelmentalität* (hedgehog mentality) is employed to refer to this conservative, isolationist stance.

and recognising migrant minorities in Western nation-states (Hammar 1990, Heckmann 1991; Altermatt 1996). Could the Swiss multicultural model that was so successful during the Age of Nationalism in the 19th century also be the multicultural model for our present Age of Migration (Castles and Miller 1993)?

SECOND THOUGHTS: VIOLENCE AGAINST ASYLUM SEEKERS

The benign picture of an inclusive, democratic Swiss multiculturalism which is tolerant of cultural difference received a strong public challenge in the late 1980s. The year 1989 was not just significant in terms of world events (the fall of the Berlin wall), but it also marked a watershed in terms of violence and agitation against so-called 'foreigners' in Switzerland. Asylum seekers were the prime targets of physical attacks and verbal abuse.[6] There were cases of arson and even gun shots at asylum seekers' hostels. Racist graffiti began to spread. Frequently, the police were unable – and in some cases seemingly reluctant – to identify and charge the perpetrators.

None of this was entirely new. However, two alarming developments marked a turning point. Firstly, several asylum seekers were killed in a series of incidents. On 2 July 1989, an anonymous arson attack on a refugee hostel in Chur led to the death of four Tamil asylum seekers. On 25 November 1989, a Kurdish man was beaten to death by a Swiss youth in an altercation that included racist slurs. On 22 July 1989, a Tamil refugee died as a consequence of the severe beating he received by a former Swiss Boxing champion who had apparently been shouting anti-foreigner slogans before the incident. Secondly, many attacks could directly be linked to members of newly emerging radical right wing and racist groups which openly terrorised suspected asylum seekers and other 'foreigners'. On 20 May 1989, 20 members of the radical right-wing group *Patriotic Front* hunted Tamil asylum seekers through the picturesque old town of Zug and severely injured one of them. On 4 November 1989, approximately 30 *Patriotic Front*

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[5] See Barber's overview (1974:16).

[6] Apart from asylum seekers, other groups and individuals became targets as well: other migrants, homosexuals, left-wing individuals from the so-called 'alternative' and 'autonomous' scenes, journalists

members attacked an asylum seeker hostel in Steinhausen, Canton Zug.[7] Importantly, for the first time since the Second World War, neo-Nazi and skin-head groups such as the *Patriotische Front, Neue Nationale Front* and *Ku-Klux-Klan Luzern* dared to go public with their racist messages at rallies and demonstrations, as well as in interviews with a clearly fascinated mass media (Härry 1989).

The investigative journalist Jürg Frischknecht (1991) documented these and many more incidents of anti-foreigner agitation and violence for the period of 1989-1991. He also described the activities and ideologies of the 'new Fronts and racists' in Switzerland and their links to certain right-wing politicians and parties. Frischknecht referred to the period of the late 1980s as a 'small spring of the Fronts' (*Frontenfrühling*). The label 'fronts' drew an explicit link to the National-Socialist Fronts which had emerged in Switzerland before and during the Second World War (Glaus 1969; Frischknecht 1991:17). Many of these extreme right-wing, neo-Nazi and skin-head groups appeared to have relatively short life-spans. Nevertheless, this radical milieu has gone through various phases of dis-organisation and re-organisation and has continued to engage in violent and provocative activities throughout the 1990s (Association of Minorities in Switzerland 2000; Bähler 1993).[8]

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who reported critically about racist groups, and Jewish people (for example the violation of Jewish grave-stones) (Frischknecht 1991:201; Bähler 1993).

[7] This incident strongly reverberated through the Swiss media and public, not the least because the police apparently stood by and watched without interfering. Moreover, after this incident the police of Canton Zug surrounded the asylum seeker hostel with barbed wire. A speaker of the police explained that 'they had no other choice in the face of regular bomb threats by the racists' (quoted in Frischknecht 1991:203). However, many observers were aghast at the symbolism of a refugee camp surrounded by barbed wire as it evoked a prison or concentration camp.

[8] See Frischknecht (1991:191-230) for a description of these incidents and for a 'chronology' of many more similar events of violence against asylum seekers and other 'foreigners' by radical right-wing and racist groups or individuals covering the period from January 1989 until August 1991. The Society Minorities in Switzerland (GMS) and the Foundation against Racism and anti-Semitism (GRA) publishes an annual 'Chronology and Evaluation' of 'racist incidences in Switzerland (see for instance Stutz 1999). The chronology is also up-dated on the internet (www.gra.ch).

DEBATING SWITZERLAND: EXTREMIST RACISM, POPULAR XENOPHOBIA OR INSTITUTIONAL RACISM?

Rather emotional and heated debates about the reasons for these developments began in the Swiss public, in the mass media, in the political and state arena, as well as amongst academic experts.[9] Whilst the degree of emotions and controversy was understandable given that it was literally a matter of life and death, I argue that there was another important reason for the intensity and direction of these debates. There was more at stake than the criminological questions of who committed these crimes and what their immediate motives were. [10] The broader questions about social, economic and ideological factors, which contributed to anti-asylum seeker hostility, as well as of the responsibility of various social actors began to touch a vulnerable point: the self-image or self-understanding of the Swiss nation and its history. The debates about asylum seekers and about racist or xenophobic violence against them reopened the controversy over national identity. Therefore, they explicitly or implicitly were also an expression of the typically modern desire to define an essential, unambiguous and positive 'national character' or 'national identity'. The debate about the Swiss national identity has been a re-occurring one, and has in some sense remained inconclusive. Swiss identity has remained unstable, or its apparent, temporary stability turned out to be rather fragile. While this instability and incompleteness is in fact the fate of all modern nations (Stratton and Ang 1998), Swiss nationalist discourse usually regarded this instability and lack of a solid common basis as a specifically Swiss problem. Thus, even the problems are

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[9] The Swiss government eventually commissioned an historian and a political scientist to compile a report on right-wing extremism in Switzerland (Altermatt and Kriesi 1995)

[10] The following is a selection of questions that were debated: How should these incidents of physical and verbal violence against asylum seekers, as well as against other *Ausländer* (foreigners), be interpreted, evaluated and explained? What structural factors may have contributed to these outbursts? Which social actors in Swiss society (individuals, groups, organisations, institutions) have shared a responsibility in encouraging and justifying these incidents? For instance, were the police too reluctant to react, thus signalling some degree of silent approval? Was the legal system too reluctant to prosecute violent acts as expressions of racism? Did the media coverage demonise the presence of asylum seekers and glorify the violent acts against them? Who may have benefitted politically? For instance, did certain politicians and political parties pursue a populist strategy of fanning xenophobia and racism? Why would young people join neo-Nazi gangs? What is the source of all the hatred and violence? Are we dealing with racism, or 'only' xenophobia? Are the incidents an expression of an irrational 'hostility towards foreigners' (*Fremdenfeindlichkeit*), or a rational and understandable reaction against increased unfair competition for limited resources?

uniquely Swiss, part of the *Sonderfall.* At any rate, defining the Swiss nation is destined to be a contested, multi-facetted process. Consequently, contradictory views and perspectives about how to imagine the nation and its history came to the fore and also influenced the differing interpretations of the violent incidents. At stake was the self-image and reputation of the Swiss 'special case' (*Sonderfall*) of the neutral, direct-democratic, peaceful, federalist, multi-linguistic and multi-religious nation.

Have the violent physical and verbal attacks on asylum seekers in the last twenty years simply been an aberration, a marginal racist exception to the multicultural and tolerant rule? Or are they the racist, violent tip of a much larger xenophobic iceberg that extends much deeper into Swiss society? Are they entirely new challenges from the margins of society, or even imported or smuggled in from outside Swiss nation, or are they linked to a darker tendency in the dominant national self-representation with a rather long history?

Following the duality implied in the phrasing of these questions, I argue that the variety of interpretations and explanations offered in the public debates throughout the 1980s and 1990s can perhaps be divided into two ideal typical approaches: firstly, the conservative defense of the Swiss 'special case' which tends to trivialise the incidents, and secondly, the more critical 'tip of the iceberg' approach which stresses the more xenophobic aspects in the population and in discourses. I shall briefly sketch the two ideal typical approaches or arguments.

'There is no racism problem in Switzerland'

Defenders of the 'special case' tend to play down or trivialise the extent and significance of the problem of racism and xenophobia. They tend to put forward the kinds of propositions outlined in the following paragraph.

The situation in Switzerland is not as bad as in other European countries, especially in Germany.[11] The violent acts are carried out by a tiny minority, while the vast majority of

[11] Violent acts against asylum seekers by Neo-Nazis and skin-heads began to dominate the media and political debates in Germany in the early 1990s (see for example articles in *Der Spiegel*, 30 September

the population are law-abiding citizens who condemn these acts. The problem is being unduly and unnecessarily over-stated by the media which thus may even encourage some of the actors. Some of the reported incidents, such as house fires, might have been the result of accidents, or perhaps they were even caused – inadvertently or not – by the asylum seekers themselves. Moreover, some of the reported crimes, such as personal attacks without witnesses might not have happened at all and were fabricated by the 'victim' or by the media. The few violent crimes and hateful propaganda that did actually occur are attributable to some misguided and exuberant youths who need to be taught a lesson by their parents or the police. If more mature persons were involved, they must be regarded as ignorant, marginal misfits who need to be punished and/or educated properly. Some acts were committed by pathological people who need psychiatric help, or even by foreign criminal and racist elements who should be expelled from the country. Thus, the cases can be explained in terms of youthful exuberance, ignorance, pathology or foreign subversion. At any rate, we are supposedly dealing with rare and isolated occurrences carried out by marginal figures. They are on, the whole, uncharacteristic of the democratic and multicultural Swiss society and state. They violate Switzerland's core values and practices. In most cases, the label 'racism' is deemed to be inappropriate in describing these acts, as they could not be compared with the horrific ideologies and actions that have historically been labelled 'racist' (for instance, the cases of National-Socialism, slavery in the USA and South-African Apartheid). [12]

Proponents of this right-wing argument may concede that there are strong fears and aversions in relation to the influx and presence of foreigners and asylum seekers, but interpret these fears and hostility as perfectly 'understandable' because many people rightly feel 'inundated' by the 'stream' of asylum seekers. Their sentiments and reactions

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1991), following the infamous attacks on asylum seekers in Hoyerswerda and later in Rostock . Of course, these developments were also closely observed by the Swiss media (for instance, Sütterlin 1992).

[12] For instance, Otto Fischer, the then Director of the Traders Association (*Gewerbeverband*) and member of the Action for an Independent and Neutral Switzerland (AUNS), wrote in 1989 that 'there is no racism problem in Switzerland' (quoted in Frischknecht 1991:19). Fischer made this comment in the context of AUNS' (Action group for an independent and neutral Switzerland) political campaign against Switzerland signing the UN anti-racism convention.

should not be denounced as 'racism', 'irrational' or 'chauvinism', but as 'rational' or even 'natural', because the uncontrolled influx of non-nationals exposes Swiss citizens to unfair competition for limited resources. From this perspective, it is precisely 'the left and the nice' people[13], who promote conflict by supporting increased immigration by asylum seekers people from culturally rather different backgrounds who are incapable or unwilling to assimilate to the Swiss way of life. The real problem is not xenophobia, hostility towards foreigners or even racism, but the presence of too many foreigners and the state's inability to limit, control and quickly process excessive numbers of asylum seeker applications.

The racist tip of the xenophobic iceberg

For proponents of the more critical 'tip of the iceberg' approach, the anti-'foreigner' incidents are not simply isolated acts by marginal figures, but indeed the racist tip of a more expansive xenophobic iceberg in Swiss society. I shall briefly sketch some of the arguments put forward from this perspective.

The emergence of radical racist groups such as skinheads and neo-Nazis needs to be understood in relation to a broader anti-foreigner sentiment in the wider population. Anti-foreigner sentiments and practices are not simply marginal. They are expressed in letters to the editors, in diatribes among the regular customers in Swiss pubs sitting around the proverbial 'table of regulars' (*Stammtisch*), in the voting behaviour at referenda and initiatives and, last but not least, directly towards asylum seekers and other 'foreigners' in subtle or not so subtle fashion.

Even seemingly objective or legitimate institutions and organisations can become part of this broader xenophobic complex. For instance, the police force has come under scrutiny (Hug 1991d). The apparent inability or unwillingness of the police to investigate right-wing extremist circles, and their tendency to play down the significance of xenophobic

[13] The Swiss People's Party (SVP) attempted - with considerable success - to turn the slogan 'left and nice' into a rhetorical weapon. Being 'left and nice' implied being naive, irresponsible, politically correct, and not in solidarity with fellow Swiss people. Thus, the SVP managed not only to denounce a political opponent, but more fundamentally, it tried to undermine the principles of solidarity, support and tolerance beyond the narrow national boundaries (see Büttner 1993).

and racist incidences as 'pranks by naughty boys', has given rise to doubts as to whether the police were taking crimes against asylum seekers as seriously as crimes against Swiss nationals. The question was posed whether the police were 'blind on the right eye' and thus became direct or indirect accomplices to racist and neo-Nazi violence (Hug 1991d; Frischknecht 1991). Moreover, it has been suggested repeatedly that some political parties were directly or indirectly encouraging the explicit and violent racism of the militant neo-Nazi groups. For instance, nationalist, right-wing parties with an explicit anti-asylum seeker and anti-migration platform, such as the *Schweizerische Demokraten* (the Swiss Democrats, formerly *Nationale Aktion*), the *Freiheitspartei* (the Freedom Party, formerly the *Auto Partei*) (Hug 1994c), and even parts of the more main-stream Schweizerische Volkspartei (Swiss People's Party, SVP) (Hartmann and Gross 1995:30-31), which shares in government responsibilities, have been included in this accusation. According to this argument, these parties and politicians 'prepared the ground', gave 'backing' and legitimacy to anti-asylum seeker expressions by representing asylum seekers as a threat to the nation and the state (see Frischknecht 1991). At the same time, these parties can present themselves as rather moderate and responsible in comparison to the openly racist and violent fringe groups. Finally, parts of the media reporting has also been blamed for giving credence and legitimacy to anti-foreigner sentiments. On the one hand, the media may misrepresent and express unwarranted generalisations about 'foreigners' and asylum seekers (Zwingli 1994), and on the other hand they may directly and indirectly encourage spectacular 'performances' by extreme-right wing groups because the resulting sensationalist photos and reports could promote sales of their media product.

From this perspective, the political pressure exerted by the combination of these broad xenophobic forces is threatening to undermine the more liberal tradition and laws of Switzerland. In particular, repeated legislative changes in relation to asylum seekers in the 1980s and 1990s have been criticised as a gradual 'hollowing out' of the potentially liberal asylum laws (Referendum Committee Against the Asylum Law Revision 1987).

Obviously, these two perspectives — the 'special case' and the 'tip of the iceberg' — differ sharply in their assessment and explanation of verbal and physical violence against asylum seekers. This disagreement also reflects a strong and often remarked-upon political polarisation in relation to asylum seeker migration and the presence and rights of 'foreigners' more generally (Linder 1991; Strategy Group 1989). This has made it more difficult for the state to build a consensus or middle ground position in relation to 'foreigners policy' and 'asylum seeker policy'. As Swiss politics is often characterised by its consensual style, this polarisation is perceived as particularly problematic in Switzerland.

Both perspectives criticise the state's handling of asylum seeker migration, but from diametrically opposed positions. The right-wing 'special case' perspective criticises the state for being not tough enough on asylum seekers and expects more restrictive approaches. Conversely, the state is accused of being not responsive and sensitive enough to the justified fears of large parts of the population. The state's misguided priorities (tough on popular expressions, not tough enough on asylum seekers) are seen as part of the problem. The left-wing 'tip of the iceberg' perspective criticises the state for being too tough on asylum seekers and instead expects the state to return to the humanitarian and liberal traditions at the core of the Swiss state and nation. Conversely, the left-wing approach criticises the state for being not tough enough against racist violence and the xenophobic expressions in the wider population. Stronger police action against racist violence, and the stronger application of anti-racist legislation are demanded to curb anti-foreigner sentiments. The wrong priorities of the state (tough on asylum seekers, too lenient on racists and xenophobes) are seen as contributing to the over-all problem.

Thus, on a more general level, there is some agreement between these two perspectives. Both see the state as part of the problem, but also as being part of the future solution, if only state policy were guided again by the core values which have characterised the history of Switzerland. They both tend to agree that historically the Swiss state and the Swiss national self-representation is not racist or ethnic-nationalist, but rather defined in

political, democratic terms. Both appeal to the state and what they regard as the true character of the nation. Both perspective tend to regard strong anti-foreigner sentiments and actions as linked to particular parts of civil society (lower classes, uneducated, victims or 'losers of modernity' (*Modernitätsverlierer*), rather than as somehow connected to the dominant representations of the nation or the state. As we shall see in chapter 1, this view is also echoed in the writings of academics such as Heckmann (1991) and Altermatt (1996).

There has also been a common reluctance to use the label 'racism' in Switzerland, especially in the German-speaking areas. The term *Rassismus* is usually reserved for extreme manifestations of violence, suppression, separation and agitation. In German, the word *Rassismus* evokes Nazi extermination practices, Apartheid separation and colonial slavery (Bielefeld 1991:13). We can argue that while in other countries there has been a concern about the inflation of the use and meaning of the term (Miles 1989 for the UK), this has not been the case in Switzerland. In fact, the opposite could be argued, namely that cases and traces of racism remained undetected and unnamed, partly because of the narrow definition of 'racism'.

THE ARGUMENT: RADICAL DETERMINISM AND ASSIMILATIONISM IN FOREIGNISATION DISCOURSES

In this thesis, I propose a rather different view to the two perspectives I outlined above. I do not reduce anti-foreigner violence and discourse to being somehow marginal, new and uncharacteristic of the central values and self-image of an otherwise enlightened, liberal Switzerland. Neither do I see it simply as a lower-class phenomenon or as an anti-modern expression of a back-ward, Catholic, rural milieu.

Rather, I argue that both the more spectacular radical right-wing racist violence and the more respected, and sometimes more differentiated, anti-foreigner sentiments within the wider population are expressions of — and related to — central and older constitutive aspects of the Swiss model of the nation and the nation-state. The acts of violence can not simply be dismissed as aberrations from the peaceful, democratic and multicultural

path taken by modern Swiss society. Rather, they are related to particular exclusivist, culturalist imaginings of the Swiss nation. Depending on the crucial question of how to define racism, these imaginings of the nation may be called cultural-racist. However, I prefer to identify them in terms of complete or radical determinism and assimilationism (see chapter 4 for a discussion of these analytic distinctions). A particular trajectory of historically changing culturalisms, or what I shall analyse as shifting combinations of radical determinisms and assimilationism, have been a central structuring force and guiding principle in Swiss society and state. In spite of the long list of 'good deeds' and peaceful achievements celebrated in the 'special case' discourse, there is a dark side of anti-Semitism and exclusion of migrants based on radically determinist concepts of the nation. Radical determinist concepts of the nation have challenged — or even been woven into —the dominant, liberal discourse of the Swiss nation, even when it speaks in terms of democracy, as it developed in the last two hundred years.[14]

In differing historical forms, radical determinism and exclusion have been at the heart of the historical and contemporary representation and constitution of the Swiss nation and its 'foreigners'. In this thesis, I provide historical and contemporary evidence to suggest that parallel and in competition with the political and multicultural imagining of the nation, there have been completely deterministic, as well as assimilationist definitions of the nation. On the most general level, I argue that the anti-Semitic constructions have provided the model and resource for the radically deterministic and assimilationist views of the nation contained in what I shall call the foreignisation discourse and model in the 20th century. In other words, there have been definite limits to Swiss multiculturalism. The Swiss case of nationalism can not be categorised and reduced to one type, such as the democratic, multicultural model. Such a one-dimensional, rather essentialist characterisation of the nation needs to be replaced by a more dialectical approach which is sensitive to the competing and changing constructions of the Swiss nation (see chapter 1).

[14] I am indebted to Goldberg (1993) for the evocative, if imprecise formulation of 'racism being woven into liberalism as it developed'.

Thus, the central focus of my thesis is on the link between dominant representations of the nation and dominant representations of its foreigners. I am particularly interested in the role of the state and of elites, especially academics and intellectuals, in the formulation, dissemination and legitimation of racism and nationalism, rather than the role and function of everyday discourse and working class discourse, or its expression by extremist fringe groups, such as neo-Nazis (Van Dijk 1999:147). In a sense then, the focus is on the reproduction of 'racism from above', that is on officially sanctioned discourse and ideology, rather than on 'racism from below' (Kalpaka and Räthzel 1992:90; Autrata et al. 1992:8), as in popular attitudes, opinions and beliefs (Hoffmann-Nowotny 2001). Of course, this focus on the state and elites does not imply that everyday racism (*Alltagsrassismus*) or extreme forms of racist hate crimes are not important. Nor do I wish to imply that the realms of state discourse, academic discourse, media discourse and everyday discourse are isolated. While to some degree the discourses in these different realms follow their own logic and dynamic (Cohen 1990), they are clearly feeding into each other and are mutually constituting (Bader 1995; Lawrence 1982). State discourses are particularly important in this context, because, as Balibar (1991a:15) argued, racism is 'a relationship to the Other mediated by the intervention of the state'.

My thesis also focuses on discourses of the state and of elites, because the role of dominant discourses and ideologies in what I call the foreignisation of migrants has often been neglected, both in popular discourse (as outlined above) and academic discourse (see chapter 1). The focus on state and elite discourse is guided by my aim to counter the one-sided view that aversion or hostility towards 'foreigners' is somehow arising from civil society in stark contrast to the multicultural and democratic conception of the Swiss nation upheld by a supposedly more liberal state and elite. Thus, I am interested in exposing the rather long history of completely determinist and assimilationist nation-*Ausländer* dialectics at the heart of Swiss state discourse. This hegemony of foreignisation or general 'structure of feeling' in relation to foreignisation processes has been rather pervasive, but hardly commented upon, in Switzerland and has provided the framework for all discussions on migration and Ausländer in Switzerland.

Osterkamp describes a similar situation in the German context:

> The general toleration of discrimination and more or less sublime exclusion of immigrants and asylum seekers is [...] as a rule so "taken for granted" that ... there does not need to be an individual decision to support this, but an individual decision to distance oneself from it, respectively to oppose it." (quoted in Autrata et al. 1992:10).

Thus, this thesis also helps to explain why it has been difficult — even for oppositional groups and individuals — to escape this 'structure of feeling' in the Swiss context.

THE STRUCTURE OF THE THESIS

The theoretical starting point of the thesis (chapter 1) is a critical discussion of influential theorists who proposed a link between a country's type of nationalism and its likely treatment of, and reactions to, the presence of migrants. These theories classify Switzerland as a rather rare example of a civic, non-ethnic, highly democratic form of nationalism which is therefore capable of incorporating various languages and religious groups without exerting undue assimilation pressures. I focus in particular on Heckmann's (1991) version of this argument. I shall challenge his assertion that aversions and violence against migrants 'stem from civil society' and are not related to the dominant discursive constitution of the nation and the state. I argue that nations such as Switzerland can not be reduced to one model, instead they need to be understood in more dialectic terms. My central argument which will be developed over the next few chapters is that not all dominant representations of the Swiss nation are of a democratic, multi-cultural character.

Two points are crucial in this discussion about competing nation-Other dialectics. First, the various constructions of the nation and the Other obviously do not emerge in an ideological vacuum. The positions taken in these debates depend to a large degree on the speakers' broader political and ideological positions and on their world view. Because of this link to the political and ideological positions of the speakers,

it is important to keep in mind that debates about 'migration', 'foreigners' and 'being swamped by foreigners' are also launched and instrumentalised for other political, economic, and ideological purposes. Debates on migration and 'foreigners' often express, or to put it differently, 'transfer', other concerns and discontents in the modern world (Linder 1991:148).

Second, regardless of the main purpose and intentions of such debates, the various discursive constructions of nation-Other dialectics are not simply inconsequential word games. Rather, they in turn influence, reproduce and justify popular attitudes and so-called 'common sense', as well as state policies towards 'foreigners'.
It thus sets the ideological framework for the development of what tends to be considered 'pragmatic solutions'.[15] In sum, the dialectic constitution of the nation and the foreigner provides a pervasive and persuasive social and normative theory about the nature and functioning of Swiss society and Swiss individuals in relation to 'the rest of the world'. In this context, I am particularly interested in the discursive slippage from 'national' to 'natural'.

Chapter 2 reviews the recent public and academic discussions and debates in terms of racism, *Fremdenfeindlichkeit* (hostility against strangers) and *Ausländerfeindlichkeit* (hostility against foreigners/aliens) in Switzerland. While the discussion has been influenced by the broader European debates on racism, it has followed its own trajectory. This brief overview highlights the importance of a clarification of analytic key concepts.

In chapter 3, I disentangle the conceptual confusion and contestation surrounding the distinctions between 'old' and 'new' racism, biological and cultural racism, anti-Semitism and xenophobia. This theoretical clarification contributes to the general debates in relation to the analysis of racism and nationalism, but also serves the specific purpose of

[15] Swiss politics is often described as 'pragmatic' (for instance Kohn 1956), rather than guided by 'ideology'. Similarly, Lüönd (1999:12) refers to 'theoryless pragmaticians' surrounding the populist politician Christoph Blocher. Blocher himself asserts 'I simply am not an ideologist' (quoted in Hartmann and Gross 1995:41). However, I argue that what is considered 'pragmatic' and what not is ideological itself, that is, it is socially constructed within particular ideological contexts.

assessing the applicability of these terms to the situation in Switzerland. For instance, in what sense can we speak of racism in a European country that has not been part of the colonising powers, nor in racialised slave trade, nor involved in the two World Wars? What role does anti-Semitism play in the absence of these national experiences?

My argument (chapter 4) is that we need to clarify important distinctions between types of discourses and ideologies which are often confusingly and unclearly labelled as racism, xenophobia and ethnic nationalism allow. I develop a conceptual clarification that takes seriously the arguments regarding 'new racism' or 'cultural racism', without losing sight of the differences between various forms of racism. For this purpose, it is important to analyse the commonalities and differences of various forms of 'completely deterministic' arguments about social groups. The concept of radical or complete determinism highlights the common functions and effects of a wide range of apparently different discourses, all of which claim an absolute incommensurability of different cultures, nations or populations. The analytic distinctions are further enhanced by a clear definition and analytic distinction of 'assimilationsim'. This conceptual clarification will also make it possible to rethink the influential distinction between ethnic and civic-political nationalism. In addition, the sharper conceptual distinctions will allow a better analysis of the continuities and shifts in historical and contemporary debates about the Swiss nation and its Others.

Chapters 5, 6, 7 and 8 focus on the history of dominant models – or imaginings – of the Swiss nation and the dialectically related representation of significant Others who reside within the national territory, but are simultaneously excluded from the national community. The proposed conceptual clarifications makes it possible to identify important historical discourses which contradict and undermine the common claim that the Swiss nation has exclusively or mainly been represented in democratic and multi-cultural terms. In particular, the concepts of 'radical determinist' and 'assimilationist' discourses enable us to identify anti-Semitism as an important discourse and ideology which acted as a historical precursor and functional equivalent to the 20th century's discourses on the *Ausländer*.

Specifically, chapter 5 focuses on the emergence and spread of Swiss nationalism and the establishment of the Swiss nation state in the 19th century. The presence of migrants (apart from the politically sensitive issue of religious and political refugees) presented few problems given that Switzerland was a net emigration country and Europe was characterised by rather liberal approaches to migration. However, the continuous exclusion of Jews by both Conservative-Catholic, as well as liberal-Radical sections of Swiss society was a central constitutive ingredient in the emerging Swiss nation-state of the 19th century.

Chapter 6 covers the period between 1900 and the end of World War II. It includes the rise of the *Überfremdung* (over-alienation) discourse in the first two decades of this century, the introduction of the important legislative and ideological framework of the Foreigners' Law (ANAG) in the 1920s, and the anti-Semitism expressed in the refugee policies and actions of the Swiss state before and during World War II. This period saw the crystallisation of the main elements of what I call the foreignisation process, that is, a particularly Swiss combination of radical-deterministic and assimilationist discourses, and accompanying state legislation and institutions, which constitute the *Ausländer* ('foreigners') and the Swiss nation in a way that contradicts the more charitable view of the inclusive, democratic and multicultural 'special case'.

Racism in its scientific, biologistic formulation has been of relatively little importance in Switzerland. However, anti-Semitism and culturalist arguments in relation to *Ausländer* have been constantly reformulated and reproduced discourses. My specific argument here is that common arguments and stereotypes about Jews were being transferred to refer to refugees and migrants in general since World War I. The common anti-Semitic claim that Jews were dangerous precisely because they were not visibly a different race provides the core for culturalist arguments in terms of *Überfremdung* (overforeignisation/over-alienation) in the 20th century. Tracing this discursive heritage by means of the concept of 'complete determinism' undermines the assertion that cultural racism is 'new', at least in the case of Switzerland (Barker 1981).

Chapter 7 examines the social construction of labour migrants and refugees in the post-World War II era, that is, the era of economic growth and the Cold War, when a large number of labour migrants were being employed on a temporary basis. Against the expectations of most social actors and institutions, their sojourns in Switzerland turned out to be much more permanent. Tentatively, the issues of 'integration' and naturalisations began to be canvassed in the 1960s. In addition, Cold War refugees were accepted generously. While there were some obvious changes to state discourses and policies in relation to migrants after the war, major aspects of the foreignisation process continued. Considering this historical discursive and legislative background, the anti-foreigner discourses of the so-called *Überfremdung* movement of the 1960s and 1970s, as well as the openly racist violence against asylum seekers in the 1980s and 1990s can not be analysed as simply 'coming out of civil society', as Heckman (1991) argued. Such reductionist interpretations ignore the significance, and long history, of the dominant representations of the nation and its foreigners within the foreignisation discourse of the state and of intellectuals. Chapter 8 examines the somewhat different representation and generous acceptance of refugees (*Flüchtlinge*) during the Cold War. Even though the realm of refugees was regarded as distinct from the realm of foreign workers, fundamentally refugees were still caught within the foreignisation process.

Chapter 9 analyses the characteristics and paradoxes of the foreignisation process which acted as a hegemonic framework for much of the 20th century. The foreignisation process has dialectically constituted the *Ausländer* and the Swiss nation, mainly in completely deterministic fashion. The foreignisation discourse portrays migrants and their children as permanently different *Ausländer* ('foreigners') who potentially endanger, destroy, flatten, inundate or water down 'Swiss views, habits and customs' and therefore need to be tightly controlled. Ironically, this construction of the *Ausländer* as a threat has served to stabilise an otherwise vulnerable sense of national idenity. In fact, the remarkable, even paradoxical persistence of the foreignisation process — in spite of its internal contradictions and in spite of dramatic global and domestic social

change in the 20th century — is related to its being embedded in continual attempts to anchor the Swiss nation in a completely deterministic way.

Nevertheless, I do not wish to overstate the functionality of the foreignisation process for the stabilisation of national identifications. As chapter 10 shows, its inherent contradictions (for instance, between completely deterministic and assimilationist conceptualisations) and its dangerous political potential came to the fore again in the 1980s and early 1990s in relation to policies, debates and political mobilisation in relation to asylum seeker migration and European integration. The institutionalisation of the foreignisation process must be seen as a the framework and platform for anti-foreigner political mobilisation and even violence. The long history of radically deterministic and assimilationist discourse did in a sense constitute and predestinate *Ausländer* as targets of popular violence, as well as objects for further restrictive, discriminatory state policy and action.

Seen from this perspective, the break-up of a consensus on 'foreigners' policy' in Switzerland and the recent polarisation of politics and public opinion is not just reflective of recent crises, but of longer term underlying contradictions which have come to the fore.

The fact that the foreignisation of migrants has been institutionalised, and also reproduced in various dominant discourses, is absolutely central to an understanding of the current debates and controversies about the acceptance of asylum seekers and the integration and assimilation of migrant minorities.[16] Switzerland's continued grappling with the issues of asylum seeker migration, integration and citizenship for *Ausländer*, as well as with the issues of racism and xenophobia have been severely limited and hampered by the ideological blinkers imposed by the foreignisation process..

Although I refer to recent events and sources, the historical analysis and general argument of this thesis basically extends up to 1992. More recent developments, such as

the discussions in relation to a 'migration politics and law' (Arbenz 1995; Expert Commission Migration 1997), revisions of the *Ausländer* Law (ANAG) and Asylum Law and a range of reports about the 'integration' of *Ausländer*[17] are beyond the scope of this thesis.

THE STRATEGIC FOCUS OF THE THESIS

It becomes clear from this brief sketch that my thesis does not centre on micro-level issues. It is not concerned with popular opinion, nor is it exploring the opinions of migrants. Nor is it observing, measuring or analysing the direct effect of the foreignisation process on the Swiss or those considered *Ausländer*. The central focus is on dominant discourses about the nation and its Others emanating from the state and various intellectuals and 'experts'. This thesis attempts to draw together social theory, history and political sociology to construct a broad argument, broad in the sense that it spans more than two centuries and extends to a whole nation-state. Obviously, it is impossible to give a complete account of representations of the nation and of migrants in Switzerland over the last two hundred years. The thesis is therefore only a partial account. Nevertheless, I argue that it provides sufficient evidence to counter a simplistic reduction of the Swiss case of nationalism to only one category, namely the civic-democratic, multi-cultural model of the nation. No doubt, specialist historians will be able to refine the argument in relation to particular eras or areas. Thus, in spite of its broad historic range, the actual arguments are quite specific. Rather than providing an exhaustive or representative overview and analysis of Swiss nationalism or Swiss policy in relation to *Ausländer*, the strategic aim of this thesis is to provide evidence to counter dominant, confident assertions about the Swiss case which do claim to be representative and comprehensive.

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[16] The existing framework of the foreignisation process has also affected the debates about Switzerland's place in relation to the evolving structures of the EU. However, an analysis of this issue goes beyond the scope of this thesis.

[17] In 1999, the cities of Bern, Zürich and Basel, as well as the Federal Commission of Foreigners (EKA) (1999) all published reports on the 'integration' of *Ausländer* in Switzerland.

I am acutely aware that my analyses and critiques are in themselves a contribution to the constitution of the Swiss nation and the non-Swiss Other. It simply can not be otherwise. It would be naïve to assume that the products of social analysis are simply objective description of a given reality 'out there', rather than creative constructions of knowledge (McGrane 1989; Kahn 1993). As such I am also acutely sensitive to the potential effects of my argument – even though the future meaning and uses of this argument can not be controlled by me. Even though this thesis is intended to fill theoretical and empirical gaps in the English literature (see chapter 2) and is therefore addressed to a non-Swiss audience, it nevertheless forms part of an ongoing contestation over the definition of Swissness and the Swiss representations and treatment of migrants.

As seen above, this thesis focuses on the long history of links between various official representations of the Swiss nation on the one hand, and official discourses and practices of exclusion and discrimination of *Ausländer* on the other hand. Thus, rather than looking at the immediate economic or political 'triggers' of public hostility and restrictive state policy towards migrants, I am looking at the role of the discursive and ideological constructions of the nation and the non-national Other in prompting and legitimating such actions and attitudes. In other words, I am less interested in identifying particular economic, political or social crises which may trigger increased restriction, exclusion and violence towards migrants, but more in how official discursive constitution of migrants pre-disposes them as possible scape-goats and targets of discriminatory state policy and everyday discrimination. Thus, the focus is not on explaining the immediate triggers of particular restrictive state policies or everyday acts of racist violence, but on the underlying discursive and ideological framework, basis or conditions which have a longer history.

THE INSIDER WRITING FROM OUTSIDE

On a more personal note, the focus and the argument of this thesis have also been influenced by my personal positions and academic interests. I was born in Switzerland and grew up in the rural, Catholic, Swiss-German speaking part of Central Switzerland

which is often referred to as the *Urschweiz* (original/authentic Switzerland) or *Suisse primitive* (primitive/primeval/ original Switzerland). I lived, worked, studied, and also completed my basic military service there until the early 1980s. In the mid-1980s I lived in the predominantly protestant urban context of Zürich for 2 years. This life experience appears to qualify me as an 'insider', in terms of linguistic and cultural knowledge.

However, the insider/outsider distinction is not always clear-cut, particularly in a globalising world. Moreover, this thesis itself attests to the contestation over inside and outside in Switzerland. Swiss diversity makes generalisations rather problematic. There are various anecdotes about Swiss people always evading general questions about Switzerland by saying: 'it depends on the Canton'. I am very aware that my insider position is rather partial. My experience and view of Switzerland has been shaped by Swiss-German perspectives. This can also be seen in this thesis, as German documents predominate.[18] It is important therefore to keep in mind that I am not trying to generalise about a Swiss essence or characteristic from a Swiss-German perspective. I am acutely aware of the historical and contemporary apprehensions towards 'Swiss-German imperialism' in French, Italian and Rhaeto-Roman-speaking populations[19]. In fact, my contribution is very much to show how some of the dominant characterisations of the Swiss nation have been challenged by alternative characterisations, especially in the discourse on *Ausländer*. This sort of critique could surely be expanded from Italian, French and Rhaeto-Roman angles.

In my personal case, the insider/outsider distinction is further complicated by the fact that I have lived in Australia since 1986. I met my future Australian wife in Switzerland and her experience as an *Ausländerin* in Switzerland has also fuelled my interest in this topic.

Of course, my own move to Australia and the experience of 'really existing' Australian multiculturalism with its strength and weaknesses (Stratton and Ang 1998; Castles et al.

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[18] Of course, it needs to be kept in mind that official state texts, which form an important part of my focus, are always translated into the three administrative languages.

[19] Rhaeto-Roman refers to a language spoken by only 0.9% of the Swiss population. Since 1938, Rhaeto-Roman is one of the four national languages (*Landessprachen*) (Junker and Fenner 1990:11).

1992) have provided a constant foil and comparison for my observation of the Swiss case.[20] For instance, when Swiss friends asked me 'how many foreigners are there in Australia?', I was at first simply amused at how the familiar German word *Ausländer* or the English equivalent 'foreigner' became strange, foreign and ambiguous in the Australian context. While the question about the number of *Ausländer* is invariably part of a serious discussion in Switzerland, the reactions in Australia were rather different. When I asked Australians about the number of 'foreigners' in Australia, they either replied with a counter-question (what do you mean by 'foreigner'?) or launched into a light-hearted banter about everyone being a foreigner, except for the Aborigines, or, more tongue-in-cheek, some throw-away line about 'Johnno being the only foreigner here'. For complex reasons, I never thought of myself as an *Ausländer* or a migrant in Australia. Importantly, I was never described as an *Ausländer* or migrant, either informally or officially. Nor was I comfortable with the Swiss label *Auslandschweizer* (Swiss Abroad), which I had officially become from the Swiss perspective. In fact, I am grateful not to be pushed into having to identify with a single label, be it hyphenated or not, and I continue to be engaged closely with local worlds in both countries.

I began to explore the issues addressed by this thesis during an 8 months research stay in Switzerland in 1992, followed up by brief visits in 1996, 1997 and 2000. Initially, I was particularly fascinated by the triangular, emotional debate about asylum seekers between the state, the asylum seekers' support movement (*Asylbewegung*) and the considerable forces pushing for more restrictive approaches and policies. This was also the context of a proliferation of accusations and denials of racism: accusations against the violent 'New Fronts', of course, but also towards new state policies, and even *within* the asylum seekers' support movement. These debates within Switzerland occurred against a broader European context of escalating violence against migrants and the rise of nationalist, populist parties with a strong anti-immigration platform. Finally, Switzerland was also faced with important decisions about its future relationship with the EC (later EU) which had embarked on a rapid economic and political integration process.

[20] My own experience of 'Australia' and 'Australians' is also partial and fundamentally influenced by my class position, milieu and so on. Suffice to say that my personal experience of life in Australia has

Questions about the 'Euro-compatibility' of the Swiss direct democratic and Federalist system became central in the lead up to the Swiss referendum on joining the European Economic Area in December 1992 (Gutzwiller 1992: Gross 1992).

I began to collect as many different texts of these Swiss debates on migration, nationalism, racism, democracy and Europe as possible, and I immersed myself in associated public events. They included meetings of local anti-racist groups, conferences and a 'retreat' organised by the asylum seekers' movement, anti-racist demonstrations, visits to an asylum seeker transit hostel (*Durchgangsheim*), discussion forums at local community houses, official 'refugee days', public meetings (on one occasion including a powerful performance by the populist Christoph Blocher on his campaign against the European Economic Area and against the EC), as well as countless informal conversations.

It became clear in this context that even though the issues discussed were linked to global processes and shared by other, especially European, countries, they were nevertheless debated within a Swiss context and in relation to a history of earlier discourses, conceptualisations and meanings. In particular, I became aware to what degree most participants in these discussions operated, indeed *had* to operate, with the concept of *Ausländer*. I started to realise that this ubiquitous, taken-for-granted word was far more than just a technical description of citizens of another country. It was a word of many meanings which was constituted within and through different discourses. I also started to suspect that this fascination and obsession with the 'foreigners', especially asylum seekers, was perhaps just as much, or even more, about the Swiss themselves. I realised I was in fact observing the narrating of the nation, the conflictual grappling for a clearer national identification. And, it was here, in relation to this 'taken-for-granted' debate in terms of *Ausländer*, which pervaded public and private conversations, that I began to feel as an outsider, or more precisely, as an *outsider within*. Importantly, this was not the 'outsider within' position occupied by the *Ausländer*. I had not become an *Ausländer*.

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provided important points of comparison with the Swiss experiences.

It was a more privileged *outsider within* position that still allowed me to speak as a Swiss.

Being alienated from the *Ausländer* discussion and writing from Australia had two important consequences. First, I had found a unique vantage point from which to contribute to the Swiss discussion, as well as to broader academic discussions. In other words, I had found the focus for this thesis. The use of the term *Ausländer* was not simply a minor irritant that could be solved by replacing it with a different word. It was in fact pointing to a deeply entrenched process of foreignisation in Switzerland. Thus, the thesis turned into an exploration of the historical continuity and pervasiveness of the foreignisation of migrants and the simultaneous complete determinist and assimilationist representations of the Swiss nation. The process of foreignisation provided a key to the interpretation of the particular Swiss trajectory of the debates on migration and Europe, racism and democracy.

Second, I also found myself in a position which was likely to make me a target for certain nationalist-Conservative attacks, namely in terms of being a traitor who has turned his back on his country and now criticises it from afar.[21] As a Social Democrat local councillor near Zürich experienced himself: 'Those who dare to question the culture and dominant power structures are turned into a foreigners' (Bühler 1995:14). Thus, my combination of questioning the dominant ideologies, of showing concern about the representation and treatment of 'foreigners' and of writing from abroad is likely to place me into an outsider, even foreign, position. From certain nationalist perspectives, this thesis could only be perceived as a provocation.

Moreover, my geographic and also academic distance from Switzerland may also be seen as a weakness in comparison with Swiss academics engaged in empirical research into

[21] There is in fact a German term for such a person: *Nestbeschmutzer* (someone who soils the nest, meaning denigrating one's family or country). The nationalist-conservative movement with its populist figure head Christoph Blocher have more recently operated with the label *Heimatmüde* to attack political opponents who stress solidarity beyond the borders of Switzerland (Hartmann and Gross

public perceptions or *Ausländer's* attitudes, and in comparison with professionals who work with *Ausländer* and asylum seekers on a daily basis. However, as set out above, I hope that my thesis can make a contribution precisely from this outsider within perspective, not just from outside the country, but from outside of the foreignisation process, which has held a strong ideological sway over the majority of social and political actors in Switzerland. This, in other words, is the strength, as well as the weakness of my position and my thesis.

A NOTE ON TRANSLATIONS

A brief note is necessary in relation to the use of translated quotes. When quoting from a German or French text, the translations are my own. I tried to translate the particular wording as closely as possible, rather than striving to rephrase them into 'proper' English ways of phrasing and structuring of sentences. Words that are left in German or French are italicised. Certain key words in Swiss discourse, such as *Ausländer*[22] and *Überfremdung* are essentially untranslatable. For historical reasons there can not be equivalent English terms with precisely the same specific history of meanings and associations. I am forced to leave these terms untranslated to avoid evoking misleading meanings in English. Ironically, using these German terms in an English text has distinct advantages which a German text would not offer. In the English text, these italicised German words are transformed from colloquial, popular, bureaucratic and academic terms that are taken for granted in Switzerland into problematic key terms whose meanings are in fact contested and ambiguous. Within a German text, they would have to be put into inverted commas to indicate their problematic nature and to avoid any temptation to use them as analytic tools, instead of deconstructing them. Of course, I will indicate the approximate meaning by means of similar English expressions as they would also be suggested by dictionaries, or by means of a brief description within the text, in a footnote or in the glossary. In an important sense, however, it is the thesis as a

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1995:23). *Heimatmüde* literally refers to 'those who have tired of their home country'; a term that also evokes or echoes *lebensmüde*, meaning 'tired of life', in other words, suicidial.

[22] The feminine form of *Ausländer* is *Ausländerin*. The male plural is also *Ausländer*. In order to prevent complicated formulations, I use the term *Ausländer* to refer to both males and females.

whole which attempts to clarify and explain the rich and complex meanings and functions of key terms such as *Volk*, *Ausländer* and *Überfremdung* by putting them into a broader historical and social context.

In this thesis, I generally worked with German versions of official texts and media discourse, rather than with French or Italian versions. This reflects my own Swiss-German background, rather than any linguistically imperialist notion that the German texts were more authoritative. It is not meant to reflect the fact that (Swiss-) German speakers are in the majority in Switzerland, a fact that has become more problematised again recently, for instance when voting behaviour differs strongly between the linguistic areas (Diethelm 1992). Furthermore, my choice is not meant to be a continuation of German dominance over French or Italian which has been historically the case, nor of an identification of German with the Old Confederates of the pre-modern *AncienRégime*. However, a concentration on German sources offers some advantage in that a considerable part of the Catholic-conservative imagining of the nation, with its glorification of history, culture and the Alps, occurred in the German-speaking areas. The related key expression *Überfremdung* (literally over-foreignisation, over-alienation; foreign infiltration; swamping by foreigners/foreign influences), which became crucial in Switzerland throughout the 20th century, has no direct French[23] or Italian equivalents. Similarly, it appears that aspects of what Finkielkraut (1988) criticised as *Volksgeist* thinking have been reflected in some key German terms (such as *Volk* and *Bürger*). For instance, Altermatt argues that the word *Bürger* (citizen) contains 'irritating ambiguities which obstructs the development of a *Staatsbürger-Nation* in people's mentalities' (Altermatt 1996:15), because the term *Bürger* can refer to the two different meanings of 'citizen' and 'bourgeois' (in French *citoyen* and *bourgeois*). The term *Volk* (people) is laden with associations of a culturally homogenous community akin to a kin-group, which makes it also harder to imagine a nation of citizens (*Staatsbürgernation*), as

[23] Of course, French translations are possible, for instance, *envahissement par les étrangers* (invasion by foreigners). However, they clearly derive from and thus attempt to paraphrase the German word. Such 'translations' can not encapsulate the whole range and evocations of meanings. For instance, *Überfremdung* is far more diffuse and does not just include the direct presence and actions of

opposed to a culturally, ethnically, linguistically or even racially constituted nation (*Kulturnation*) (Altermatt 1996:16).[24] Thus, the ambiguities and difficulties of the Swiss representations of the nation and its foreigners become particularly evident in their German versions, and are in turn partially prompted and supported by the ideological baggage contained in German terms such as *Volk*, *Ausländer* and *Überfremdung*.

'foreigners' (*étrangers*). As such, it captures the diffuse sense of modern alienation and anomie perfectly (see chapter 9).

[24] See chapter 2 for a more detailed discussion of these terms and the implications of the distinct terms and conceptualisations of the nation.

CHAPTER 1

MODERN NATION STATES AND THE MIGRANT OTHER

In recent years, a number of theorists have proposed a link between, on the one hand, a country's particular model or concept of the nation and, on the other hand, the ideological and legal-political inclusion or exclusion of migrants by the state and civil society. In this chapter, I shall critically examine these theories about the links between the representation of the nation and the representation of the migrant Other. Of course, the categorisation and analysis of the case of Switzerland will be of special interest.

I agree that an examination of the dominant nation/migrant Other representations is vital for an understanding of the state's policies and civil society's attitudes and behaviour towards migrants. Such a focus provides an important corrective to psychological (Bader 1995:16-19) and economistic (Strehle 1993) theories that attempt to explain phenomena such as racism, xenophobia and ethnic nationalism.

However, some of the theories about the importance of particular concepts of the nation have limitations, which will become even more apparent in the empirical discussions in subsequent chapters. In spite of their *caveat* that the 'nation models' were to be regarded as ideal types in the Weberian sense, these theories tend to reduce each country to just one 'nation' model. Ironically, this sort of unequivocal categorisation of a country echoes earlier, much maligned essentialist accounts of nationalism, even though these theories insist on the socially and discursively constructed nature of a nation. Such reductionist, essentialist portrayals miss important, competing discursive constructions of the nation and of the migrant Other. As a result, they also ignore some of the reasons for the rather ambiguous representation and treatment of migrants by the nation state and civil society. A more complex understanding of the dialectic relations between *a number of competing* models of the nation and *a number of competing* representations of the

migrant Other will provide a far better account of the range of sometimes rather contradictory policies and behaviours in relation to foreigners.[1]

CONSTRUCTING AND DECONSTRUCTING THE NATION

What is a nation? As elusive as Renan's famous question may be, most contemporary theorists have stressed two related points, namely that nations are modern, rather than primordial, and that they are social constructions, rather than given, objective essences (Anderson 1991; Gellner 1983). I shall briefly elaborate on these two points.

Contrary to most nationalists' claim that their nation is very ancient, it has in fact been precisely modern – and modernising - elites (Taylor 1998:205-209) and intellectuals, especially historians and social scientists, who have formulated versions of the modern discourse of the 'nation' and promoted its spread among the masses. It is only in the modern, industrial period that individuals *en masse* began to regard themselves as part of a nation such as France, Germany or Switzerland (Weber 1979; Gellner 1983; Anderson 1991). Most theorists link the emergence of nationalism to other central aspects of modernity, such as the rise of the modern state and industrialisation (Gellner 1983), print-capitalism and secularisation (Anderson 1983), and democracy (Taylor 1998).[2]

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[1] As we shall see below, a more complex understanding of the nation/Other dialectic is also more sensitive to the possibility that changes to policies and laws in relation to migrants are not simply reactions to changed circumstances *external* to the nation-state (for instance increased numbers of migrants, political pressure from other governments, political pressure from various interest groups and social movements), but also influenced and prompted by the tensions and contradictions within the nation/Other discourses.

[2] See Smith (1995) for a controversial critique of what he terms the 'modernist fallacy'. He argues that there has been some 'ethnic basis' or 'ethnic core' (1995:41) to most modern nations and that these pre-modern ethnic cores continue to exert their influence in contemporary nationalisms. Without wanting to enter this debate, I think Smith mistakenly tends to see 'ethnicity' as an independent variable or even social actor who influences the masses and history independently of human interpretations and actions (see Özkırımlı 2000:183-189 for a critique).
On the other hand, I also disagree with radical modernist views which see nations and nationalism as completely new and invented. For the discourse of the nation to make sense and be plausible to a broad population, its themes and stories need to be linked to, and make sense in relation to, already existing themes. Thus, as will be seen in chapter 4, I tend to follow a middle path.

In line with general anti-essentialist trends in social science, the literature on nationalism has also begun to view nations as socially and discursively constructed, rather than as some given, natural entities whose essential characteristics could be observed and described in an unproblematic fashion. An important aspect of the older paradigm was that it 'proclaimed the primacy of the "naturally given" and saw no need to talk of social actors except as passive bearers of history, religion, culture, functionality, or structure' (Wicker 1997:3). Now, with the paradigmatic change, 'culture has ceased to be a suprasubjective totality that determines human action and forms identities' (Wicker 1997:5; see also Romano 1996:42). To express this shift, Anderson (1983) famously coined the term 'imagined community', whereas James prefers to speak of 'abstract community' (1996).

Wicker (1997:1) goes as far as to suggest that there is now a new 'anti-essentialist theoretical canon' which claims that

> there is no such thing as an ethnic, cultural, or ethnic essence; formations which appear as ethnic groups, as cultures, or as nations should no longer be considered as suprasubjective wholes that generate and determine human action. Instead they should be interpreted as the products of history, therefore as resulting from concrete acts that are motivated by people's interest.

Importantly, from the perspective of this social constructivist – or perhaps it should be called the deconstructivist – approach, social scientists and historians of the 'classical' period have not just been guilty of misinterpreting the phenomena of 'nation' and 'nationalism', but some – for instance, what Hobsbawm called 'nationalist historians' (Hobsbawm 1992a:13) have acted as major contributors to the construction of nations, cultures, and ethnic groups (Wicker 1997:3).

Many histories have attempted to describe the supposed essential qualities or essences of a particular nation, thus justifying its existence. For instance, in the case of Switzerland, 'constants' (*Konstanten*) of an unchanging, naturally given Swiss national character, such as the love of liberty, strong will to defend one's people/country/nation, rural ethos, religiosity, sense of tradition (Marchal and Mattioli 1992:11-19), have been traced back

in linear and teleological fashion several centuries into medieval history, Roman times and even earlier to the so-called *Pfahlbauer* (people who build houses on stumps) civilisation (Rückert 1998).

The social constructivist perspective regards such scholarly descriptions of 'national essences' as part and parcel of the nationalist project itself, rather than as works of a detached, observing science. However, I would argue that this does not only hold for the more obviously 'nationalist' histories, but also for social constructionist perspectives at an arms length or even explicitly critical of nationalist discourses. Constructionist perspectives may be critical of nationalist discourse's tendency of 'getting its history wrong' and thus avoid supporting primordialist views of the nation. However, any analysis of social constructions of a particular nation is invariably part of the ongoing contestation over the nation, for better or worse. Indeed, I am well aware that the present thesis is also part of the ongoing discursive contestation over the representation of nations in general, and the Swiss nation in particular. Works of social science can not help but be implicated in the social construction or constitution of their field of study (Kahn 1993).

While I fully support this anti-essentialist, epistemological shift, it is important not to overestimate the actual socio-political and intellectual influence of this shift on the public discourse in Switzerland. Firstly, the older, essentialist paradigm has played —and continues to play — a significant historical role in popular and populist constructions of Swiss national identity, with very problematic consequences in terms of the integration of migrants. I shall elaborate on this point in subsequent chapters. Secondly, even if the new paradigm currently dominates the international fields of sociology and history, the change has been only very recent in Swiss historical studies. Writing in the early 1990s, Marchal and Mattioli (1992:12) are particularly critical of the continuing methodological deficits' in much of the Swiss historical and 'scientific' discussion of national identity.[3]

[3] For Marchal and Mattioli (1992:12), this academic approach which still regards 'descriptions of national character' as unproblematic is not far removed from the glorifying, nationalist discourse of populist orators at patriotic celebration, which Marchal and Mattioli call 'rhetoric of the party hut' (*Festhüttenrhetorik*).

Thirdly, as I shall discuss below, the insistence that nations are imagined or socially constructed, does not necessarily prevent a new kind of essentialism and reductionism 'through the backdoor'.

GENERIC NATION VERSUS SPECIFIC NATION

The 'classic', essentialist and the new, anti-essentialist approaches to the study of nationalism also differ in another respect. While nationalist historians and theorists tend to celebrate the uniqueness and distinctiveness of each individual country, more recent theorists such as Anderson and Gellner tend to focus on the commonalities of all forms of nationalism.[4] The former approach may therefore distinguish at least as many nationalisms as there are nation-states, and given the strength of separatist, ethno-nationalist movements within known nation-states (for instance, the Basque), possibly even more than that. To put it the other way around: every nationalism produces its own theoreticians (Altermatt 1996:23).

The latter approach is less interested in the particular way in which the nation is imagined in each case, that is, it is less interested in analysing specific nationalist discourses as such. In fact, authors such as Anderson and Gellner have pointed to the philosophical poverty of nationalist doctrines, and Marchal and Mattioli (1992:18) remark on the 'staggering analogies' in the constructions of various nations. At the centre of their research are the structural or functional conditions of modernity which make nationalism and the imagining of the nation possible or even necessary.[5]

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[4] The focus on commonality is also a result of Anderson's and Gellner's research interests. It certainly does not imply that they are not aware of different types of nation models and nationalisms. In fact, they have suggested their own distinctions. However, a discussion of these distinctions goes beyond the scope of this thesis.

[5] For Gellner (1983), the nation is functionally linked to the requirements of industrial society. Anderson (1983) stresses how the notion of the nation, once created in the transition from medieval, religiously constituted society to modern, secular society, can become a model for later nationalisms. In this context, Chatterjee (1986) criticises the sociological determinism and functionalism which empty particular nationalist politics and discourses of their content and significance and thus denigrate them as being simply 'derivative' of the Western model.

Between the two extremes (distinguishing a large number of individually different nations and nationalisms as opposed to focusing on nationalism as a generic, general organising principle of modernity), there have been theoretical approaches which suggest simple typologies of two or three kinds or concepts of the nation and the nation-state.

In the following, I shall look at how such distinctions allow more differentiated arguments about how different concepts of the nation have been linked to particular ways of representing, incorporating or excluding migrants and ethnic minorities.
A whole range of questions are raised by this juxtaposition:

- Do all concepts of the nation and the nation-state share an inherent intolerance towards ethnic minorities, especially migrant minorities, or are there significant differences between certain types of nation and nation-state concepts?
- Which nation concepts make it difficult or impossible for the state or the host population to cope with ethnic or cultural difference?
- Do particular nation concepts lead to a stronger tendency to homogenise or assimilate migrant populations (Heckmann 1991:58), or alternatively to exclude them from certain rights and resources or even from the state territory all together?
- Are there multicultural nation concepts which are able to incorporate and be tolerant of ethnic and cultural difference?
- Could Switzerland be a model of such a concept of the nation?
- Could Switzerland's multilingual and multireligious experience over the last two hundred years furnish a model for contemporary and future multiculturalism in immigration societies?

A TALE OF TWO NATIONS?

The literature on nationalism has frequently distinguished between two models of nation or nationalism (Plamenatz 1976; Chatterjee 1986:1-32; Llobera 1994:151-176).[6] One model has been based on a *political* definition of the nation as a democracy of equal citizens, the second model has stressed an *ethnic* definition of the nation as a community which shares the same language, culture, history and descent. Theorists differ in their terminology, evaluation and explanation of the two different concepts or models of the nation. In English, the terms civic or democratic nation versus ethnic nation have been common. In German, the terms *Staatsnation* and *Kulturnation* capture this distinction. Francis distinguishes between the terms *demos* and *ethnos* (quoted by Heckmann 1991:70). In French, Schnapper (quoted in Heckmann 1991:66) suggested the terms *nation élective* vs. *nation ethnique*, while Finkielkraut (1988) distinguished between the nation-as-contract and the nation-as-spirit.

Authors such as Plamenatz (1976) and Kohn (1971) have attributed the democratic or civic nation to the earlier, Western cases of nationalism (France, USA), in which the nation referred to the body of equal citizens who in a revolutionary act wrestled sovereignty from the feudal and divine rulers. Nationalism developed within an already given state territory and began to build a modern, democratic nation-state: citizenship and mass participation was central to the idea of the nation in this revolutionary-democratic sense (Hobsbawm 1992a:19). In principle, ethnicity and language had nothing to do with this concept of the nation. Some even argued that the French Revolution 'was completely foreign to the principle or feeling of nationality; it was even hostile to it' (Block quoted in Hobsbawm 1992a:19). It has been associated with liberty,

[6] I do not attempt to review all typologies of nationalism that have been put forward, as some of them have been made with other purposes in mind and do not directly relate to the focus of this thesis. For instance, Anderson distinguishes creole nationalism, linguistic-popular nationalism and official nationalism as models which were subsequently pirated or adapted in Africa and Asia. I shall confine myself primarily to the links theorists have made between particular nation concepts and the inclusion or exclusion of migrants.

the Enlightenment, democracy, progress and industrialism, and can be traced back to the ideas of philosophers such as Rousseau.

On the other hand, the ethnic forms of nationalism tend to be associated with the later, or 'Eastern' cases of nationalism. They are regarded as deviations and imitations of the earlier model and are simultaneously hostile to it. 'Eastern' nationalism was not connected to the Enlightenment concepts of individual liberty (Kohn 1971), but instead looked to ancient traditions of the 'nation's' past, to the folk roots of the nation. Folk songs were seen as the 'great manifestations of the unspoilt creative spirit', the Herderian *Volksgeist* (Kohn 1971:31). Thus, a national 'high culture' was first formed and developed by intellectuals. It did not develop within a clearly demarcated state territory and was faced with a complex, potentially explosive mix of ethnic, local, linguistic and religious loyalties and identities. For Kohn, the Central and Eastern European nationalisms shifted the emphasis from liberal humantiarianism to aggressive exclusivism (Kohn 1971:51)

Finkielkraut also traces back the model of the nation-as-spirit to Herder's concept of *Volksgeist,* the notion that every people has an inherent, essential, particular national spirit or genius, and therefore its own purpose and destiny, rather than being part of some overall, general linear evolution. Each nation has its own, unique way of life with its own sets of norms. These nations should not be judged according to some absolute, over-arching timeless criteria of the good, true, and beautiful. This particularism rejects the Enlightenment value of universal reason as arrogant, ethnocentric and culturally imperialist. This notion of the nation-as-spirit (or *Kulturnation*) was very influential in Germany in its resistance against French military and cultural imperialism. In the 19th century, the distinction between the two models crystallised politically and militarily in the tensions and conflicts between Germany and France (Altermatt 1996:31; Finkielkraut 1988). For Finkielkraut, German nationalism constituted a dangerous celebration of prejudiced particularism.

However, as Altermatt (1996:35) points out, the distinction between a 'good' Western and a 'bad' Eastern model of the nation is problematic, perhaps even hypocritical, both in relation to historical nationalism, as well as contemporary events. There have been cultural, ethnic arguments in the West as well (see Seth 1993:12-13). In fact, as my thesis will show, ethnic-nationalist and racist arguments in the West are particularly manifest in the discourse about 'foreigners' and 'asylum seekers'. Regardless of the value of the distinction 'Eastern' vs. 'Western' (see also Anderson 2001), the distinction between ethnic and civic nation may still be of heuristic value as ideal types in the Weberian sense.

NATION CONCEPTS AND MIGRANTS

Recently, theorists have suggested interesting links between the type of nation-concept and the dominant constitution or social construction of migrant minorities. The concept of the nation and citizenship has important consequences for the way in which migrants are incorporated into, or excluded from, a particular national society (Brubaker 1989, Heckmann 1991, Silverman 1992, Castles and Miller 1993; Martiniello 1995). As Silverman (1992:12) puts it 'the frontiers (both geographical and metaphysical) defining the nation and minorities are produced at the same time and by the same process'.

I shall focus on Heckmann's (1991) general theory, because it treats Switzerland as a paradigmatic case for one of the nation concepts. In his theory, he expands on the distinction between political and ethnic nation concepts and operates with a finer categorisation into three types of nation and nation-state concepts. Subsequently, he discusses the effects of particular nation concepts on the perception of minorities and state policies towards them. It needs to be kept in mind , as Heckmann points out (1991:66), that these nation-concepts are not based on empirical research into societal structures. They are not descriptions of some national, essential character or mentality supposedly shared by all citizens, but instead reflect 'legitimation patterns of state power' (Heckmann 1991:66). In other words, the types distinguish dominant state discourses and ideologies about the nation, that is, dominant ways of imagining the

nation. The crucial issue is to what degree and in what way such legitimation patterns influence the development of concrete policies and politics towards ethnic minorities (Heckmann 1991:67).

Heckmann starts with the common distinction between ethnic and political concepts of the nation and the nation-state. However, in relation to the political concept of the nation and the nation-state, he draws a further distinction between 'demotic-unitarian' and 'ethnic-pluralist' concepts. Let us discuss the three concepts and their implications for migrant minorities in turn.

The Ethnic Concept of the Nation

The ethnic concept of the nation-state is based on ethnic nationalism. Germany is the prime example for Heckmann. Central to this nationalism is the concept of the *Volk* or the national people, defined in ethnic terms, that is as a 'community of descent (*Abstammungsgemeinschaft*) with a common culture and history' (Heckmann 1991:68).[7] Ethnic commonality is to coincide with the state territory and organisation.[8] Thus, ethnicity constitutes the nation and the nation-state. This principle follows Herder's elevation of the *Volk* to the status of the primary collective subject or actor in world history, in a sense at once nobilising (Schönemann, quoted in Heckmann 1991:66) and mobilising the masses as a 'people'. As mentioned above, this view regards the world as composed of various, distinct *Völker*, each of which has its own *Volksgeist*, that is a particular individuality and personality. They are regarded as culturally homogenous, with their own origin and heritage. In a sense they appear naturally given or determined by nature.

Heckmann argues that nation-states which are based on the ethnic concept of the nation tend to constitute groups which do not conform to the national norms as 'ethnic minorities'. Importantly, such ethnic minorities are perceived as hostile groups, as

[7] The Latin word *natio* (derived from *nasci* meaning 'to be born') refers to a community of descent.
[8] 'Ethnic cleansing' can be seen as the ultimate consequence of the logic underlying this demand (Altermatt 1996:30).

disturbing factors, as a threat to national unity (Heckmann 1991:67). The state therefore tends to exert strong assimilation pressures:

> By means of assimilation policies the state attempts to create national unity and to dissolve the ethnic minorities as separate groups (Heckmann 1991:67).[9]

In this century, migrant minorities similarly became problematic from an ethnic nationalist perspective. As the ethnic model of the nation defines membership in terms of one's descent, in other words it is seen as naturally or biologically determined, it is difficult or even impossible to conceive how new migrants could become legitimate members of such a nation. In the case of Germany, this is reflected in a minuscule rate of naturalisations, as well as in the exclusion of migrant minorities from democratic participation rights (Heckmann 1991:68-69). Migrants, as well as their off-spring, are instead given the status of *Ausländer* (foreigner/alien). They are thus regarded and treated as second class citizens, and if one considers the various graduations existing between different *Ausländer* categories, some may even be considered third or fourth class citizens.[10]

Heckmann (1991:69) concludes that

> The ethnic nation state perceives minorities as a problem, as a violation of its notion of the state (*Staatsidee*); a problem, which either must be solved by means of assimilation and/or control of foreign minorities.

The Demotic-Unitarian Concept of the Nation

Heckmann distinguishes two *politically* constituted nation concepts: the demotic-unitarian and the ethnic-pluralist. In these cases, nations are not conceived as ethnic communities with common descent, but defined by common values, institutions and political convictions. According to the demotic-unitarian concept of the nation, the

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[9] In the last century, typical examples of such policies were the Germanising pressures on the Polish inhabitants in the German Empire. See also Anderson's (1991) analysis of 'official nationalism' and 'Russification'.

[10] The new term 'denizen' has been suggested (Hammar 1990) to refer to people with such a legal status.
The term is useful in an analytic context, because the legal-political term of *Ausländer* (foreigner/alien) has acquired a wide range of often pejorative and stereotypcial meanings in public discourse. In other words, even though state discourse attempts to use the term in a legal sense, it is burdened by a range of cultural, racial and other meanings. The use of the term *Ausländer* in an analytic context reproduces the foreignisation of one part of the resident population.

notion of a 'people' or a *Volk* does not refer to a community of descent (*ethnos*), but rather to a political and legal category (*demos*). Following the humanist Enlightenment ideal, the people rather than some feudal or religious authority are the source of political legitimacy. The major actors are not primarily members of an ethnic group, but citizens. They act politically and democratically, rather than following some ethnic, cultural or even racial imperative or determinism. Historically, this meant that minorities such as Jews could be involved and incorporated in the nation. Their descent or religious backgrounds were of no significance. Instead, the key question was whether they could cooperate in the democratic tasks of the nation (Heckmann 1991:70). However, according to the demotic-unitarian concept, a certain national unity, a 'general will', is nevertheless necessary for the proper functioning and legitimacy of the new democratic system. Thus, ethnic and linguistic difference is still seen as problematic. In the case of France, this conviction found its expression in strong state measures to culturally and linguistically homogenise the nation:

> The revolution continued the cultural unification and centralisation program which had been begun by the state(Heckman 1991 : 71).

Thus, strong assimilation pressure, even perceived as *terreur linguistique*, was exerted in the 'colonialist' process of turning locally-oriented, patois-speaking peasants into Frenchmen who identified with a nation (Weber 1979).

Consequently, the demotic-unitarian nation concept can more easily incorporate migrants into the national community, as its legitimation and constitution is not ethnic or racial, but defined in political or civic terms. Thus, naturalisation has historically been more open and accessible in France. As a consequence, migrants who have become citizens have had a chance to influence politics and politicians democratically. However, the expectation is that this inclusion into the nation is combined with – or even preceded by – a substantial degree of cultural and linguistic assimilation. As Schnapper put it (quoted in Heckmann 1991:72):

> membership of the French nation is, based on its legitmation principle, open [...] to all who are prepared to accept its values, the national identity is not a biologically given fact, but a cultural one: one is French because one speaks the language, one has internalised the culture, one wants to take part in the political

and economic life.

This republican expectation that 'immigrants need to master the national culture, rather than preserving their culture' (Noiriel 1996:xix) distinguishes the demotic-unitarian from the ethnic-pluralist concept of the nation.

The Ethnic-Pluralist Concept of the Nation

It is particularly interesting for my thesis that Heckmann uses the example of Switzerland to illustrate the ethnic-pluralist concept of the nation. In this concept, common political traditions and institutions are even more central in the constitution of the nation than in the demotic-unitarian concept. Heckmann follows many other authors (Kohn 1956), as well as modern Swiss social and political actors, by pointing out that any kind of ethnic or linguistic nationalism would destroy the Swiss nation-state, given that it includes and incorporates a wide variety of cultural, linguistic, religious and local characteristics. According to Heckmann, there are three key political institutions which have allowed the integration of the various 'ethnic groups and regional cultures' (Heckmann 1991:73):

1) A careful balancing of political interests by means of the procedure of hearings or consultations (*Vernehmlassungsverfahren*).[11]

2) The principle of Federalism: in the Swiss context, Federalism refers to the preservation of the strength and power of the Cantons vis-à-vis the central state.[12]

Heckmann stresses the importance of the principle of Federalism in allowing the protection of ethnic minorities, even though that is not its explicit aim.

3) High legitimacy of the political system.

At this point of his analysis, Heckmann does not unambiguously follow his own argument. Instead of focussing on an analysis of the ethnic-pluralist *concept* of the

[11] *Vernehmlassungen* (hearings or processes of consultation) are an integral part of finding a consensus on bills and laws in the Swiss political process. Government bills are routinely submitted to various interest groups for comment before the final draft is introduced to and adopted by parliament and/or by the people in a referendum or initiative (Gabriel 1983:33). These hearings and consultations can be regarded as a consequence of the logic of the referendum in the Swiss political system. The fact that strong interest groups can use referenda (or threaten to launch one) to challenge or even prevent the passing of a bill makes it advisable to consult with such groups in the drafting of the bill (Kriesi 1992).

nation in Switzerland, that is, focusing on how Switzerland as a nation is conceptualised in dominant ideologies and discourses, he refers to actually existing political *institutions* that he believes have enabled the societal incorporation and tolerance of linguistic and religious difference. Heckmann's argument would be more consistent if it focused on the way in which dominant *discourses* in Switzerland represent these political institutions and mechanisms as central to the nation. In the next section, I shall give some examples as evidence that such representations of Switzerland have indeed been important.

In this sense, Heckmann concludes that

> in Switzerland 'nation' is not understood as an ethnic community, but as a commonality of institutions, history and interests (Heckmann 1991:73).

What are the likely consequences of such an understanding of the nation for migrant minorities? Heckmann argues that in principle a state that is not based on a single ethnicity can be more tolerant towards culturally different migrant minorities, and existing ethnic group differences do not necessarily need to be assimilated. He concludes that

> aversions and discrimination towards ethnic minorities which can nevertheless be observed here derive 'from society', they are not the consequence of the constitution and legitimation conditions of the state (Heckmann 1991:73).

Heckmann's argument can be schematically summarised in the following way. The three different concepts of the nation represent and prompt three different principal stances towards migrant minorities: the ethnic concept of the nation is characterised by control and exclusion (or inassimilability), the demotic-unitarian by assimilation, and the ethnic-pluralist by tolerance of cultural difference. Heckmann unambiguously classifies Switzerland as a prime example of a country with an 'ethnic-pluralist' concept of the nation. From this perspective, forms of violence, discrimination and exclusion towards migrant minorities have to be seen as either marginal, or as resulting from some other external source ('from society') in opposition to the dominant tolerant concept of the

[12] The meaning of Federalism in Switzerland, namely decentralisation of decision making, is therefore precisely the opposite of its meaning in the USA (Gabriel 1983: 21).

nation promoted by the state.[13] This interpretation of 'aversions and discriminations' in relation to minorities echoes the popular views I discussed in the introduction. As the examples in the next section show the representation of the Swiss nation as a non-ethnic, pluralist, democratic 'nation of the will' has indeed had a long history, reaching into the 19th century. As such, these examples do support Heckmann's argument, however, they do not cover the whole range of competing nation/Other constructions as we shall see below.

THE REPRESENTATION OF THE SWISS NATION AS A MULTI-CULTURAL 'NATION OF THE POLITICAL WILL'

Heckmann's linking of the democratic and pluralist model of Switzerland with a greater tolerance and acceptance of migrants echoes a quote from Gottfried Keller, a famous Swiss author in the 19th century:

> Swiss national character does not rest on ancestors nor on patriotic sagas of the country's past nor on anything material; it rests on the Swiss people's love of freedom, on their unique attachment to their small but beautiful and dear fatherland, on the home-sickness which seizes them even in the loveliest foreign lands. When an alien loves the Swiss constitution, when he feels happier among us than in a monarchical State, when he gladly accepts our habits and customs and assimilates himself, then he is as good a Swiss as someone whose fathers fought at Sempach. (quoted in Kohn 1956:93).

This appears to express a 19th century version of 'constitutional patriotism'. It is important to note however, that there is still the expectation of general assimilation, rather than the expectation of cultural diversity.

Almost half a century ago, the historian Kohn (1956;1971) argued that Switzerland was an example of a *Staatsnation*, that is, it is not based on common descent (*Stammesnation*) or a common language (*Sprachnation*), but on common territory and political community.[14] Kohn singled out 'democratic federalism' as the 'framework for the peaceful development in liberty of populations speaking German, French, and Italian,

[13] The positive assessment of Switzerland is echoed by Hollifield (1994:168): 'In fact, France seems to be managing the immigration and refugee crisis better than most of its European neighbors, with the possible exception of Switzerland'.
[14] Kohn (1956:14) followed Weilemann's distinction between these 3 types of nations.

and having highly diversified traditions and religious backgrounds' (Kohn 1971:46). Kohn felt that this was all the more remarkable as the Swiss constitution of 1848 established this framework at precisely the time when aggressively exclusivist, ethnic-linguistic nationalism started to emerge strongly in Central and Eastern Europe.

For Kohn, in both England and Switzerland, 'liberty and self-government had molded the territorial nation, and given content to its communal nationality'. He traces the roots of this development to the Middle Ages: 'They owe it partly to the indirect influences of the French Revolution – but even more to the fact that the foundations of their democracy have their roots in the thirteenth century' (Kohn 1956:17).[15] A 'patriotism of the canton' rather than of the nation predated nationalism, and most importantly it stressed civic virtues. Thus, apart from its fortuitous institutions, Kohn praises the Swiss 'pragmatic attitude' and 'moderation and common sense' (Kohn 1956:74), a Swiss temper which emphasises compromise and tolerance, 'a mixture of sober respect for law and tradition and of daring pragmatic response to the challenge of the new' (Kohn 1956: chapter. 14) which 'in the end' always triumphed. Kohn also evokes 'a spirit of tolerance, restraint and good will towards minorities' (chapter 19).

In a similar vein, the Swiss historian Altermatt (1996:60) regards Switzerland as one of the nations 'which have formed their identity merely from the common experience of a political community', that is it is based on a 'political will' (1996:145), rather than on some ethnic or cultural basis. He describes Switzerland as 'multiethnic' (Altermatt 1996:51) and 'multicultural' (1996:18), and as a 'European model of a *Staatsnation*', that is, a nation based on a political definition (1996:92), as opposed to an ethnonationalist conception. He also argues that Switzerland's 'multicultural experience' could contribute to the European debate, even though it could not serve as an 'export

[15] We may ask with Barber (1974) whether it is not misleading to analyse the Swiss history and experience of 'communal liberty' in terms of Anglo-Saxon political terminology such as 'individual liberty'.
'For Anglo-saxon political thought, democracy has been a servant of equality and an instrument of private and group interests; in Switzerland it has slighted equality (women did not receive the vote until 1971) in pursuit of a quality participation that would lend to citizenship a sense of public virtue and collective responsibility unknown to representative, pluralist democracies.' (Barber 1974:11)

model' because it developed and crystallised within unique historical conditions (Altermatt 1996:18;145). Nevertheless, according to Altermatt, Switzerland could be an important inspiration for 'behavioural rules for multicultural societies' (Altermatt 1996:145), for which the 'conception of the *Staatsnation* becomes a categorical imperative' (Altermatt 1996:91). He asserts that the most important lesson that can be learned from the Swiss case is that 'politically functioning and economically prospering states do not have to be built at all on cultural or linguistic homogeneity' (Altermatt 1996:145). In addition, he claims that the Swiss take their 'double identity' of regional and national identity for granted, because the civic concept of *Staatsnation* or *Staatsbürgernation* does not prescribe a particular cultural identity (1996:92). Switzerland and Belgium are exceptional cases of nations that managed to survive without demanding a common language of its citizens. It is therefore the anti-thesis of linguistic nationalism, both conceptually and historically. In fact, 'it was only in the intellectual contestation with the European linguistic nationalism that the Swiss put emphasis on the political nation of the will' (Altermatt 1996:146). In 19th century Switzerland, the language question played a rather insignificant role in comparison with the two more divisive lines of conflict, namely, that of religion, and the debate about Federalism versus centralisation which pitted the Catholic-Conservatives against the Radical-Liberals (Altermatt 1996:146). Altermatt also emphasises the importance of the official recognition of four equal national languages, but even more so the decentralised Federalist system[16] which defuses linguistic conflicts (Altermatt 1996:142).

In a recent speech, the Federal Councillor[17] Arnold Koller (1998) reiterated the much-quoted notion that Switzerland was a constantly renewing 'nation of the will', as well as a 'learning nation' whose identity can not be based on an ethnicity or language. For Koller, national cohesion is a constant task that requires effort and can not be taken for

[16] In Switzerland, the country is referred to as *Bund* (confederation) in German and *Confédération* in French, rather than as a 'nation' (Altermatt 1996:25). This reflects its self-representation as a confederation of cantons, that is, it stresses what is called a 'Federalist' political structure.

[17] In Switzerland, there is a collegial, rather than a ministerial form of government (Gabriel 1983:40), that is, there is no President, Prime Minister or Federal Chancellor. Instead, the executive arm of the government is made up of seven 'equal' Federal Councillors (*Bundesräte*). The seven seats of the

granted. This clearly expresses a voluntaristic, rather than an ethnic or determinist concept of the nation. It also presents the nation in dynamic, rather than in static terms. It implies that traditional ways of thinking and doing things may not necessarily be reliable models for the future. The tasks include constant dialogue especially across the language divide. He also lists a few 'handed down identity characteristics' (*tradierte Identitätsmerkmale*), which he claims are still relevant today: the ideal of liberty; the participation in political decision-making processes; the ideal of equality; the Federalist structure; multiculture; humanitarian tradition; neutrality; and especially direct democracy, 'which takes on growing significance in our national identity'[18] (Koller 1998:11). For Koller, the votes on important pieces of legislation and constitutional changes by means of referenda and popular initiatives helps Switzerland 'to experience itself almost permanently as a political community and a nation' (Koller 1998:11).[19] This formulation, of course, echoes Renan's (1994:17) definition of the 'everyday plebiscite'. It also adds another factor to Anderson's (1991) list of factors that help imagining a multi-lingual community in modern times: apart from radio, TV and the press, which daily reconfirms the sense of belonging to an imagined community, it also includes the act of voting and elections. In the Swiss case of direct democratic tools of referenda and initiatives, voting occurs much more frequently and involves weeks of prior public debates and discussions, as well as extensive analyses and evaluations after the event. If we follow this argument, it is important to note that these direct democratic tools are not simply means to the end of finding political solutions and making collective decisions. The important point is that the medium is the message itself. In this regard, the actual issues that are decided through referenda and initiatives are less important than the fact that they take place regularly and involve a collective ritual that links individuals, the local community (at the voting booth in each village or suburb) and the national (in the media, as the total national results are discussed). The Swiss nation as a nation-of-

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Federal Council are distributed among the four major parties according to the so-called magic formula (*Zauberformel*) which has remained unchanged since 1957.

[18] Note how Koller implies that 'national identity' may change, with some aspects gaining importance over others. This view appears to reject the static notion of an unchanging national essence (*Volksgeist*), but it does not reject the idea that at any given time a 'national identity' shared by all members of the nation can be identified.

the-will is significantly imagined and constantly reconfirmed by means of the regular ritual of referendum and initiatives. As Koller puts it himself: 'The direct democracy is much more than a procedure to find decisions, it allows citzens to experience Switzerland' (Koller 1998:11). Most importantly for this thesis, the exclusion of those deemed *Ausländer* is also reconfirmed in the process. However, this issue was not touched upon by Koller. On the other hand, he does discuss the difficulties of joining the EU which would curtail the possibility of initiatives and referenda on the national level. Following Koller's argument of the 'identity-giving' role of direct democracy, a curtailing of referenda and initiatives would not only be problematic in terms of democratic values and practice, but more so in terms of the 'identity' and 'cohesion' of the nation. Thus, Koller (1998:11) concluded that 'nothing holds our country together more than our direct democracy'. Note that the Federal Councillor does not simply write of 'direct democracy', but of '*our* direct democracy' (my emphasis). The formulation turns direct democracy not just into an aspect of the political system, but as something that *belongs* to 'us', and, even more importantly, something that *defines* 'us' and *holds us* together. This formulation leads to an important question: is the extension of citizenship to migrants believed to be so problematic and fraught with dangers and risks from the Swiss perspective, because giving access to direct democracy to outsiders threatens to dissolve 'our' identity?

It is interesting how different authors lay different emphasis on the relative importance of Federalism or direct democracy. We can speculate that in the past when Switzerland was surrounded by monarchies and later by totalitarian regimes, democracy and Federalism were sufficient markers of difference. In more recent decades, 'direct democracy' has become an important marker in relation to the rest of the European democracies. As will be seen below, 'direct democracy' also becomes a central marker in relation to the supposed 'foreignness' of migrants.

The list of representations of the Swiss nation in terms of a pluralist, diverse 'nation of the will' could be extended *ad infinitum* with examples of the 19th and 20th century, even though the use of the term 'multicultural' (Altermatt 1996; Koller 1998) to refer to the

regional variety of 'native' Sw ures (or, for that matter, to refer to the cultural variety introduced through recent migration) is of more recent origin. As we shall see below, it is important to distinguish between the historical ethnic-pluralist imaginings of the Swiss nation, which only includes 'native' cultural diversity based on particular territories, and the broader multicultural imaginings of a nation which in principle includes any culture of any migrant group and is not territorial based (Hoffmann-Nowotny 1992). Australia can serve as an example which comes close to this form of multiculturalism. Altermatt and Heckmann imply that Switzerland's successful historic experience of the territorial ethnic-pluralism, which includes what are considered 'native' cultures, predestines it to be a leading model for multicultural immigration societies. However, I argue that the broader multicultural re-imagining of the Swiss nation needs to first overcome a set of alternative, essentialist imaginings of the nation which have placed definite limits on the range of 'multiculturalism' in Switzerland and which Heckmann has ignored in his unambiguous categorisation of the Swiss case.

ONE NATION OR SEVERAL NATIONS?

The examples given in the previous section give an impression of the important role played by the representations of the Swiss nation as a democratically conceived, pluralist *Staatsnation.* In relation to other European countries which have tended to stress ethnic and linguistic commonalities, Switzerland indeed appears like a 'unique' or 'special' case.

However, is this the full story about the 'Swiss model of the nation'? Interestingly, neither Heckmann, nor the other authors mentioned above, discussed the persistent political exclusion of the majority of migrants and their children from democratic rights and citizenship in Switzerland. This omission is critical and it is linked to another omission, namely the strong historical and contemporary presence of alternative, competing concepts of the nation within Switzerland. This thesis will focus on alternative essentialist concepts of the nation and the way in which they are linked to the representation of Others within the country, especially migrant Others. The failure to

take into account the situation and the representation of migrants undermines Heckmann's optimistic argument regarding Switzerland.[20] Heckman's omission of alternative representations of the nation is also linked to the limitation of the very distinction into ethnic versus democratic/political models of the nation. In chapter 4, I shall develop more appropriate analytic distinctions for the analysis of the Swiss case.

This thesis strives to show that Heckmann's unambiguous categorisation of Switzerland as a purely 'ethnic-pluralist' case with no traces of other models of the nation is misleadingly reductionist and essentialist. When classifying countries into simple categories of 'types of nation concepts', there is the real danger of repeating the essentialist and reifying errors of the much-maligned positivist descriptions of an inherent 'national character' and 'national identity'. As a consequence, the ambiguities and contradictions in the representation and legal-political treatment of migrant minorities are also overlooked.

In their similar conceptualisation of nation models[21], Castles and Miller expressed a greater sensitivity to the possibility that 'the models are neither universally accepted nor static even within a single country' (Castles and Miller 1993:40). Thus, it is likely to be misleading to reduce particular countries to just one of these categories. It is important to be aware that while one concept of the nation may be more dominant or hegemonic at any one time, there may also be competing counter-hegemonic concepts of the nation (see Silverman (1992) for the case of France).

Over time, the relative predominance of one model of the nation may be challenged, undermined and possibly overshadowed by another one. Different classes, milieus, age groups or regional populations may differ in their support for the supposed dominant,

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[20] This statement can also be reversed: the failure to take into account less tolerant and mono-cultural representations of the Swiss nation prevents Heckmann from paying more attention to the assimilationist and differentialist representation of migrants.

[21] Castles and Miller (1993:39) propose distinctions of nation models akin to Heckmann's and make similar links to the likely effects on the incorporation of migrants. They also add the historically important imperial model, but their distinction between the folk/ethnic model, the republican model and the multicultural model closely parallels Heckmann's distinction.

official view of the nation. In other words, the representations of the nation are generally far more ambiguous than suggested by the simple categorisations. It may be useful to argue — with Castles and Miller — that a particular country 'comes closest' to a particular model. However, in this thesis, I shall be more interested in the variety of competing representations, in the tensions between them, in the ambiguities expressed and created by them.

Thus, instead of making the simple argument that each nation-state is based on just one set of nation/Other representation, a rather more complex picture emerges of a range of simultaneous nation/Other representations, or nation/Other dialectics.

Actual state policies regarding migrants may not simply be related to one concept of the nation, as Heckmann suggests, but may straddle contradictory nation/migrant Other Representations. This is particularly likely in the case of Swiss politics with its strong emphasis on consensus and the inclusion of various interests. The interesting question that arises from this is whether the policy consensus based of diverging nation/Other representations results in clear policies regarding migrants, or whether they reflect the underlying contradictions between different models of the nation. This is likely to lead to future tensions and political challenges, and confronts migrants with contradictory expectations and demands in terms of assimilation. Some oppositional nation/Other representations may not be part of the general consensus on which state policy is based. Significant challenges to state policies regarding migrants may come from such oppositional nation/Other constructions. Finally, the unstable policy consensus my also be challenged by events, processes and political pressure external to the nation-state.

THE CONTESTED, AMBIGUOUS NATION

There are several important reasons why there is typically greater ambiguity in the representation of the nation, and consequently of migrants, than suggested by Heckmann's formulation or, for that matter, by nationalist rhetoric and 'classic' social science descriptions of 'national characters'.

The most fundamental reason for the ambiguity in the construction of nations lies in the fact that nationalism 'straddles the oppositions through which modernity is "thought"'(Seth 1993:1). In particular, nationalism can be regarded an 'answer to a peculiarly modern dilemma' (Seth 1993:1), namely how to justify that the modern universal notion that all individuals are free and equal has been divided again into separate, particular political communities, that is,

> It is not that nationalism tends to be either progressive <u>or</u> reactionary, depending upon the conditions under which it arises and operates, but rather that nationalism is <u>simultaneously</u> universal and particular, appeals to nature and culture, is atavistic and modern, liberal and illiberal, democratic and undemocratic. Nationalism, as observed earlier, is an answer to a modern dilemma; but is an answer, not a solution. It <u>encapsulates</u> the binary oppositions of modern thought and culture – nature/culture, universal/particular and so on – but it does not permanently reconcile, let alone transcend, the tension between these (Seth 1993:13).

Thus, in a sense, nationalism and the imagining of the nation reflects underlying tensions or contradictions, or in Bauman's (1991) word: the ambivalence of modernity. In particular, it reflects and encapsulates particularistic and universalistic elements simultaneously (Seth 1993; Silverman 1991; Balibar 1991b). Within a nation-state, universalist Enlightenment values of equality and freedom are implemented and extended to a particularistic political community, rather than to the whole humankind. Nation-states have been the frameworks enabling democracy and reciprocity beyond the narrow confines of a family or a commune, but in doing so they have also excluded non-nationals. In the same movement as the notion of the nation includes, it necessarily excludes the non-nationals. Nations have inspired great patriotic love, reciprocity and sacrifice (Anderson 1983), but also aggression and genocide (Balakrishnan 1995). Thus, while nationalism contains the promise of the 'people's' right to self-determination and freedom, it also inevitably is limited and exclusive (Anderson 1983). It can be assumed that all nations contain political and ethnic elements (Seth 1993). And these underlying tensions, overlooked in essentialist categorisations or assumed to have been overcome in a stable post-WW II, post-colonial world of nation-states (or at least over-shadowed by the Cold War stand-off of the super-powers), have come to the fore in recent times, especially in relation to the issue of migration. Of all the different forms of migration,

refugee migration in particular puts the light on this ambivalence of modernity, and in turn asylum seekers and refugees are particularly caught up as victims and social actors within this ambivalence.

A second reason for the ambiguity of the nation stems from the fact that the construction of the nation is always already implicated in other social, economic and political contests and struggles within a society. The major conflict lines in the modern world, be they along class, ethnic, gender, religious and other lines, necessarily occur within the framework of nations and nation-states and are simultaneously a conflict about the nature of the nation and nation-states. Accordingly, national symbols and icons (such as Willhelm Tell in the case of Switzerland) keep being mobilised and instrumentalised for all sorts of political campaigns, in the case of Switzerland frequently in the contexts of referenda and intitiatives. The (frequently mythic) past of the nation is being mobilised in all sorts of (frequently trivial) political issues, in order to highlight just how much is at stake: the future of the nation. Parallel to this, the issue of migrants is, of course, frequently mobilised for all sorts of causes, that may not immediately be related to migration and the presence of migrants at all. The representations of migrants and 'non-nationals' is also affected by these struggles, precisely because these representations are intimately linked with the imagining of the nation. The archetypical case here is, of course, the 'playing of the race card' in order to win elections, and the scape-goating of migrants for all sorts of societal ills, including failures of state policy.

A third reason for the ambiguity in the constructions of nations is related to the observation that nationalism is 'subject to infinite regress' (Seth 1993:17). In other words, nationalism is always an unfinished, incomplete and therefore unstable project. On the level of the individual nation-state, this means that

> national unity is always ultimately impossible precisely because it can be represented as such only through a suppression and repression, symbolic or otherwise, of difference.(Stratton and Ang 1998:135)[22]

[22] Moreover, on a global scale, there can always be new nations that can be imagined, or older nations which demand their own state under the banner of the right of self-determination. In this context, the United Nations finds itself in the contradictory situation of upholding the right to self-determination in

Nations, therefore, are never complete and can never be pinned down once and for all in terms of a uniting essence, or in terms of some underlying, constant characteristic. Nevertheless, that is precisely what nationalist imaginings have attempted to do throughout the modern period.

THE UNSTABLE SWISS NATION OF THE WILL

The Swiss nation has not been exempt from these ambiguities and from contestation, as this thesis demonstrates. However, given the strong tradition of the political concept of the nation, that is, the notion of the nation of the will, and the impossibility of basing the nation on a common language, ethnicity or religion, these ambiguities and contestations have been played out in a specifically Swiss way.

The Swiss notion of the nation of the will is in fact very similar to the definitions and analysis of nations in general put forward by social theorists. Renan defined nations as 'everyday plebiscite'. Anderson's famous definition refers to 'imagined communities'. In other words, nations are human products, social constructs, not given essences. Within Swiss national discourse acknowledges this in the sense that the Swiss nation is regarded as 'willed by its citizens'. However, while social theorists regard this to be the case for every nation, the Swiss nationalist discourse tends to see this as one of the Swiss nations unique, defining features.

However, as this thesis demonstrates, the Radical-Liberal view of the nation of the will has constantly been challenged. Again and again, Swiss social actors and analysts — especially from a Conservative perspective —have not felt content to imagine their nation, or more precisely: membership of their nation, in purely political terms, in terms of a constitutional patriotism (Habermas 1994), a common democratic will. Be it for psychological or other reasons, there appears to be a general tendency, sometimes

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general, but strongly condemning and blocking attempts to secession by nationalist movements and the break-up of existing nation-states (Seth 1993:17).

bordering on an obsession, to imagine some additional, objective and inherent aspects of commonality, some form of objectification or essentialisation. Again and again, the search has been on for a factor 'x' that 'we' have in common or that holds 'us' together forever as a horizontal comradeship that marches through time (Anderson 1991). It is as if the mere appeal to the continual 'will to be a nation' is not satisfactory from a psychological point: if the survival of the nation is based on something as fickle and unpredictable as individual preferences and democratic decision making (the will of its citizens), then it appears far more unstable than a nation that can point to as inherent, essentialist quality, such as language, religion, or even race (common blood). While it sounds heroic to be able to survive as a nation purely based on the 'will' of its people, the 'wills' can easily change and at any rate it is likely to reflect and express disagreement.

The mere idea of a 'nation-of-the-will' which constantly engages plebiscites, appears to be difficult to be sustained by itself. There is a constant tendency — or perhaps we should call it a temptation — of a slide towards essentialism, or, what I shall call complete determinism: If not towards a racial or ethnic essence, then at least towards 'a spirit', 'a temper', 'a culture'. This is where the Swiss nationalist imagination has been productive and generated its own completely determinist arguments, for instance in terms of 'history' and the 'alps', and, most ingeniously in terms of 'democracy'.

At the very least, there is a tendency towards a certain ambiguity between voluntarist (political) and essentialist definitions of the nation. A classic example is Federal Councillor Philip Etter's message to the people during the troubled time of 1938. Etter reiterated that Switzerland originated around the *Gotthard* mountain, and that 'the Swiss national idea is not based upon race or biological factors, it rests on a spiritual decision' (quoted in Kohn 1956: 122). The term 'spiritual decision', that is '*geistige Entscheidung*' is a wonderfully ambiguous term. It appears to be voluntarist (decision), as well as deterministic (the spirit, the *Volksgeist*, determining the decision of the people).

The search for a deterministic and essentialist 'grounding' of the nation is particularly understandable in the modern world, precisely because it provides a collective anchoring in a secular community at a time when everything melts into air (Berman 1982). And there is a long list of arguments which can be selected in an attempt to anchor the community and give it greater permanency: blood, inheritance, history, religion, ethnicity, language and so on and various combinations of these. In fact, there are hardly limits to coming up with new arguments of commonality and here we find both the tedious repetitions and the 'endlessly inventive' (Seth 1993:9) characterisations of a nation.

This leads to a final point. If the nationalist imagination can be 'endlessly inventive' (see also Chatterjee 1986 and James 1996 on the creativity of nationalist discourses), then it is likely that the simple distinction between ethnic and political models (including demotic-unitarian (or republican) and ethnic-pluralist (or multi-cultural) models) is not extensive and accurate enough to properly analyse the range of nation/Other representations. In particular, the question of racist constructions of the nation needs to be taken more seriously. The influential distinction of ethnic versus political concepts of the nation implies that racism does not play an important role in the imagining of nations. It is misleading to suggest that nationalism generally has little to do with racism, or that nationalism and racism are mutually exclusive phenomena.[23] While nationalism and racism can be analytically distinguished, there are no theoretical reasons why they can not coexist, or more precisely, why the nation can not be imagined in a racial or racist way. Indeed, Silverman (1992:24) goes as far as to argue that 'racism is an integral part of the very constitution of modern nation-states'. Thus, the issue of racism, particularly forms of 'cultural racism', needs to be taken seriously in our examination of nation/Other representations. The next chapter explores this issue. Moreover, the analytic tools to distinguish different nation/Other constructions need to be developed even further in order to account for the complexities of the Swiss case. As we shall see in the following chapter, the simple distinction between ethnic versus

[23] See Anderson (1991) and Miles (1989), who try to make clear distinctions between nationalism and racism as phenomena.

political concepts of the nation has a central weakness, even if we add the option of racial concepts and even if we allow for a simultaneous existence of these concepts within one country. Any mention of political institutions and of a 'nation of the will' automatically places a case such as Switzerland into the 'political' or voluntaristic category. Similarly, the mention of the concept of 'multiculturalism' in recent descriptions of Switzerland may lead to a premature categorisation as 'multicultural' or 'ethnic-pluralist'. This ignores the possibility of deterministic arguments about multi-culturalism, democracy and the democratic spirit, which may have more in common with racial or ethnic than with voluntaristic, political arguments. In order to identify and analyse these discursive strategies, I argue it is important to operate with the concepts of 'assimilationism' and 'complete determinism', which I shall develop in the next chapter.

Chapter 2

DEBATING *RASSISMUS* IN SWITZERLAND

NEW INTEREST IN NEW RACISM

There is considerable disagreement, contestation and confusion about the meaning and definition of racism, not just in public, but also in academic discourses. The situation is further complicated by country-specific differences in meaning and frequency of use of the term racism. Thus, it is not just the case that the *phenomenon* of racism has assumed different forms in different countries and historical periods (Wilson 1996:16; Goldberg 1993:90), but the debates about the definition and meaning of the *concept* of racism have followed different trajectories in different nation-states. For instance, the term has been used so frequently in public debates and as a sociological concept in the UK (Miles 1989; CCCS 1982) and the USA (Omi and Winant 1986) that sociologists such as Miles (1989:41) warn about the 'inflation' of the meaning of racism and urge a more precise, narrower definition. The situation has been rather different in continental Europe, where the discussion in terms of racism was somewhat delayed, and its reception strongly influenced by the discussions in the USA and in the UK. In this context, the key question arose whether concepts and theories of 'racism' which had developed in the Anglo-Saxon literature could be employed usefully in the contemporary French, German and Swiss contexts (see Rath 1993 on the applicability of the concept in the case of Netherlands).

In this chapter, I shall briefly explore the emergence of public and academic debates in explicit terms of *racisme* in France and *Rassismus* in Germany and Switzerland since the mid-1980s. Given that the concept of racism was originally developed as a 'battle term' against the very phenomenon identified by it (Miles 1989:43; Bielefeld 1991), it does not come as a surprise that there continues to be a strong link and exchange between the public, political, journalistic and the academic discussions on racism. The interventionist tendency of most academic work on racism has also been amplified by the fact that many

intellectuals and academics have been writing and publishing work either for the state (or, at least, from the perspective of the development of state policy), or for various social movements and institutions. On the other hand, particularly in the case of Switzerland, investigative journalists such as Frischknecht (1991) have contributed valuable research on racism and right-wing extremism and implicitly or explicitly developed various definitions and conceptualisations. Finally, another source of contestation is the use of 'racism' as a legal concept. Nation-states that have signed the UN-convention for the Elimination of All Racial Discrimination have adopted different formulations of anti-racist laws. Thus, the 'legal' meaning of racism has also been subject to legal interpretations in court in different countries. The subsequent court cases against those accused of racism have in turn become another arena of contestation which often accords the protagonists significant publicity (Koprio 1991; Costa-Lascoux 1991).

Evidently, the concept of racism has been contested and re-interpreted on different levels (legal, political, everyday, academic) in different nation-state contexts. Of course, these levels, as well as the nation-states are not isolated discursive realms. Rather, the concept and its interpretations can shift and be re-worked from one level to another, and from one country to another. In this chapter, I shall examine some of these shifts, especially as they relate to the German literature in Switzerland. Thus, I shall focus on the way in which the concept of *Rassismus* has developed and been contested in the 1990s.

FROM RACISM TO *RACISME* IN FRANCE AND *RASSISMUS* IN GERMANY

Writing about the situation in France in the early 1990s, Wieviorka (1995:xii) diagnosed a 'backwardness where sociological studies of racism are concerned', and therefore proceeded to publish a conceptual analysis of the concept (1991), followed by empirical research on racism in France (1992). Wieviorka observed that studies in terms of *racisme* tended to be more a form of denunciation than analysis, with some notable exceptions such as the earlier work by Memmi (1964) and Guillaumin (1972). Wieviorka's work was part of a new focus on definitions, discursive strategies, and

theories of racism in France since the mid '80s (Taguieff 1988, 1992; Balibar 1991a, 1991b, Balibar and Wallerstein 1992, Guillaumin 1991, 1992; Silverman 1991). This work was triggered by the increasing politicisation of post-colonial migration, particularly from Northern Africa, by the theoretical reformulations of conservative positions by the New Right intellectual circles and especially by the electoral successes of the *Front National* under the leadership of the charismatic Le Pen.[1] In its quest for effective political strategies, the anti-racist movement in France (including the *Mouvement contre le racisme et pour l'amitié entre les peuples* 1984) also had to operate with certain definitions and assumptions about racism. The movement's definitions and theories of racism in turn were critically assessed by sociologists such as Taguieff (1992).

The situation has been rather different in German-speaking areas. The term *Rassismus* has been commonly used to describe historical phenomena before 1945, but hardly contemporary European situations and discourses (Bielefeld 1991:12). The term *Rassismus* has become so closely associated with the Holocaust, colonialism and Apartheid that it has been virtually taboo until the late 1980s in relation to discussions about *Ausländer (*foreigners/aliens*)*, *Fremdarbeiter (*foreign workers*)* or *Asylbewerber (*asylum seekers*)*. At most, discourses and violent practices of extreme right-wing groups and individuals (such as Neo-nazis) were considered *rassistisch* (racist). Forms of verbal or physical hostility towards *Ausländer* have usually been described as forms of *Fremdenfeindlichkeit* or *Ausländerfeindlichkeit* (hostility towards foreigners/aliens), *Fremdenangst* or *Ausländerangst* (Fear of foreigners/aliens, xenophobia), *Fremdenhass* or *Ausländerhass* (hatred of foreigners/aliens). While the term *Fremdenfeindlichkeit* tends to be used more in Switzerland (Caritas 1990; Arbeitsstelle für Asylfragen 1991; Tobler Müller 1992, Beobachter 1992, Fröhlich and Müller 1995), the term *Ausländerfeindlichkeit* appears more common in Germany (Hoffmann and Even 1984;

[1] The Le Pen phenomenon itself led to a flurry of academic publications (for instance, Birenbaum 1992) and endless media coverage and analysis (for example, Plenel and Rollat 1992).

Böhme et al. 1994; Fijalkowski 1994)[2]. However, both terms are used in both countries, as well as in Austria (Kargl and Lehmann 1994). This has been the case in public and media discourse, as well as in sociology, for instance in the 'sociology of *Ausländerfeindlichkeit*' (Hoffmann and Even 1984).

To take a prominent example in Switzerland, the populist, anti-migrant worker *Ueberfremdung* (Over-Alienation/Over-Foreignisation) movement of the 60s and 70s was usually described as *fremdenfeindlich* in the German literature (Alternatt 1980/1981) or *xénophobe* in the French literature (Windisch 1978). This political movement launched several popular initiatives to demand a permanent reduction of the foreign population, in effect targeting foreign workers from Southern Europe. In Switzerland, it is generally considered inappropriate to label this movement or its leaders as racist, partly because it is popularly assumed that racism could only occur between different 'races'. As Italian and Spanish migrant workers were not seen as different 'races', therefore, by definition, there could be no racism. This view has also been confirmed by legal opinions (Niggli 1996). The law professor Niggli argued that discriminating acts against *Ausländer* and *Asylanten* were not punishable under Swiss Anti-Racist Legislation, because *Ausländer* and *Asylanten* were 'legal categories' which do not signify a 'race', 'ethnicity' or 'religion' (quoted in Hug 1996:3). According to these views, it was only in relation to negative statements and stereotyping towards darker skinned Tamil or Zairian asylum seekers in the 1980s that the term *Rassismus* could be considered to be legitimate as they constituted other 'races' in popular and, perhaps also, legal opinion. As these groups may be racialised, hostility and rejection may be expressed in racist terms (Meier-Mesquita 1997).[3]

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[2] Referring to the situation in Germany before unification, Wilpert observed that 'The concept of racism has been ignored within mainstream academic discourse and has had no place within university curricula, nor has it been on the agenda for social scientific research' (Wilpert 1993:67).

[3] Of course, these views ignore that 'races' are social constructs, rather than biologically given 'facts'. It is through the ideological process of racialisation that races are being constructed (Miles 1989:73-76). In other words, 'it is racism as an ideology which produces the notion of 'race' and not 'races' which produce racism (Juteau-Lee 1995:3). The point therefore is whether the relations with *Ausländer* are being racialised in particular ideological and discursive contexts, rather than whether *Ausländer* constitute a 'race' in any objective sense.

The taboo on the use of the German term *Rassismus* in relation to attitudes, discourses, policies and practices towards *Ausländer*, especially asylum seekers, began to be challenged in the 1980s. In 1984, Castles et al. noted that 'the commonest term in West Germany is *Ausländerfeindlichkeit* (hostility towards foreigners), but the expression *Rassismus* is becoming increasingly common' (1984:194). Aware of the UK discussion about new racism towards ethnic minorities (Barker 1981, CCCS 1982), Castles et al. (1984) analysed the development and expression of racism in Germany. In their book with the programmatic title *The difficulty of not being racist*, Kalpaka and Räthzel (1990, first ed. 1986) also pointed to the pervasiveness of racism in everyday life in Germany and its function in stabilising and legitimating unequal power relations. They too based their theoretical work partly on the writings of UK and French researchers and theorists (Miles 1989; Balibar 1989; Cohen 1990).

Kalpaka and Räthzel (1990:12ff) vehemently criticised the use of the term *Ausländerfeindlichkeit* in Germany in several respects. First, not all of those who are legally foreigners have been discriminated against and rejected in the same way. In fact, it is only people from specific national backgrounds who are regarded as a problem or a threat within the supposedly *ausländerfeindlich* discourses. Second, foreigners may also be oppressed and restricted by 'friendly' people and actions, for instance in patronising attitudes and practices that assume that foreigners can not act and make decisions by themselves and needed to be guided and taught. Third, the use of the term *Ausländerfeindlichkeit* is a conscious or unconscious attempt to suppress the relationships and continuities between contemporary racism and historical racism and anti-Semitism. Therefore, the euphemistic term *Ausländerfeindlichkeit* has become part of the process of individual and collective suppression of the national past that still haunts the present.

I suggest there are two additional important reasons why the terms *Ausländerfeindlichkeit* or *Fremdenfeindlichkeit* are of limited analytic value. The term *Ausländer* is not an unproblematic description of a clearly defined, homogeneous group of people, nor is it simply a legal category. Rather, *Ausländer* is an important social

construction by the state and civil society. The central analytic and critical focus of my thesis is on how dominant discourses and processes in Switzerland have constituted some residents as *Ausländer*.

This leads to the question of the effects of such constructions and also of whose interests they serve. As the construction of *Ausländer* (and the nation) is my focus, it is inappropriate to also employ the term *Ausländer* as a descriptive or even as an analytic term. In other words, the term *Ausländer* can not be taken as given and as a determinant which explains social reality, but rather the uses and meanings of *Ausländer* requires analysis and explanation. Consequently, the same applies to composite terms such as *Ausländerfeindlichkeit* or *Fremdenfeindlichkeit*. Rather than seeing these terms as part of the diagnosis and solution, they are part of the analysis and, indeed, part of a societal problem.

Finally, the terms *Feindlichkeit* (hostility), *Hass* (hatred) and *Angst* (fear) direct the focus to individual or collective *emotions*. This means they tend to portray the issues as psychological (or pathological), thus diverting our attention from crucial ideological, sociological, political and economic aspects. I do not want to argue that psychological and especially social-psychological aspects are not important in the phenomenon of racism,[4] but my focus is on the dominant ideological assumptions about the nation and its *Ausländer* which in turn underpin, prompt and legitimate emotions and reactions of fear, hate and hostility. In other words, I focus on the importance of the historical, ideological and discursive *context* for such emotions[5]. In addition, the psychologisation is often linked to the suggestion that *Ausländerfeindlichkeit* is above all a 'prejudice problem of the subaltern classes' (Redaktion diskus 1992:8). Without wanting to diminish the importance of the reproduction of racism 'from below' (Kalpaka and Räthzel 1992), I think it is important to explore the reproduction of racist and similar discourses by the state and elites. This is particularly important in the Swiss case, where *Ausländerfeindlichkeit* and *Rassismus* tend to be simplistically seen as emanating from a

[4] See Bader's (1995:16-20) discussion of recent sophisticated cognitive social-psychological approaches.
[5] See Wieviorka's (1995:25) warning about the 'risk of decontextualising consciousness or subjectivity'.

'backward', lesser educated and rural population, which is holding back the progressive, educated and cosmopolitan city-dwellers and intellectual elites.

The above critique of the concept of *Ausländerfeindlichkeit* points to the urgent need for more appropriate analytic tools to distinguish different discourses and ideologies. Kalpaka and Räthzel suggested that the use of the terms *Rassismus* and *Ethnozentrismus* to describe and analyse the contemporary situation in Germany. Kalpaka and Räthsel of the *Institut für Migrations- and Rassismusforschung* in Hamburg also played an important role in setting up conferences and editing books which introduced to the German audience various approaches to the definition and study of racism put forward by scholars from other European countries, especially the UK (Miles, Solomos), France (Balibar, Taguieff, Guillaumin, Withol de Wenden), Netherlands (van Dijk, Essed). Notable results of these efforts were the books *Rassismus und Migration in Europa* (Institut für Migrations und Rassismusforschung e.V. 1992) and *Das Eigene und das Fremde: Neuer Rassismus in der Alten Welt?*(The self/own and the foreign: New Racism in the Old World) (Bielefeld 1992). Other examples of this early 1990s wave of German publications on *Rassismus*, bringing together German and other European theorists and researchers, included *Rassimus in Europa* (edited by Butterwegge and Jäger 1993) and feature publications by the Argument journal (for instance the special edition '*Anti-Rassismus Methodendiskussion*' September/October 1992; Autrata 1992). In this period, works on racism by English and French authors were translated and published in German (for instance, Miles' *Racism* in 1991 and Balibar's and Wallerstein's *Race Class Nation* in 1990) and reviewed mainly by the left-wing press (Schiesser 1991).

A range of German authors, many from a broadly Gramscian and Althusserian tradition and trying to develop the insights of Adorno and Horkheimer (Demirović 1992) in relation to anti-Semitism and the authoritarian personality, began to work in terms of *Rassismus* (for instance Haug 1992a, Elfferding 1992, Müller 1991; see also the authors in Redaktion diskus 1992; Farin 1992). Their work was characterised by an acute sensitivity of the ambivalence and 'traps' of racism. They repeatedly expressed their concern that various naive forms of anti-racism are based on a misleadingly simplistic

analysis of racism and consequently are of little value in combating racism (Kowalsky 1992; Heitmeyer 1992; Haug 1992a; Osterkamp1992; Müller 1991). To paraphrase Kalpaka and Räthzel, their work dealt with the 'difficulty of not being racist' or not encouraging racism in the very processes of trying to combat it. Thus, these authors showed an awareness of the already emerging critiques of the limits of anti-racism in other countries (Taguieff 1992; Gilroy 1990; Cohen 1991). This period also saw the publications of German books on the definition, history and effects of racism more generally (Geiss 1988; Mosse 1990; Dittrich 1991; Zerger 1997).[6]

These books paralleled English publications with similar foci, titles and contributors, usually the result of a conference, for instance Solomos' and Wrench's *Racism and Migration in Western Europe* (1993) and Hargreave's and Leaman's *Racism, Ethnicity and Politics in Contemporary Europe* (1995). Obviously, this scholarly exchange and interest in empirical and theoretical comparisons in Europe did not occur in a political vacuum.[7] They reflected several sociological, political and ideological processes in Europe. These included: the strengthening of radical right-wing parties and the emergence of charismatic populist politicians in a number of countries (Le Pen in France; Schönhuber in Germany; Haider in Austria; Blocher in Switzerland; Rossi and Berlusconi in Italy); first signs of some cooperation and ideological borrowing between these parties; concerns about the emergence of a 'European racism' (Balibar 1991a); the convergence of policies regarding migration and the presence of migrant minorities in Europe following the removal of internal borders; and the concern over the emergence of a 'fortress Europe' shutting out non-European migrants. Many authors and commentators expressed their concern about a 'vicious circle' or a 'spiral' of mutually enforcing trends, such as everyday hatred towards foreigners, new radical right-wing organisations, the shift to the Right of the main-stream political parties and the

[6] Another trend was the emergence of New Right publications on racism which followed the French *Nouvelle Droite's* strategy and combined ethno-pluralistic reformulations of racism, sophisticated denials of racism and counter-attacks which accused anti-racists of racism (see New Right contributors in Ulbrich 1991).
[7] See Bovenkerk et al. 1990, 1991 for a critical appraisal of comparative studies of migration and racism.

increasingly xenophobic state policies in relation to political asylum, migration and citizenship (Bader 1995:7).

WHAT ABOUT SWITZERLAND?

Interestingly, none of these publications which brought together researchers from many different European countries contained a discussion of the Swiss case, nor were there any Swiss contributors. This contrasts with the inclusion of the Swiss case in earlier books with a comparative interest in the issue of immigration and state policies (Hoffmann-Nowotny and Killias' chapter in Krane's *International Labour Migration in Europe* (1979), and again Hoffmann-Nowotny's chapter in Hammar's *European Immigration Policy* (1985)).

I can only speculate about the reasons for this omission. It appears plausible that — in terms of racism — Switzerland continued to be seen as a 'special case' which either lacked a significant 'racism problem' or posed special difficulties in terms of comparisons, even though it has shared in the common European experience of both labour migration and asylum seeker migration. Switzerland was not in the EU, in fact the Swiss voters even rejected joining the European Economic Area in 1992, thus observers might be led to assume that Switzerland was not directly affected by some of the general European processes which I mentioned before as background events for the emerging scholarly interest in the phenomenon of racism. Moreover, Switzerland does not have to deal with the legacy of having been ruled by a Fascist regime, thus right-wing parties (*Schweizer Demokraten*, *Autopartei*, *Republikaner*, sections of the *SVP*, *Lega dei Ticinesi*) can not be accused of direct connections with Fascism or Nazism (in contrast to, for instance, the *Movimento Sociale Italiano* (MSI) and various fading Fascist parties in Southern European countries (Camus 2000). In addition, Switzerland was not faced with the reproduction and reworking of an older 'home-made' colonial racism in the new context of immigration from one's former colonies.[8] Of course, it would be naïve to

[8] For the continuity of colonial ideologies see Lawrence (1982) on the UK and Melber (1989, 1992) on Germany.

assume that general European colonial discourses and ideologies have not played a role in Swiss society, simply because Switzerland was not a colonial power.[9] However, colonial discourses, for instance racism towards Africans, followed different dynamics in Switzerland. This was linked to the fact that the Swiss self-representation never included an identification as a colonial power, Switzerland hardly experienced any migration from post-colonial African and Asian countries in the 1960s and 1970s, and there is no Swiss equivalent to former colonial officials and settlers who were forced to return after bitter battles with anti-colonial nationalisms. Perhaps, as Switzerland was not regarded as an actor in the colonial project, it was not seen as part of the 'postcolonial encounters' (Modood and Werbner 1991) either.

Observers may have felt that Switzerland lacked a strong, united radical right-wing party with substantial electoral support in the same league as the *Front National* in France. It was only from the early 1990s onwards, that right-wing populist parties such as *the Lega dei Ticinesi* emerged and the conservative, main-stream party *Schweizerische Volkspartei (SVP)* began to attract significant electoral success on the basis of its nationalist, anti-asylum seeker rhetoric under the leadership of the charismatic Christoph Blocher. In addition, the media reports about the fragmented right-wing and racist groups and individuals, as well as the violent incidences against asylum seekers in Switzerland paled into insignificance in relation to the spectacular rise of the Front National in France and the neo-Nazi violence in Germany. Moreover, the pluralistic imagining of the Swiss nation and the peculiar workings of the Swiss Federalist, semi-direct democracy appeared rather different to the rest of Europe and may have rendered the issue of racism a rather marginal one (see chapter 1). Finally, there was hardly any research on Switzerland in terms of racism, with the exception of occasional references to the Swiss case in Castles' general discussions of 'racialism' and 'race prejudice' (Castles and Kosack 1973:457) and 'racism' (Castles et a. 1984:193) towards labour migrants in Europe. Swiss researchers who studied ideologies, attitudes and actions towards migrants in terms of *Fremdenfeindlichkeit* tended to work in a more positivist,

[9] As Castles et al. (1984:212) argued, 'Colonialism and nationalism have made racism a basic component of Western European culture'. Without being a colonial power itself, Switzerland has also

non-Marxist tradition (notably Hoffmann-Nowotny) which differed sharply from the mainly Marxist or post-Marxist approaches which theorised racism. Moreover, following Kriesi's (1991) general assessment, it is also important to keep in mind the 'comparatively small size of the Swiss social scientific community and its low degree of specialization' (1991:205). This meant, for instance, that there have been only very few studies on the 'Anti-Foreigner movement' in the 1960s, in spite of its importance (Kriesi 1991:206). In any case, the omission of the Swiss case in the burgeoning comparative literature on contemporary racism in European nation-states could only confirm and feed the common perception of Switzerland as a *Sonderfall* ('unique' or 'special case').[10]

This thesis tries to fill this apparent gap in the Anglo-Saxon, as well as in the German literature. The following section will give an overview of the emergence of public and academic debates in terms of *Rassismus* in Switzerland. In particular, it shows the contestation and confusion surrounding the term in the specific Swiss context, again pointing to the need for greater conceptual clarification.

DEBATING RACISM IN SWITZERLAND

The public and theoretical discussion on *Rassismus* in Switzerland has been directly influenced by these French, English and German debates, as well as the political developments in these countries. Some left-wing Swiss journals (notably *Widerspruch*, No. 11. 1991; No. 32 1996) and some Swiss journalists and academics (Strehle 1993; Wimmer 1992; Rauchfleisch 1994, Frischknecht 1991,1992, Aegerter and Nezel 1996, Niggli and Frischknecht 1998) began to explore the issue of racism in Switzerland. 'Racism' also became a central issue for various groups involved in the social movement in support of asylum seekers and migrants, the so-called 'asylum movement'. (including *BODS* (Movement for an Open Switzerland in Solidarity), *Forum gegen Rassismus* (Forum against Racism), *Anti-Rassismus Café* (Anti-Racism Café), *Asylkoordination*

been implicated in - and benefited from - the broader structure and culture of imperialism (Said 1993).

[10] Unfortunately, the exclusion of the Swiss case continues in more recent English publications with an interest in continental Europe, for instance Modood' and Werbner's *The Politics of Multiculturalism in the New Europe: Racism, Identity and Community (1997).*

(Asylum Coordination), *CEDRI*, *Arbeitsstelle für Asylfragen* (Office for asylum issues) 1991, *SOS Rassismus, Komitee Stop dem Rassismus*), as well as intellectuals associated with them (Caloz-Tschopp 1992, 1996; Stutz 1998).

Various anti-racist events and campaigns, such as rallies, lectures, work shops and rock concerts (Mühlberger 1991; Vigne 1993) were organised by a range of political and religious groups in the early 1990s, with an explicit focus on *Rassismus* and *Antisemitismus*. Notable examples in 1993 were the anti-racist campaign of the association of Jewish students in Zurich (*see Neue Zürcher Zeitung*, 23. February and 2 March 1993) and the *Blickwechsel* campaign 'Living together without racism and discrimination' based at the *Rote Fabrik* from October-December in Zürich (Blickwechsel 1993).

I shall briefly sketch four arenas in which the charge of racism began to be made in Switzerland: first and most commonly in relation to radical right-wing activities and discourses; second, in relation to new immigration policies promoted by right-wing parties and/or adopted by the state; third — somewhat more surprisingly— in relation to discourses and policy proposals emanating from within the so-called 'asylum movement'; and, finally, in the battle of the state against racism.

The charge of *Rassismus* in relation to radical right-wing activities

The 'Foundation against Racism and Anti-Semitism' (GRA) and the 'Society Minorities in Switzerland' (GMS) began to publish annual reports chronicling 'Racist incidences in Switzerland' (Bähler 1993; Stutz 1996; Stutz 1997-2000). These publications attempt to meticulously report various incidences of physical and verbal violence against minorities (asylum seekers, other migrants, Jews, Roma and so on) in Switzerland. Thus, they implicitly operate with a rather broad definition of racism. From an analytic perspective, the question arises whether all of these incidents were really racist.

The charge of *Rassismus* in relation to new immigration policies of the state

The Swiss government (Federal Council 1991) published a new framework for *Ausländer* and asylum seeker policy in 1991. This report contained the new 'Three Circle' Model, which envisaged the opening up of the Swiss labour market to Europeans, while imposing tough restrictions for immigration from outside Europe (the outer circle in the 'Three Circle Model'). Citizens from the Outer Circle countries were represented as culturally so different and incompatible with 'European culture' that they constituted a significant threat which must be held at bay: Various commentators accused the 'Three circle model' as a form of 'institutional racism' or 'cultural racism' (Caloz-Tschopp 1992;1996; Stutz 1998; Wicki 1998; Lanz 1996,1997). In his legal opinion, Law Professor Auer maintained that the model violated the International Agreement on the Elimination of all Forms of Racial Discrimination of the UN (Auer 1996). Nevertheless, the 'Three Circle Model' guided the state's handling of immigration throughout the 1990s even though the report was never enacted as a new law. It became particularly relevant politically when Yugoslavia was confined to the 'Outer Circle' in the wake of the civil war, even though Yugoslavia had usually been included in the so-called 'traditional recruitment' countries (Auer 1996). [11]

The charge of *Rassismus* within the 'asylum movement'

In a curious twist which further illustrates some of the confusion surrounding the term racism, one faction of the so-called 'asylum movement' accused another of being racist, or at least as playing into the hands of racists. In June 1992, members of the 'Movement for an Open Switzerland in Solidarity' (BODS) presented proposals for 'integrated foreign, asylum and immigration policies' for the Swiss state to the wider asylum movement at a conference in Bern (BODS 1992). Their discussion paper was to provide the basis for a consensus within and beyond the 'asylum movement' to counter the state's attempt of finding a consensus for its positions. While the BODS proposals

[11] As a new Foreigners' Law (*Ausländergesetz*) is being proposed and debated in parliament in 2002, the organisation *SOS Rassismus* is taking the Swiss government to the UN committee for the Elimination of Racial Discrimination (CERD) because it claims that the new proposed laws are even more discriminating and racist than the existing laws (see article in *Neue Zürcher Zeitung* online, 21. Feb. 2002 '*Ausländergesetz unter dem Vorwurf der Rassendiskriminierung*').

rejected the discriminatory approach of the state's 'Three Circle Model', they nevertheless maintained a distinction between asylum seekers, work seekers, education seekers and temporary refugees of violence. The BODS proposals rejected any discrimination in terms of geographical background, but they proposed a quota for labour migrants set in relation to the capacity of the Swiss labour market.

The BODS proposals proved to be rather controversial within the asylum movement. At a conference of the asylum movement in June 1992, the restrictions on migration by a quota system was criticised by some in the asylum movement as racist or at least as inadvertently playing into the hands of racists. A left wing journalist commented on the BODS proposals that 'differentiated selection of migrants is at its core racist' (Boos 1992).In opposition to this 'racist' discrimination, a policy of 'open borders' was proposed.

The state's battle against *Rassismus*

On the level of the Swiss state, the concept of *Rassismus* became important in at least two contexts in the 1990s, first in relation to the introduction of Anti-Racist Legislation in line with the UN Convention on the Elimination of All Racial Discrimination, and second in relation to the state's own attempts to combat racism.

In 1992, the Swiss parliament debated the introduction of a so-called Anti-Racist Law in accordance with the UN convention on the Elimination of All Forms of Racial Discrimination (Hug 1992:2). On 25 September 1994, 55% of Swiss voters accepted this law in a referendum which had been launched by the right-wing 'Campaign for Free Speech'(Perotti 1995). The relieved Federal Councillor Cotti concluded from the result that 'Switzerland is not a country of racists. And surely the law will only have to be applied in very rare events' (quoted in Ramseyer 1994:1).

The debates surrounding the political campaigns for and against this legislation obviously brought the issue of racism into the public and political arena (Hug 1994a: 4).[12] The public debates were rather narrowly focussed on the issue of what sort of public statements and actions would be convicted under the new legislation. Some commentators were concerned about the many misleading and populist claims made by the opponents of the law (Hug 1994b:1). Some politicians on the Far Right felt that the law was not necessary as there was no racism problem in Switzerland and would only result in a problematic curtailment of freedom of speech. In particular, they felt that it would be harder to criticise the state's *Ausländer* policies. More liberal and left wing commentators felt that the law had too many loop-holes and would only serve as a welcome public platform for xenophobic and racist expressions during any future court cases (Kunz 1992). Some felt uncomfortable that the state, which they regarded as a key racist operator, should be overseeing the implementation of anti-racist legislation, while others warned that racism could not be eliminated by legislative measures alone (Leuthardt 1991; Uster 1998; see also summary of parliamentary debates in the *Neue Zürcher Zeitung*, 19. December 1992 'Beitritt zur Rassismuskonvention'). In fact, even this supposedly anti-racist effort by the state did not entirely escape the accusation of racism. Schiesser (1994:75) argued that the very formulation of the anti-racist legislation was racist, because it ideologically constructed humans as being dividable into 'races'. Another point of critique relates to the reservations the Swiss government managed to include when signing the UN convention for the elimination of racial discrimination (Hug 1994a:4). One reservation specifically referred to foreigners' access to the Swiss labour market, thus anticipating that some aspects of the Swiss legislation in relation to *Ausländer*, for instance the '3 Circle Model', could be deemed racist.

The Swiss parliament and executive also began to consider the establishment of special state institutions dealing with racism. Beginning in 1992, the idea of an 'ombudsman

[12] Both sides of the argument were promoted by specially formed campaign groups. See Leutwyler (1994:3) on the formation of the Committee 'Yes for an Anti-Racism Law'; see Hasler (1994:2) on the No campaign by Swiss Holocaust deniers and Baumann (1994:2) on the No campaign by the 'Committee for liberal legislation' by young right wing politicians.

against racism' along the lines of the Swedish model was raised in parliament and in the press since 1992 (Hug 1992; Schenk 1993:4; Buess 1993).

In 1995, the Federal Commission Against Racism (EKR) was established in order to advise the government, promote understanding and communication between people from different backgrounds and introduce preventative measures against racism. In 2001, the Office for the Battle against Racism (*Fachstelle für Rassismusbekämpfung*, FRB) was established to aid the Federal Commission against Racism in administrative tasks, in particular the administration of a Federal Fund for the Battle against Racism which supports various educational and preventative projects (Bloch 2002). The Federal Commission Against Racism (EKR) began to publish a bi-annual journal, *Tangram*, which is dedicated to the exploration and elimination of racism. Ironically, the EKR commission was also critical of the '3 circle model' of the Swiss government (Commission Against Racism 1996), stopping just short of calling it racist. It argued that it was based on 'ethnocentric premises' and its 'discriminating consequences' would 'promote *fremdenfeindliche* and cultural-racist prejudices' (1996:8). According to the EKR, the '3 circle model' was not compatible with the International Convention for the Elimination of Racial Discrimination (1996:8; see also Lanz 1997; Auer 1996).

In turn, the Swiss government explicitly rejected the EKR critique in its 'First Report to the UN-Committee for the Elimination of Racial Discrimination' (1996:53). The report referred to the insertion of the special reservation clause regarding its policies for *Ausländer* when Switzerland signed the UN convention (1996:19). The report argued that the 'access criteria' formulated in the '3 Circle Model' were not following any purposes of racial discrimination, but were guided by the principle of 'integration capacity' (1996:20). Nevertheless, the report acknowledged that

> In fact the criterion of the capacity of integration significantly limits the access of members of different ethnic and racial groups -- due to their limited capacity of integration (1996:20).

Thus, the report tried to defend the acknowledged discriminatory effects of state policies by reference to the supposedly legitimate concern for the 'capacity of integration' of

Ausländer. I shall critically discuss this problematic linking of 'capacity of integration' with 'different ethnic and racial groups' in chapter 10.

As the concept *Rassismus* became more common in public and political discourses in Switzerland throughout the 1990s, some theorists expressed their concern about the uncritical proliferation of the concept. For instance, the anthropologist Tobler Müller (1992b) felt it was necessary to stress that 'not every conflict with *Ausländer* is racism'. Similarly, the anthropologist Wimmer was critical of some charges of racism, which he preferred to regard in terms of an 'appeal to the nation' (Wimmer 1996).

In spite of this increased public discussion in terms of *Rassismus*, 'racism' has not become a major topic in Swiss academic research. Some attention has been paid to right-wing radicalism (Altermatt and Kriesi 1995). Some Swiss historians have begun to examine the neglected history of anti-Semitism in Switzerland (Mattioli 1998b) and the discrimination and oppression of people who the Swiss state institutions constituted as *Fahrende* (itinerants) or *Zigeuner* (gypsies) (Leimgruber et al. 1997) in Switzerland.

CONCLUSION

The discussion in terms of *Rassismus* has remained marginal in Switzerland, both in the public as well as in the academic realm. The charge of racism is mainly directed against radical right-wing discourses and acts of violence against *Ausländer* and Jewish individuals and institutions, as well as their supporters (Stutz 1997, 2000). Less frequently, new state policies in relation to immigration (the 'Three Circle Model') have been labelled a new form of racism (Caloz-Tschopp 1992, 1996). Racism was considered 'new' in two respects. First, 'new' in the sense of a new kind of thinking and a new policy development for the Swiss state, and second, 'new' in the sense of a 'new racist' argument in terms of 'culture', rather than a biological argument. As I shall discuss below, such 'cultural-racist' arguments had been identified earlier in the discourse of Tory politicians in the UK in the late 1970s (Barker 1981) and in the discourse of the *Nouvelle Droite* and the *Front National* in France in the 1980s (Taguieff

1991). According to Caloz-Tschopp, similar racist arguments seemed to have seeped into official state thinking in Switzerland in the1990s.

It is important, however, to note that the claim of a 'new' racism in recent state policy leaves intact the notion that the dominant historical imagining of the Swiss nation has *not* been racialised or racist. The 'Three Circle Model' appears as a recent aberration from otherwise more multicultural imaginings. In contrast, I argue in this thesis that the more recent state policy was not simply a neo-racist aberration following similar developments elsewhere in Europe. Rather, the recent formulations contained in the Three Circle model exhibit important continuities with historical nation/Other representations. In order to make these continuities analytically visible, I first need to critically evaluate and further develop the theoretical discussion of racism and its relation to other analytical concepts, such as nationalism. The conceptual clarification will also help to disentangle the confusion over the various claims and counter-claims of racism which this chapter identified in the case of Switzerland.

Chapter 3

THE METAMORPHOSES OF RACISM

RACISM: CRYING WOLF OR A WOLF IN SHEEP'S CLOTHING?

How racist is Switzerland? Have the dominant discourses and policies regarding migrants in Switzerland been racist? Is the nation perhaps even racialised (see chapter 2)? Or is racism a marginal problem of occasional violence against asylum seekers (see chapter 1) that is rather uncharacteristic of the broader situation in Switzerland? How useful is the analytic concept of 'racism' in Switzerland given its theoretical evolution in other historical and nation-state contexts?

The suggestion of racism at the heart of Swiss society and of the state obviously flies in the face of the common self-representation of Switzerland (discussed in chapter 1), particularly the view that the modern Swiss nation has been defined in purely political and multi-cultural terms and is therefore relatively free of racialising or ethnicising tendencies. According to this view, racism may only occur as a rather marginal phenomenon, a problem of a few ignorant, misguided or pathological individuals and groups. Surely, the argument goes, official state policies and discourses, media discourses as well as academic discourses in relation to foreign workers and asylum seekers could hardly be described as racist, or perhaps only in very isolated cases.

There is an obvious danger that the over-use of the label racism as an indiscriminate rhetorical scattergun to discredit one's social, economic and political opponents may render the term analytically useless. Similarly, the inflation of its meaning within social science may have considerably undermined its analytic power (Miles 1989). The concern here is akin to crying wolf too often. At the other end of the spectrum, a very narrow definition of 'racism' is likely to fail to register the discursive mutations, masks and reformulations of racism. The concern in this case is akin to being fooled by a wolf in sheep's clothing.

Basically, there appear to be three possible responses to this conceptual problem. The first option is to reclaim the critical and analytic power of the concept 'racism' by clearly demarcating and pinning down its definitional content and range (see Miles 1989). The second option is to abandon the label 'racism' as a social scientific concept (see Banton 1977:156-172) and to replace it by other concepts.

In this chapter, I suggest a third way: that of defining racism and nationalism within a broader conceptual scheme in order to arrive at a set of broader analytic distinctions, in particular the distinction between completely deterministic and assimilationist discourses. This conceptual shift also avoids getting bogged down in 'sterile disputes' about the definition of racism (Castles et al. 1984:194), which can bedevil public — as described in the previous chapter — and academic debates. Instead, these conceptual tools will enable me to analyse the continuities and discontinuities of racism and similar, equivalent ideologies and discourses in Switzerland. In particular, I shall be able to determine how to describe and analyse various competing and shifting discourses on the Swiss nation and the migrant Other.

Ultimately, the conceptual, theoretical and empirical analyses undertaken in this thesis will enable us to assess whether the relative reluctance to use the term racism in relation to dominant Swiss discourses and state policies has been justified, or whether it has been part of a (largely unintentional) denial that allowed the unchecked reproduction of forms of racism – or, more broadly, radical determinist discourses — at the heart of Swiss society.

DEFINING RACISM

It is not my aim to review all definitions and conceptualisations of racism that have been put forward since the term was employed for the first time in the 1930s (Miles 1991:190). Rather than providing an exhaustive examination of the history of the concept, I am more interested in a critical assessment of existing concepts and the forging of further useful analytic tools. The following question guides my conceptual

explorations: given the momentous social, political and economic changes since the 1930s and given the changes to the ideological and discursive construction of collective identities, such as the nation and the migrant Other, should the definition of racism also be extended to incorporate recent shifts from biological to cultural arguments in contemporary ideologies and discourses?

An extension of the definition immediately raises two questions. First, what does the new conceptualisation have *in common* with the older definition to warrant the continued use of the term racism? Essentially, the strategy of extending the definition of racism would therefore treat the historical argument about the inferiority and superiority of biologically determined 'races'[1] as just one particular type of racism. Consequently, a new basic definition, the definitional core of all racisms, would need to be specified.[2] In other words, the question asks what is *racist* about 'new racism'? Second, does the *distinction* between the old and new definition of racism matter, or are the common social effects more important? In other words, what is *new* about 'new racism' and does it matter socially and politically?

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[1] Following Miles' suggestion, I put 'race' in inverted commas to avoid reifying and giving legitimacy to the concept, which Montagu (1974) termed the most dangerous myth. 'Races' are social constructions which have been formulated in particular political and ideological contexts, rather than with 'biological facts'. In an inversion of popularly held prejudices, I support the view that racism has constructed 'races' in the modern world. I am aware that any collective totality is in fact socially constructed and consequently 'nation', 'culture', 'ethnicity' and the like, would all have to be put in inverted commas. However, this would make the text look cumbersome. It becomes clearer now that Miles' suggestion of putting 'race' in inverted commas as part of its deconstruction and abandonment as an analytic term was one of the many arguments forming part of the more general epistemological and ontological paradigm shift from positivist to social constructionist sociology and anthropology (Wicker 1997). With the completion of the paradigm shift, it can be assumed that inverted commas cease to be necessary to indicate the fact that a totality is being imagined or socially constructed. However, as this process is certainly not completed in public discourse, and as the term 'race' continues to be used in various contexts and countries, there is the constant danger and temptation that the discredited meanings of 'race' as a supposedly biologically determined scientific fact will be reintroduced and reproduced in 'common sense' discourse. Thus, I regard putting 'race' in inverted commas as a safety measure.

[2] Incidentally, the strategy of including contemporary discourses and ideologies about the migrant Other under a broader label of 'racism' may have an unintended consequence. The broader definition could also begin to include pre-modern, pre-scientific discourses and ideologies under the label of 'racism'. This would of course also undermine the common argument that racism was a purely modern phenomenon linked to the emergence of modern scientistic arguments of biological determinism. See also Castoriadis' provocative argument that the Old Testament was the 'first racist

In order to avoid getting bogged down in pointless semantic squabbles, I want to emphasise that the actual labels we give to particular ideologies or discourses are of lesser importance from an analytic point of view[3]. The crucial task is to develop analytic tools to be able to identify both important commonalities and important distinctions between different discourses and ideologies.

ORIGINAL DEFINITIONS OF RACISM: BIOLOGICAL HIERARCHIES OF 'RACES'

The term and concept of 'racism' developed in a specific historical context. It was developed in the 1930s in order to identify and criticise theories or doctrines of 'races' which had crystallised in 19th century 'scientific theories' and had become incorporated into political programmes and state policies, particularly by the National Socialists in Germany. In spite of differences in various analysts' formulations, 'racism' generally referred to theories or doctrines which assumed the existence of a hierarchy of biologically distinct groups called 'races' that could be clearly distinguished on the basis of somatic, phenotypical or genetic categories, and whose social and cultural characteristics were inherited, that is determined biologically. These 'racial' characteristics were also evaluated in terms of inferiority and superiority (Miles 1989).[4]

Such arguments have become morally discredited by the experience of their destructive role, especially once they were politicised in the Nazi Holocaust, colonialism, and the former Apartheid system in South Africa. Moreover, their scientific foundations have been thoroughly delegitimised by sustained and

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document' (Castoriadis 1990:27) based on his broad definition of racism which I discuss below. For another argument about the antiquity of racism see Delacampagne (1990).

[3] On the other hand, it is of course very important for the implementation of anti-racist legislation in various countries that the crime of 'racism' is clearly defined and applied properly to discourses and behaviours of particular persons and organisations. In a legal sense, it is crucial whether a discourse or a person can be labelled racist. Recent examples of convictions under anti-racist legislation in Switzerland include the case of the Holocaust denier Amaudruz (D'Anna-Huber 2000b), who was convicted of racial discrimination in the same month as David Irving in the UK.

[4] For instance, Banton (1970:8) defined racism as a 'doctrine that a man's behaviour is determined by stable inherited characters deriving from separate racial stocks having distinctive attributes and usually considered to stand to one another in relations of superiority and inferiority'.

concentrated refutations by sociologists, anthropologists and geneticists since World War II.[5] Indeed, racist arguments, defined as explicit theories about the superiority and inferiority of biologically determined 'races', appear to play a rather marginal role in public discourse in contemporary societies. In the case of Switzerland, for instance, anti-migrant, especially anti-asylum seeker rhetoric, is rarely explicitly expressed in terms of 'race' and biologically defined inferiority.[6] Consequently, most negative generalisations about *Ausländer* or, more specifically 'Yugoslavs' or 'Turks', and even acts of physical violence tend to be described as forms of xenophobia (*Fremdenangst*) or hostility/hatred towards foreigners (*Fremdenfeindlichkeit/ Fremdenhass*), rather than as racism.

EXTENDING THE DEFINITION OF RACISM: CULTURAL DIFFERENCE

Recently various theorists from countries such as the UK, France and the USA have argued that racism has not simply disappeared or been confined to the private sphere, but instead it has been reproduced in public in the disguise of seemingly legitimate terms and arguments. These theorists have argued that in order to be able to identify and challenge these new metamorphoses of racism, it is necessary to extend the definition and conceptualisation of racism. The original definitions of racism were too narrow and specific and thus only registered a historically specific discourse and ideology. It is necessary in the contemporary world to define the core characteristics underlying the different forms of racism.

While the various theorists of 'new racism' differ in their approaches and emphases, the key theoretical development in their writings has been the extension of the definition of racism to include ideologies and discourses which

a) do not explicitly refer to the concept of 'race', but instead operate with the highly legitimate concept of 'culture',

[5] See Gould (1981) and Montagu (1974) for examples of the refutation of the biological determinism of racist theories. See Taguieff (1991), Finkielkraut (1988) and Cohen (1991) for a critical assessment of the naive optimism generated by the scientific refutation of racism.

b) avoid arguments of biological determinism of 'racial' groups and their characteristics, and instead claim a 'cultural determinism' of nations and peoples,

c) do not claim that the different groups of human beings can or should be ranked in terms of superiority and inferiority. Instead, they stress—and perhaps even celebrate—cultural difference.

Rex's (1983) definition of 'the essence of the phenomenon of racism', originally formulated in 1970, can be regarded as a precursor to more recent arguments in terms of 'new racism' (Barker 1981). Rex made the important observation that racist arguments changed their ground as soon as they were 'pinned down to a purely factual basis'. In other words, it becomes almost impossible to comprehensively refute racist arguments and stop the discursive shifts and changes of argumentative levels that are fuelled by the creativity of the racist imagination. There are always new ways to question the interpretation, as well as the reliability of 'facts' (Rex 1983:148).[7] Once the racist argument is in full flight 'the facts don't speak for themselves. With skill you can make them speak for you' (Rex 1983:149).[8] Of course, the focus on the flexibility and creativity of the racist imagination contradicts the common view of racism as a rigid and simplistic doctrine. It also undermines the somewhat comforting view that racists are inflexible, unimaginative, dogmatic, uneducated, stubborn and stupid (Zwerenz 1993). This insight is important to be able to recognise the sophisticated reproduction of racism in various elite discourses, including state discourses. As we shall see below, the warning to expect the racist imagination in the most unexpected discursive disguises is particularly relevant in the case of Switzerland.

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[6] Of course, there are some notable exceptions, such as the discourse of radical right-wing groups such as the Neo-Nazi's and Skinhead groups described by Frischknecht (1991).

[7] See also Cohen's (1991:326) argument that there is a tendency for anti-racism to be two steps behind the 'subtle dialectics of the racist imagination'. Similarly, Goldberg (1993) stressed the creativity of racism.

[8] Wieviorka also emphasises the ideological capacity of racism to interpret everything in its own categories regardless of the actual empirical counter-evidence (1995:33).

The key discursive shift identified by Rex has been the substitution of biological and genetic arguments of traditional racism by a *range* of non-biological arguments with the same functions. Thus, racism incorporates 'any argument that suggests that the human species is composed of discrete groups in order to legitimate inequality between those groups' (quoted in Miles 1989:64). According to Rex,

> the common element in all these theories is that they see the connection between membership of a particular group and of the genetically related sub-groups (that is, families and lineages) of which that group is compounded and the possession of evaluated qualities as completely deterministic. It does not really matter whether this is because of men's genes, because of the history to which their ancestors have been exposed, because of the nature of their culture or because of divine decree (Rex 1983:159).

At its definitional core, racism therefore involves a *completely deterministic* argument about the qualities of all members of a particular group. Importantly, for Rex 'it does not really matter' what is regarded as the factor, be it genes, history, culture, or god, that completely determines individual and collective qualities. From this perspective, distinctions in terms of old versus new racism, or biological versus cultural racism are not really relevant.

Rex's argument that a range of 'completely deterministic' theories can be regarded as functional equivalents to – and substitutes for – purely biologically deterministic theories of 'races' provides the basis for my own conceptual framework which I develop later in this chapter. In contrast to Rex, I shall argue that the analysis and critique of such 'completely deterministic' theories also requires that we pay attention to the actual formulation and content of these theories.[9] This is particularly important in the analysis of contestation and shifts between different discourses. In other words, I shall argue that it *does* matter what is deemed to be the determining factor in completely deterministic arguments.

[9] This echoes the debate within the literature on nationalism. While theorists emphasise the function and role of nationalism in modernity in general with little regard to actual nationalist discourse (see for instance Gellner 1983), others stress the importance of the creativity and consequences of particular nationalist discourses (for instance Chatterjee 1986; 1993).

In the 1980s, several authors began to describe and analyse political and public discourses in terms of 'new racism'. Barker (1981) identified a 'new racism' as he analysed shifts in the theories and arguments put forward by politicians of the Conservative Party in the UK (for instance, by Enoch Powell and Margaret Thatcher). Their arguments did not explicitly refer to hierarchies of races. Instead of an argument about biological hierarchies and differences between human groups, Barker found general biological or naturalising arguments about a supposedly inherent human nature. The Tory politicians argued that ' human nature is such that it is natural to form a bounded community, a nation, aware of its differences from other nations. They are not better or worse' (Barker 1982:21). 'National consciousness' became regarded as a 'major human drive' which is 'bound up with the instinct for self-perpetuation' (quoted in Lawrence 1982:85). It was not only 'natural' for people to prefer to live amongst 'their own kind', but also part of 'human nature' to react in a hostile and aggressive manner when the maintenance and reproduction of a community's 'characteristic differences' were under threat, for instance when one's 'way of life' was threatened by the influx of inherently 'different' migrant populations. In short, the 'new racist' discourse argued that 'the formation and defense of separate cultures is instinctive' (Duffield 1984:30), that is, determined by human nature. The logical policy conclusion arising from this sort of 'pseudo-biological culturalism' (Barker 1981:4) was that every individual should reside in the national homeland of his or her own natural culture. Thus, the argument involved a redefinition of nationhood in an attempt to justify repatriation of migrants (Duffield 1984:30). Barker argued that these arguments can be regarded as racist because they see 'as biological, or pseudo-biological, groupings which are the result of social and historical processes' (Barker 1981:4).

While Barker's analysis was immediately taken up by others in the UK (Lawrence 1982), Miles (1989) criticised several aspects. First, Miles criticised a lack of a clear definition of what constitutes racism. In particular, Miles (1989) argued that Barker did not clearly explain in what sense and why the Tory discourses on cultural difference should be classified as a form of racism. Second, Miles accused Barker of

not supplying an analysis of 'old racism'. Therefore, 'with no indication of what distinguished the 'old racism', his assertion about the formation of a "new racism" is vacuous' (Miles 1987:33). Third, Miles countered the implicit or explicit argument that 'old racism' has disappeared by pointing to its continued existence in the National Front literature in the UK. Fourth, Miles (1989) maintained that the conceptual inflation of 'racism' to include arguments of cultural difference made it impossible to distinguish racism from other ideologies, such as nationalism and sexism. Miles preferred to maintain these analytic distinctions by employing a narrow definition of racism which maintains a reference to (real or imagined) biological characteristics.[10] As a consequence, for Miles, the argument of the Tory politicians 'more closely resembles the classic claims of nineteenth century nationalism. To redefine this nationalist argument simply as a 'new racism' requires a conceptual shift which results in a dissolution of any formal distinction between nationalism and racism' (Miles 1987:37). Thus, Miles posed the question of how to distinguish 'old' biological racism, 'new' cultural racism and nationalism.

TAGUIEFF AND BALIBAR: ON THE TRAIL OF THE CULTURAL-RACIST IMAGINATION

Regardless of the validity of Miles' critique of Barker's particular formulations, arguments about 'new racism' need not necessarily be beset by the problems mentioned by Miles. By reviewing the arguments of Taguieff and Balibar, I shall show that the arguments in terms of biology and culture have important patterns of complete determinism in common, while at the same time being different in significant respects. The terms 'old' and 'new' are in some ways misleading, but the distinction between the different forms of completely determinist discourses is important. Moreover, the analytic distinction between racism and nationalism can easily be maintained even with an extended definition of 'racism'.

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[10] Miles defined racism as

> an ideology which signifies some real or alleged biological characteristic as a criterion of Other group membership and which also attributes that group with other, negatively evaluated characteristics. The racialised Other is additionally conceived as a biologically self-reproducing population through historical time (Miles 1993:60).

Following Barker's work on the British scene, Taguieff's and Balibar's incisive analyses of the 'neoracist' or 'differentialist-racist' reformulations in the discourse of the French New Right (*Nouvelle Droite*) documented the conscious theoretical shift from 'older' arguments about the biologically determined superiority or inferiority of 'races' to 'new' arguments about cultural difference in France.

Taguieff and Balibar argued that the new 'metamorphoses', 'masks', 'faces' or 'disguises' of racism could operate without references to race, biology and claims of superiority and inferiority. Instead, these arguments have been based on the postulate of the absolute and radical irreduceability, irreconcilability, incommensurability, incomparability and separation of cultures and cultural identities. For Taguieff, the conceptual 'hard core' of racism is the 'postulate of nonassimilability and inconvertibility' (Taguieff 1991:245). As Castoriadis (1990:34) put it 'racism does not want the conversion of the Others, it wants their death'. It is a reductionist 'theory of the total determination of the individual through a combination of social and/or cultural factors' (Taguieff 1991:239). The complete reduction of individual actors and actions to biology, which was the hallmark of 'biological racism', is replaced by the complete reduction to culture: the individual becomes a prisoner of a cultural cage. Thus, culture is being transformed from a social and historical process into a 'second nature' which determines social behaviour (Taguieff 1991:138). Therefore, socio-biological references to biology or 'natural instincts', which played a greater role in the Anglo-Saxon discourses discussed by Barker, are not a necessary element of such neo-racist arguments. Taguieff explicitly disagreed with the view that the cognitive core of racism was the 'naturalisation of differences through their biologisation' (Taguieff 1991:231).

In contrast to Barker, Taguieff and Balibar qualified the extent and nature of this discursive shift from 'race' to 'culture' in several respects. Neither Taguieff nor Balibar have been entirely happy with the label 'racism', although they employ it in order to high-light the similarities between biological and cultural discourses.

Taguieff, for instance, argued that 'one should rather speak of *culturalism* or *ethnism*, or even *ethism*, in order to correctly describe and categorise the new cultural-differentialist forms of racialisation' (Taguieff 1991:245).

Unlike Barker, Taguieff did not believe that the neoracist culturalist reformulations have completely superseded and replaced the largely discredited arguments of biological racism. In fact, he hints at the possibility that the reformulations in terms of cultural difference may also promote the survival and reproduction of biological-inegalitarian ideologies which have been re-introduced through socio-biology (Taguieff 1991:248; Balibar 1988:35l; for an example of such socio-biological arguments see Morris 1996[11]).

Similarly, a certain hierarchisation may still continue within neoracist arguments: hierarchisation may re-emerge in the 'practice of these theories' and it may be inherent in the criteria which are used to define the differences between cultures (Balibar 1992:33). Likewise, Wieviorka (1994) maintained that what he calls the two 'logics' of racism namely cultural differentialism and social inegalitarianism usually coexist.

Moreover, both Taguieff and Balibar pointed out that the type of arguments identified as 'neoracism' may not be so new after all. Taguieff described neoracism as a 'generalisation of modern judeophobia' and traced it back to the 'anti-Semitic, ideological configurations, which emerged in the European public sphere during the last third of the 19th century.' (Taguieff 1991:246). Balibar agreed that neoracism was a form of generalised anti-Semitism which has operated without biological 'race' arguments since its 'crystallisation during the Enlightenment' (Balibar 1992:32).[12] For instance, Hitler's infamous claim that Jews were a non-assimilable, irreconcilable

[11] The fact that Morris' 'classic and controversial' book of 1969 was republished in a 1996 paperback edition and was recommended to me by a very cosmopolitan Swiss friend is indicative of the continued attraction of socio-biology.

[12] See also Todorov (1993:157): 'Modern racialism, which is better known as "culturalism", originates in the writings of Renan, Taine and Le Bon; it replaces physical race with linguistic, historical, or psychological race'.

enemy because they were of a different 'spiritual race' (*geistige Rasse*) rather than a different 'natural race' can be regarded as a precursor to contemporary neo-racist arguments.[13] The notion of anti-Semitism as a precursor of contemporary racist arguments will be an important guide to my historical exploration of the Swiss case.

Clearly, Taguieff's and Balibar's analyses and conceptualisations avoided some of the limitations which Miles criticised in Barker's analysis of new racism. They clearly spelt out the definitional hard core of racism, as well as the differences between the biological and cultural formulations. They did not assert that arguments in terms of biology and hierarchies had disappeared all together, but contended instead that they can be re-introduced through the backdoor into neo-racist arguments. Moreover, they also qualifed any claims regarding the novelty of neo-racism by pointing to the longer history of cultural differentialist arguments within modern anti-Semitism.

REPOSITIONING NEW RIGHT DISCOURSES: SOPHISTICATED DENIALS AND NEW SOURCES OF LEGITIMACY

In spite of the historical continuities, it is important — especially in view of my analysis of the Swiss case— to note some of the important ideological and discursive strategies that have come to the foreground in the New Right discourses analysed by Taguieff and Balibar.

As part of a deliberate 'cultural struggle' to shift the theoretical and moral terrain, 'neoracist' theorists and activists have developed sophisticated arguments to legitimise their own positions (see also Demirovi_ 1990). Central to this is the denial of racism[14]. This is often combined with a rather sophisticated discussion of

[13] According to Taguieff (1991:247), Hitler claimed that 'The Jew is in his nature the foreigner who can not assimilate [*sich angleichen*] and does not want to assimilate' and 'Mental race is harder and of a more enduring kind than natural race'. It is also interesting to note that the 'more moderate' formulations contained in the infamous Nuremberg race laws in Nazi Germany emphasised differentialist arguments about 'races', rather than simple assertions of superiority and inferiority. These historical formulations exhibit surprising parallels with more contemporary neo-racist, so-called ethno-pluralist arguments (Zerger 1997:55)

[14] See for instance the public denial of Le Pen, the charismatic leader of the French Front National: '*Je ne suis ni raciste ni antisemite*' [I am neither racist nor anti-Semitic], *Le Figaro*, 23/11/1991. On patterns and functions of denials of racism in general see van Dijk (1992; 1993). A particularly disturbing trend is the emergence of what we may call 'organised denials' or 'denial campaigns',

the 'proper' definition of racism, followed by a due condemnation of such racism and 'proof' that one's own cultural-differentialist or ethno-pluralist position is consequently not racist (Benoit 1991). The ultimate triumph arrives when supposedly anti-racist discourses and policies can be labelled the 'real racist' or 'reverse racist' positions.

For instance, in France such counter-accusations claimed that those who supported more immigration were 'anti-French racists' and those who supported positive discrimination, quotas and affirmative action programmes for migrant minorities were committing 'reverse racism'. In France, human rights activists and anti-racists have even been taken to court by right wing politicians and accused – and in the case of Frédéric Pascal, former Vice President of Amnesty International, even convicted – of discrimination and racism (Koprio 1991:120).

Another strategy to avoid being charged 'racist' is to replace 'direct and explicit' racist statements by 'symbolic', 'indirect' and 'implicit' racism. Vague and thinly disguised racist statements manage to avoid legal prosecution, even though the racist content or intention is quite clear and unmistakable from the context.[15]

Neo-racist New Right theorists have taken other important steps in the quest for legitimacy. Taguieff pointed out that instead of trying to gain legitimacy by aligning itself with natural science, as 'scientific racism' did in the 19th and early 20th centuries (Miles 1989), new racist arguments ideologically exploit several discourses which enjoy considerable legitimacy in the contemporary world. New racist arguments are

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which are more organised, systematic and better resourced than spontaneous, individual denials. Examples of such 'organised' or concerted denials are the attempts at the Denial of the Holocaust (see Lippstadt 1993) and, in Australia, the campaign to deny or substantially trivialise the state-sponsored removal of Aboriginal children (see Manne 2001; 2002).
There is also a small scene of Holocaust deniers in Switzerland (see D'Anna-Huber, C. 2000b; Frischknecht 1991)

[15] Smitherman-Donaldson and van Dijk (1988:14) also used the term 'new racism' to refer to 'subtle, covert and disguised' forms of racism. However, for them the novelty of the 'new racism' was not to be found so much in the content of ideologies and discourses, but in it being structural, institutionalised and 'sanctioned by the courts and America's polticial elites', rather than expressed in individual discourses and practices.

frequently based on cultural relativist arguments, which have been the basis for anti-racist positions throughout the 20th century. These include, as mentioned before, the call for a 'right to be different' in the latest 'differentialist reformulation of antiracism' in France (Taguieff 1991:238). As a result, anti-racist arguments which are based on cultural relativism and are oblivious to the culturalist reformulations in neo-racist discourse do not just fail to combat this new racism, but in effect share, and thus support its theoretical foundations. Of course, cultural relativist ideas have played an important role in social science, in particular the anthropological representation of cultures as relatively static and with clear boundaries. Taguieff reports that the French New Right is particularly fond of quoting Lévi-Strauss, who is not just an internationally renowned anthropologist, but has also contributed substantially in the UNESCO conferences designed to refute any scientific legitimacy for racist doctrines.[16] Thus, some culturalist arguments of anthropologists may be dangerously close to new racist arguments. Kahn (1995:136) points out that under certain conditions

> culturalism can become indistinguishable from racism. Apart from its uses in the writings of many contemporary anthropologists, such 'anthropological' language of radical cultural alterity is, for example, clearly manifest in the 'ethnic' conflicts in the former Yugoslavia.

Moreover, new racist arguments may also echo Christian discourses about the imperative of 'respecting the other' and of 'loving your neighbour' (Taguieff 1991). Thus, neo-racist arguments do not necessarily have to express aggression, fear and hate towards the 'culturally different Other'. They can be presented in a seemingly calm and 'objective' way, for instance in state discourses, or they can even become xenophile or heterophile versions of racism, which celebrate cultural difference (Taguieff 1991:242).[17] Calls for cultural separation and repatriation may be justified in terms of a deep concern and support for the survival and reproduction of all

[16] His 1952 text 'Race and History' (reprinted in Lévi-Strauss 1963) has been termed a classic document of antiracist thought. See also Lévi-Strauss (1991) for more recent statements of Lévi-Strauss' arguments about 'the problem of the relationships between cultures', which have been instrumentalised by the New Right.

[17] The possibility of a celebratory, rather than an aggressive racism had been noted by Guillaumin long before the recent discussions (see Juteau-Lee 1995:17).

cultures, 'theirs' as well as 'ours'.[18] For instance, the German new-right theorist Bauer (1991) opposed voting rights for foreigners ostensibly due to his concern that voting rights would destroy the 'independently existing sociocultural system' of foreigners. In spite of the seeming concern for the Other, the strong opposition to the 'mixing of cultures' echoes the typically racist phobia of a mixing of 'races' (see for instance Geiss on Gobineau's obsessive fear of 'mixing races' 1988:169). 'Mixing' would either lead to 'interethnic conflict or to the 'spiritual death' of humankind.[19] In other words, the anti-racist demand for a 'right to be different' is turned into the racist demand of a 'duty to be different' (Schiesser 1994:61).

Further legitimacy may be gained by another particularly sophisticated neo-racist defense against the charge of racism. This consists of 'a voluntaristic and contractual conception of nationality' and thereby claiming a republican tradition (Taguieff 1991:244). This should alert us – against Heckmann's optimistic assessment (see chapter 1) – to the possibility that the common invocation of Switzerland as a 'nation of the will', that is, a contractual concept of the nation, does not necessarily prevent neo-racist demands with regard to the exclusion and repatriation of migrants. Another important strategy of the French *Nouvelle Droite* theoretical reformulation includes the claim of left-wing roots and the use of the work of left-wing intellectuals, notably Gramsci, in their preference of a 'cultural struggle' over directly political struggles (Guillaumin 1991; Demirovic 1990).

Taguieff's list of discourses that have been 'ideologically exploited' by cultural-differentialist arguments can be extended to include certain post-modern discourses.

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[18] These 'xenophile' expressions echo Fanon's observation in relation to colonialism: 'at opportune moments [the coloniser] combines his policy of brutal repression with spectacular gestures of friendship, manoeuvres calculated to sow division, and "psychological action".' (Fanon 1967:108).

[19] It is interesting to note that the French *Front National* explicitly links the environmentalist concern for the conservation of bio-diversity with the concern for the conservation of the various 'cultures' that would be diluted and destroyed by intermixing through migration. This argumentative link is designed to base their neo-racist argument on yet another highly legitimate and progressive discourse (see below for other examples). Moreover, it is also part of a strategy to present itself as a 'green party' and to attract environmentalist voters. See O. Biffaud 'Le Pen steals cloak of Green', *Guardian Weekly*, 17 Nov. 1991.

Malik (1996) argued that in spite of its radical rhetoric, postmodernism's 'hostility to universalism mirrors that of racial theory'.

Thus, while racist arguments in the 19th century were gaining legitimacy due to their supposed natural scientific character ('scientific racism'), cultural-differentialist arguments can seek to gain legitimacy in a range of anthropological, sociological and political discourses.

Yet another important strategy is to 'relativise' or 'qualify' one's statements. Taguieff (1991) drew an interesting analytic distinction between arguments of absolute non-assimilability and relative nonassimilablity. The former is usually related to arguments about the 'quality' (that is, the cultural identity and difference) of migrants, the latter to arguments about the 'quantity' (that is, the number) of migrants. Migrants of a particular cultural background are regarded as assimilable in principle, however the sheer number of them has allegedly reached a 'threshold of tolerance'[20] which prevents assimilation and triggers hostile reactions. As this argument appears to accept a certain number of migrants and points to a readiness to assimilate them, it again allows the denial of the charge of racism and exclusionary practices. I shall take up the notion of 'relative inassimilability' in my discussion of the blurred boundaries between completely determinist arguments and assimilationist arguments in the next chapter.

Finally, the cultural-differentialist discourses may also begin to be de-linked from the nationalist framework within which it has frequently been contained. Balibar (1991a) in particular began to discuss the notion of a new 'European' racism at a time of a further deepening of the EU following the Maastricht Treaty. 'European racism' can be understood in at least two different senses. One sense refers to the parallel rise of racist ideologies and movements within each nation-state and the need for comparative study of the common underlying causes and interplay between these

[20] See MacMaster (1991) for an analysis and a critique of the use of the concept of a 'threshold of tolerance' as a scientific concept by urban sociologists, urban planners and municipality administrations in France in the 1960s.

ideologies and movements, that is, the analysis of underlying 'deep unity of racism in Europe' (Wieviorka 1993:65). The second sense refers to the content of the racist discourse. It concerns the possibility that the assertions of common European interests, history and values may be racialised and may serve to exclude non-Europeans. Thus, racism does not just constitute a re-imagining of the nation as Barker observed in the UK context, but may be involved in the construction of a European identity. Again, this observation will be important in my discussion of the re-positioning of the Swiss nation within Europe in relation to a potential joining of the EEA and even the EU in the early 1990s (see chapter 7). In an interview, a politician of the right-wing *Auto*-Party in 1988 (quoted in Schiesser 1994:71) anticipated the later official move to turn Swiss into Europeans:

> The NA [21] is against all foreigners. We however make a distinction between Europeans and exotic foreigners [*Exoten*]. Thus: an Italian is part of a first class *Kulturvolk* [cultured people]), one that may be even superior to us Swiss. The same can be said of a Spaniard, a French, a German - these are not foreigners for me, these are Europeans'.

All these discursive shifts and strategies give an impression of the strategic agility, adaptability and creativity of the racist imagination. This suggests that we need more flexible and sensitive analytic tools to follow, identify and analyse these shifts. Narrow, static and legalistic definitions of racism lack the required flexibility.

DISTINGUISHING NATIONALISM AND CULTURAL RACISM: A CRITIQUE OF MILES' DEFINITIONS

This still leaves the problem of the distinction between new racism and nationalism. Miles (1989), as well as Bader (1995) and Wieviorka (1995), criticised the definitional inflation of the concept of racism to include non-biological arguments in terms of national cultures. According to Miles, if any argument which assumed the 'complete determination of the individual' by a national culture is to be regarded as racist, the distinction between racism and nationalism becomes impossible. For Miles, the Tory discourse, which Barker had identified as new racist,

> more closely resembles the classic claims of nineteenth century nationalism. To redefine this nationalist argument simply as a 'new racism' requires a conceptual shift which results in a dissolution of any formal distinction between nationalism and racism. (1987:37).

In a subsequent self-criticism of an 'ambiguity' in his definition, Miles asserted that the 'ideologies of nationalism and racism both comprise processes of signification which portray discrete social collectivities as naturally constituted'. He acknowledged that there were arguments which claim that there are permanent, fixed, self-reproducing populations without referring to biology. Should such arguments be regarded as racist, or nationalist? Miles tried to make a distinction by contending that nationalist discourses only excluded the nationalisd Other to another territory where the Other can have equal rights. Racism, on the other hand, was a 'discourse of marginalisation' integral to a 'process of domination' within 'the same social formation' (Miles 1993:102).

However, I argue that this distinction is not only unnecessary, but also problematic. Firstly, as Wieviorka pointed out in relation to differentialist racism, racism is not necessarily related to a 'process of domination' within the same 'social formation' (1995:44). Indeed, as some spectacular examples of anti-Semitism show, racism may become rampant without any—or hardly any—members of the racialised group being present within the 'social formation'. Moreover, the aim of differentialist racism, as opposed to the inegalitarian form, may precisely be the expulsion or extermination of racialised groups, rather than their domination or exploitation (Wieviorka 1995:43).

Secondly, it is not clear from Miles' discussion what constitutes a 'social formation' in today's world of conflicting tendencies such as economic and cultural globalisation, regionalisms/localisms, the construction of the European Union and so on. Should 'social formation' be equated with 'nation state'?

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[21] NA refers to *Nationale Aktion*, a right-wing party that has been campaigning on an anti-*Ausländer* platform. The party has launched several popular initiatives (the so-called *Überfremdungsinitiativen*) since the 1960s.

Thirdly, particular nationalist discourses which aim to exclude non-nationals to their own national territory, where they may enjoy equal rights, may still be framed in racist terms or be prompted by racist ideologies and attitudes. In fact, there is a danger in Miles' distinction that the racist representation and exclusion of non-nationals can mask itself as a legitimate form of nationalism which pretends to be concerned that the excluded non-nationals can enjoy equal citizenship rights, as long as it is in their own country.

Fourthly, Miles further complicated the issue unnecessarily by introducing three new parts to his definition which in fact contradict his older definition. He argued that the inferiorisation discourse must be 'a prelude to the denial of rights and resources', that is it is linked to a practice of discrimination. Implicitly, it appears that an ideology can only be judged racist, if it is followed by a particular practice which the ideology helps to justify. This contradicts his main definition, which explicitly does not refer to actual practices, that is ideologies can be judged racist, regardless of associated practices, intentions or effects. Miles also argued that discourses can only be regarded as racist if the actor has the power to dominate and implement certain practices of exclusion and discrimination. Thus, the issue of power seems central to the decision whether a statement is to be racist or not. By definition, powerless actors could not utter racist statements (see also Kalpaka's and Räthzel's definition 1990:14).

While it is important to view racism within the framework of power relations, the attempt to make power part of the definition of racism (that is the prerequisite that discourses have to be judged in terms of the speaker's capacity to enforce his or her racist views) results in, or reflects, a misleadingly simplistic and dichotomous view of power. If we regard power as multi-layered, unequally distributed, shifting sets of relations, it becomes impossible to distinguish neatly between actors who have the power to enforce definitions and those who can not. Finally, Miles seemed to have dropped the reference to biology in his new definition when he argues that 'both 'cultural' and 'biological' attributes can be signified to suggest the existence of self-

producing social collectivities which are naturally and therefore permanently distinct'(Miles 1993:100). However, he did not explicitly discuss the effects of his new distinction between racism and nationalism on his older definition of racism.

However, I shall argue that even if we broaden our definition of racism to include cultural arguments, we can still maintain an important analytic distinction between racism and nationalism. Following Anderson (1991), nationalism implies the imagining of a community, namely the nation, and a political project of sovereignty on a territory, in other words, a state project. Miles agrees with this point when he writes that 'Unlike the theorisation of 'race', the theorisation of 'nation' led to a specific political project' (1993:61). Racism, on the other hand, refers to *the way* in which one's own and the Other's community is constructed or imagined, namely in terms of a naturalisation process that implies an unchanging absolute determination of individuals' actions and beliefs. A nation may be imagined in biological-racist or cultural-racist ways, in ethnocentric terms, in multi-cultural or predominantly civic/ democratic terms. Miles fails to distinguish between these different nationalist discourses, and thus also fails to consider the possibility that a statement or a discourse can be *simultaneously* racist and nationalist. Implicit in Miles' argument is the idea that each statement or position should be neatly judged to be either racist or nationalist, thus ignoring the possibility of maintaining a clear *analytic distinction* between racism and nationalism, even if a particular statement or discourse combines both.

Thus, while the nation is regarded as an 'imagined community' striving for political sovereignty (Anderson 1991), making the modern political project, which may be more or less democratic, an integral part of any definition of nationalism, it is the *type* of imagining of the nation that matters when distinguishing racist, ethnic, civic or multicultural imaginings. As seen in chapter 1, the core question for the purpose of this thesis is the following one: is the nation imagined in mostly democratic or civic terms, thereby making possible the acceptance of a variety of cultural expressions and the incorporation of migrant non-nationals into the nation? Or is the nation imagined

in racist terms (or, broadly speaking: completely deterministic terms), making it almost impossible to conceive of the Other being converted to the nation (assimilation), let alone included in the nation without having to give up one's cultural differences (multiculturalism)?

BIOLOGICAL VERSUS CULTURAL DETERMINATION: DOES IT MATTER?

While Miles was concerned about the blurring of the distinction between racism and nationalism, Bader (1995) was worried that differences between biological and cultural arguments were being ignored or underestimated. The important question here is how to capture the distinction between deterministic arguments which refer to biology and physiology, that is, 'body talk', and other deterministic arguments referring to supposedly innate and unchanging characteristics of a particular population.

Bader conceded that culturally or biologically deterministic theories may serve equivalent legitimating functions and may be regarded as equally reprehensible from the point of view of modern universalistic ethics (Bader 1995:70). Nevertheless, he insisted that these ideologies differ in terms of their 'hard core content', as well as their likely social effects. Hence, against Rex (1982), he argued that 'it does matter' whether a group is constructed in biologically or culturally ascriptive terms. In Bader's opinion, narrowly racist, biological theories and ideologies enabled more easily a process of 'dehumanisation' and they rendered such a process 'internally more consistent' (Bader 1995:150). Bader believed that 'racist ideologies in combination with far-reaching dehumanisation lead thus, *cum grano salis*, probably to more brutal practices (including organized holocaust) than culturalist ideologies' (Bader 1995:150).[22] The type of ascriptive ideology also made a difference 'for the political struggle against ascriptive practices, for the political alliances and strategies' (Bader 1995:70). Processes of exclusion based on biological arguments, especially in

[22] See also Wieviorka (1995:57): 'Everything changes when a group begins to be treated in racial terms; segregation then assumes a quite different character'.

terms of skin colour, appear harder to combat than those based purely on cultural-deterministic arguments.

I agree with Bader that a critical lack of conceptual and analytical distinctions decreases the explanatory and critical power of theories of racism. However, I am reluctant to support the *a priori* argument that biological arguments tend towards a more thorough process of dehumanisation and are likely to support more dangerous and destructive practices than culturalist ideologies (Bader 1995:150). I would argue that the effects of particular ideologies depend very much on a complex combination of contextual factors. Depending on these factors, biologically deterministic arguments *may* be associated with more brutal practices of domination, exploitation and exclusion, but not necessarily so. In fact, there is no reason not to expect some rather brutal practices of exclusion or even extermination in combination with cultural arguments. The Holocaust is a prime example, in which the cultural aspect of racial and Aryan theories was very important. As mentioned earlier, for Hitler, 'mental race is harder and of a more enduring kind than natural race' (quoted in Taguieff 1991:148). Castoriadis (1990:34) reminded us that even the most assimilated Jews in Germany did not escape persecution and death in gas chambers. A similar argument can be made from the perspective of the victims. Werbner argued that even if we make distinctions between different kinds of racism (in my terminology: different kinds of completely deterministic arguments), 'the experience of racism is ontologically comparable in the perception of its victims, beyond the historical specificities of particular racisms' (1996:317).

Regardless of the terms we use, I agree that we try to maintain analytical distinctions between nationalism, racism in the 'conventional' sense (biological determinist arguments), racism using non-biological arguments (for instance, in terms of culture), and other types of Nation/Other representations.

In the next chapter, I shall sketch my alternative conceptualisation, combining the important concepts of 'complete determinism' and 'assimilationism'.

Chapter 4

BEYOND RACISM: THE DISCURSIVE FIELD OF THE DETERMINIST AND THE ASSIMILATIONIST IMAGINATION

The discussion of racism's flexibility and creativity suggests that it is important to map the terrain into which the racist imagination may move, or indeed, may have moved already in the past without being noticed. In order to avoid being 'two steps behind racism', it is important to have analytical tools that are non-specific and general enough to anticipate the chameleon-like metamorphoses of discourses that mimic racism in the narrow and explicit sense. Such an approach avoids getting bogged down in endless debates about whether a particular statement by a politician was racist or not, or whether 'new racist' discourses about culture should really be described as racist. The analytic tools I propose are deliberately rather general and abstract, and relate to the way collectivities (such as a nation) are imagined and discursively constituted in relation to one another. Finer distinctions between various discourses are still important, but such distinctions must be the result of historically specific and country-specific empirical research. Thus, I propose to take a step back, as it were, from the debate over the appropriate definition of racism, and propose two important analytic tools, namely 'complete determinism' and 'assimilationism', which allow us to analyse discourses and representations of collectivities such as the Swiss nation and its *Ausländer*. This will allow us to focus on the shifts, functions and effects of dominant Swiss discourses within the discursive field of the determinist and assimilationist imagination. In particular, important discursive continuities can be revealed in the case of Switzerland, which tend to go undetected when operating with the influential distinctions between racial, ethnic, demotic-unitarian and ethnic-pluralist concepts of the nation.[1]

[1] The analytic distinctions I propose here can also be used to study historical and contemporary discourses in other national contexts, including colonial situations (Thomas 1994).

COMPLETE DETERMINISM

Following the discussions of Rex, Taguieff and Balibar, I suggest we operate with the broad concept of 'complete determinism', which includes racism in its biological, as well as cultural formulations, but also other ideologies and discourses. Completely deterministic discourses claim that certain significant characteristics, including behaviour, thoughts and emotions, of all individuals of a specified group are completely determined by some factor X or a combination of factors (x,y,z). Past, present and future behaviour and thoughts of populations are regarded as innate, absolutely determined and therefore not changeable. In terms of relations between social groups or imagined communities, the concept of complete determinism implies an unchanging, unbridgeable radical difference or radical alterity between groups, and by extension, between the individual members of separate groups.

This sort of completely deterministic 'social theory' suggests that there are no exceptions. In fundamental aspects, there is no scope for change through learning, through democratic processes, or through negotiation. It implicitly dispenses with the notions of *social* action, *social* actors and *social* relations. Humans have no control over such determinant processes, as 'determinism assumes pre-existing and commonly "external" conditions which fix the course of some process or event' (Williams 1983:100).[2] In other words, the determinist imagination reifies and essentialises group characteristics and potentials. The external determining factor X can also be personalised, demonised or turned into all-powerful God-like figure. This occurs, for instance, in arguments about a nation being elected by God, or in arguments about migrant or ethnic groups being completely manipulated by a devilish

[2] The conviction that social relations and processes are completely determined by some external factor and thus beyond human control can inspire two opposite emotions and attitudes. If one's future is seen in optimistic terms, complete determinism will be regarded as fortune or providence, if the future is seen in pessimistic terms, it will be regarded as fate or a curse (Williams 1983:100-101).

force or by their leader. In such cases, 'reification leads to fetishism' as Taussig (1980:36) observed in a different context.[3]

Moreover, it may even fetishise the external determining factor X, thus animating it life-like powers giving it total determining power over a social group. Thus, it may even personalise it, demonise it or turning it into a God-like force. It is central to note that the list of potential determining factors X is only limited by the 'determinist imagination'. Various biological reference points have played an important role in racist discourses in the 19th and 20th century. Other determining factors in completely determinist discourses may include God[4], religion, nature, culture, sexuality, the economy[5], technology, social structures, norms[6], territory, and history. But the determinist imagination may propose new kinds of determinants, or new combinations of determinants. This creative possibility and capability is part of the reason for the strength and persistence of completely determinist arguments such as racism. Like a chameleon, it can take on new forms. In fact, the determinist imagination can latch onto virtually anything and turn it into a determinant (or Determinator). Thus, even seemingly non-racist arguments about culture or history can turn culture and history into radical determinants. The point here is that discourses about group identities and differences may appear on the surface as quite legitimate religious, historical or even democratic discourses. What could be wrong in pointing out religious or historical differences between groups? Or, and this is important for the Swiss case, what could be problematic in arguments about differences in democratic systems between nation-states? Surely, such discourses can

[3] Fetishism here refers to the animation of, or attribution of life to, things or structures. 'If we "thingify" parts of a living system, ignore the context of which they are part, and then observe that the things move, so to speak, it logically follows that the things may well be regarded or spoken of as though they were alive with their own autonomous powers' (Taussig 1980:36). The determining factor turns into something like a 'Determinator'.
[4]God's determination of the conditions of human life has usually been referred to as 'predestination' (Williams 1983:99) or providence. See Todorov's argument that 'It is clear that "natural laws" and "science" have become the modern synonyms for "Providence" or "Destiny"' (Todorov 1993:112)
[5]For instance, the absolute economic determinism in some forms of Marxism (Williams 1983:101).
[6]Obviously, positivist ideals of extending the methods and ontology of natural science to social sciences, which have been advocated by Comte and Durkheim and their followers, have a strong tendency to promote and legitimate arguments of complete determinism.

by definition not be racist. However, the crucial question is not whether a discourse operates in terms of biology, religion or history, but whether biology, religion or history act as completely determining factors within that discourse, thus functioning in the reifying and essentialising manner of racist discourses in the narrow biological sense.

Similarly, it is important not to be fooled by group labels. Particular social groups may be described as a 'race', a 'nation', an 'ethnic group', a *Volk*, *Ausländer*, 'religious community' and so on, or a combination of those. For example, the label 'Jew' have variously been labelled as a religious, ethnic, national or racial group. While the actual label matters in terms of a textual analysis and in terms of its likely resonance in particular socio-political and ideological contexts, it does not necessarily indicate whether it forms part of a completely deterministic argument. For instance, the term 'race' has generally been part of a biologically determinist discourse (that is, racism). But the reference point of the term 'race' is not necessarily biological as Goldberg points out:

> The minimal significance race bears itself does not concern biological but naturalized group relations. Race serves to naturalize the groupings it identifies in its own name.' [...]
> Race both establishes and rationalizes the order of difference as a law of nature (Goldberg 1993:81).

Moreover, 'race' has also been used as a political category, such as the claiming of a 'black' identity in recent anti-racist politics in the UK (Modood 2000:181). Thus, the word 'race' may not be part of a racist argument. On the other hand, a 'nation', a 'culture' or *Ausländer* can be racialised, or more broadly, conceived in completely determinist terms, as this thesis demonstrates. In short, any label or name for a social group can be 'racialised', or more generally, be part of a 'completely deterministic' discourse. Thus, the concept 'completely deterministic' allows us to go beyond the labels to the actual argumentative content and structure of discourses.

Here lies the analytic strength of the broad notion of 'completely deterministic discourses': the notion is sensitive to new and unexpected metamorphoses of the

determinist imagination, without needing to anticipate the precise content of those discourses. It takes seriously Cohen's (1991:326) observation that the creativity and flexibility of racist discourse means that it is often 'two steps ahead of anti-racism'. Instead of being two steps behind the racist imagination, our analytic tools are prepared for the next moves.

Moreover, the concept operates on such a general level as to allow comparisons — as well as the detection of continuities — between different historical eras, different countries and different languages. For instance, it allows the analysis and comparison of discourses about the colonised Other, about Jews and about migrants in Western nation-states. Of course, I do not imply an unproblematic continuity of almost free-floating discourses, neither do I propose a simple evolutionary sequence. However, we have to be sensitive to the possibility that historical arguments, and arguments from other contexts, are available as a resource which can be exploited and re-used in a new form and in new contexts.

Rather than getting bogged down in the discussion of how far to extend the label 'racism', I prefer to use the concept 'completely deterministic' to first identify dangerous discourses that function like racism in the narrow, biological sense (thus, racisms in the narrow biological, as well as in the broader cultural sense, are versions of completely determinist arguments). In a second move, completely deterministic discourses can be distinguished by the type of 'determinant': biology, culture, God, history, territory and so on. In spite of the functional equivalence of all these deterministic discourses, it is nevertheless important for the analysis of discourses and ideologies, as well as for the development of political strategies and alliances to take careful note of the *discontinuities* and differences in particular kinds of completely deterministic discourses that operate at any particular time and space. They may shift from one determinant to another over time, and different determinants may coexist or may be in competition. However, this is an empirical question.

Notions of complete determinism become particularly [illegible] in discourses which claim that a group possesses an inherent destructive p[illegible]r tendency, as the Nazi discourse on Jews testifies. The operation of some sort of completely determining factor means that the threatening group can not be taught, coerced, enlightened or converted to a non-threatening existence. If their destructive force is likened to a parasite or a cancerous growth, the survival of one's own group and even 'civilisation as we know it' can only be guaranteed by means of a 'final solution': expulsion or extermination. The deterministic logic refuses to contemplate the possibility of the Other ever becoming 'one of Us' (Castoriadis 1990:34). Instead, it demands separation, suppression, exploitation or — in the final analysis — death. Thus, the assumption of a radical determination may be associated with radical extermination.

Completely determinist discourses may be seen as part of the Enlightenment legacy, namely in the form of the determinism of positivism or scientism[7] which reduces human beings to the status of objects and subordinates ethics to science (Todorov 1993:23). Prime examples include Diderot's dictum that 'man is entirely determined by his nature' (quoted in Todorov 1993:18) and Renan's arguments about the 'everlasting infancy of those non-perfectible races' and 'people doomed to remain stationary' (quoted in Todorov 1993:107).

This is another reminder that completely deterministic discourses, including racism, can not simply be dismissed as marginal prejudices supported by the ignorant fringe of society. Rather, they need to be seen as deeply embedded in the intellectual traditions of academics, intellectuals and the state.

[7] Todorov defines scientism as 'the use of science to establish an ideology' (Todorov 1993:114) and argues that 'it is not science but scientism that, leaving no room for the exercise of human will or human freedom, purports to subordinate ethics and politics to science' (1993:169).

I am aware that the label 'completely determinist' is rather awkward.[8] However, analytic precision is more important than academic or public appeal. It clearly spells out the central pattern which a wide variety of discourses have in common. The lack of marketability and appeal means that it does not lend itself easily to popular, indeed populist, and political instrumentalisation. The term 'completely deterministic' avoids the stigmatising and emotional power of the label 'racism', which Rex sought to extend to all completely deterministic arguments. While some may see this as a disadvantage, I regard it as an advantage, as the analysis has a better chance of remaining a calm and sharp investigation of discourses and their effects, instead of being guided by the inquisitory and denunciatory desire of a witch-hunt. The label 'racism' is never simply an analytic term, but always already a charge or an accusation. The charge of racism locks both the accusers and those accused of racism into the position of a tense, emotional stand-off, which tends to prevent further dialogue, analysis, explanation and collective learning. Accusations of racism may simply 'harden the frontlines' between accusers and accused (Haug 1992a:33). Emotional rounds of mutual accusations and denials are likely to occur, as I observed at the MODS conference in June 1992 in Switzerland (see chapter 2). Too often, the allegation of 'racism' prevents any further analysis, as it is regarded as the ultimate motivation, and the ultimate condemnation.

Part of the problem here is that in its colloquial and legalistic understanding and use, racism commonly implies an evil intention, whereas in social sciences racism may be studied as an ideology or discourse, a 'way of life, a component of our cultural identity and of our ideological socialisation' (Kalpaka and Räthzel 1990:9). The concept 'complete determination' of individuals by a group's determinating essence

[8] Another option would be the term 'naturalisation' (literal or metaphorical) of social relations. However, as pointed out above, arguments of a determination by nature are only one subsection of determinist arguments. The natural determination pattern has often been extended to other determinants. The main point here is that of 'complete determination' in the double sense that *all* members are determined, and all their behaviour is always determined. Thus, there are no exceptions. Alternative terms that could be considered are 'essentialism' and 'reification' (Werbner 1996) of social collectivities and social relations as these are important aspects implied in 'complete determination'.

avoids the expectation of evil intent and focuses on the particular argumentative patterns in discourses.

This thesis too is part of the project of pointing out racisms ~ or more generally: completely deterministic discourses ~ in a society's collective representations which exist prior to and relatively independently of an individual, but which the individual unintentionally or intentionally reproduces in daily social practices. Thus, it is attempting to highlight the complete determinism embedded in society's core institutions and discourses. In order for this message to be taken seriously by those whose thinking, feeling, discourses and actions are affected by the pervasive assumptions of 'complete determinism', it is not particularly helpful to accuse them personally of racism or of being racists. Rather, it is probably more useful for a self-critical engagement to point out that individual intention is secondary in our analysis. Analysis in terms of 'completely deterministic discourses' may also provide a better chance to free ourselves from the limits of the 'rationalist pedagogy' of many anti-racist education efforts. As Cohen (1991:328) observed, accusations of racism and rationalist attempts by some anti-racist teachers to theoretically deconstruct racist arguments and enlighten and educate the ignorant racists may easily be rejected as yet another civilising mission. Finally, too often the charge of racism evokes a closure, as the final analysis, as the final root cause of certain social actions. Instead of being the starting point of analysis, it is a denunciation which marks the end point of inquiry (Haug 1992:35). The danger here is that this denunciatory charge of racism may itself mirror the 'completely determinist' arguments of racists. Both, racists and anti-racists misleadingly aim to portray a 'clear situation', a clear distinction between innately good and evil persons and groups (Elfferding 1992:112).

Thus, the label 'racism' may be counterproductive in at least two senses: it may stop any further analysis and reproduce the dangerous logic of simplification, and it may

even strengthen social or political actors that have been accused of racism by what may be considered pejoratively as inconsequential 'academics' and 'intellectuals'[9]

NON-RACIST RACIALISATION: IS THERE GOOD DETERMINISM?

Some of the literature on racism distinguishes 'racialisation' from 'racism'. Miles, for instance, uses 'the concept of racism to refer to a particular form of (evaluative) representation which is a specific instance of a wider (descriptive) process of racialisation' (Miles 1989:84). 'Racialisation' (or 'racial categorisation', or 'racial differentiation') refers to the process of defining a collectivity in biological terms, thus as 'having a natural, unchanging origin and status, and therefore as inherently different' (Miles 1993:79). For Miles, racism proper adds some negative evaluations of the biologically defined collectivity. For Goldberg, on the other hand, the distinctive aspect which distinguishes racialisation from racism is the latter's prompting of exclusion and its justification of differential treatment. 'Racial differentiation – the mere discrimination between races and their purported members – is not as such necessarily racist' (Goldberg 1993:51). Thus, Goldberg also criticised Omi and Winant for going 'too far in insisting that all racial categories and every racial distinction necessarily discriminate' (Goldberg 1993:88). For Goldberg, racialised characterisation (as opposed to racist exclusion) is an important part of a liberating self-assertion, for instance by 'Blacks' in the USA. 'Race' becomes a resistance category for the oppressed. 'Race' in this context serves to 'include those who would otherwise remain racially excluded' (Goldberg 1993:114). Goldberg argues that 'interpreted as statistical generalizations across phenotypes, race may perhaps be viably employed as a taxonomic unit, though only with extremely limited scope' (Goldberg 1993:124).

[9] As the example of the populist Swiss politician Blocher indicates, any strong attacks and accusation against him by 'urban intellectuals' is likely to increase his standing and credibility among the 'silent majority', particularly in the countryside (Lüönd 1999:58).

This distinction seems particularly important for the argument that a long history of racialisation and racism has contributed to the construction of a racialised collectivity of victims. For this process to be acknowledged and in order to promote remedial action (for instance, affirmative action), reference to a 'race' may still be important. According to Goldberg, such 'racialisation' clearly would not be racist. Does that mean that certain forms of 'complete determinism' should be defended as legitimate?

In my opinion, racialisation is still problematic, precisely because it is still a form of complete determinism. In the context of the power struggle of African Americans in the USA, it is understandable that African Americans attempted to change 'the relations of representation', that is, attempted to '*represent themselves to themselves and others as complex human beings, and thereby to contest the bombardment of negative, degrading stereotypes put forward by White supremacist ideologies*' (Original in italics; West 1993:27). However, West argued that these images represented 'Black communities' in a monolithic and homogeneous way 'that overlooks how racist treatment vastly differs owing to class, gender, sexual orientation, nation, region, hue and age.' (West 1993:28). Such images posed the 'innocent notion of the essential Black subject' (Hall quoted in West 1993:28).

There may be another way of saving 'race', for instance blackness. Instead of arguing, like Goldberg, that race is still being – and should still be - used as part of some legitimate racialisation process (which implies a reference to biological or natural determination), it can be argued that race is radically re-interpreted away from any biological or natural reference. 'Black' is understood to refer to a community of sufferers and victims, as well as to a political community of resistance. As such, it has nothing to do with racialisation and racism. Thus, Goldberg's manoeuver of distinguishing legitimate forms of racialisation from illegitimate forms of racism is not necessary at all, in fact it could be misleading and even dangerous.[10]

[10] The danger here, of course, is that, in the public sphere, any reference to 'race', that is, 'black', will still resonate with the older meanings established within over two centuries of racist discourse.

What about 'complete determinism'? Could it be argued that it is still useful to accept 'the common history of racism', that is, victimhood, as a completely determining factor of a group of people, which can use this argument in its legitimate struggle against past and present racist exclusion? Wouldn't a rejection of such completely determinist arguments undermine the Black struggle? I think there are again the dangers of essentialising 'blackness'. As Hall and West argue, more sophisticated strategies are necessary:

> Following the model of the Black diaspora traditions of music, athletics and rhetoric, Black cultural workers must constitute and sustain discursive and institutional networks that deconstruct earlier modern Black strategies for identity-formation, demystify power relations that incorporate class, patriarchal and homophobic biases, and construct more multi-valent and multi-dimensional responses that articulate the complexity and diversity of Black practices in the modern and postmodern world (West 1993:29).

Thus, I am reluctant to defend some specific forms of complete determinism (that is, 'victims of racism' as the completely determining factor X) as a legitimate strategy of emancipation and liberation. Instead, I would argue that it is the identification and *deconstruction* of complete deterministic arguments which offers better paths to individual and collective liberation. Criticising complete determinism and essentialism can be seen as part of a decolonisation process, as an attempt at forging new struggles on a new terrain.

The important and vexed question of how to conceive of — and achieve —collective self-determination and recognition without essentialising the community is currently being posed in various countries and by various political and social theorists. The different attempts at overcoming the essentialism or complete determinism of 'racial' and other identity politics operate with different labels, such as the 'objectification of communities' (Werbner 1996), 'new ethnicities' (Hall 1992a) 'postmodern blackness' (hooks 1994), 'multicultural democracy' (Marable 1993) and the 'struggle for recognition' (Taylor 1994; Habermas 1994). In their different ways, they all struggle to re-introduce the question of social action, social learning and democracy into their 'new strategies of resistance' (hooks 1994:423), instead of either defending

a simplistic essential 'race'/'ethnicity' (racialisation, or, more broadly, complete determinism) or simply dismissing identity politics in a postmodern gesture.

Now I shall move to a discussion of the second concept that is important for my analysis, namely the concept of assimilationism.

ASSIMILATIONISM

Castoriadis' (1990:34) observation that 'racism does not want conversion, it wants death' helps us to establish another important conceptual distinction which is often overlooked or confused in debates about racism: the distinction between arguments in terms of complete determinism and arguments of conversion and assimilation.[11]

In a general sense, the notions of conversion and assimilation refer to the possibility, even desirability, of the Other becoming 'one of Us'. While the term 'conversion' is predominantly used in a religious sense and context, the term 'assimilation' tends to refer to a secular sense and context, for instance 'assimilationist' state policies in relation to peasants (Weber 1979), lower classes (Melber 1992:44-45), the colonised, migrants (for Switzerland see Hoffmann-Nowotny 1992) or Aboriginal populations (for Australia see Castles 1996:174-175 and chapter 6 in Castles et al. 1992). I shall use the concept of 'assimilationism' as a general analytic tool which encompasses both religious and secular discourses.

In contrast to the rigidity and unchangeability implied by completely deterministic arguments, assimilationism assumes the possibility of personal change, invariably

[11] This distinction is partly inspired by Kalpaka's and Räthzel's (1990:17) distinction between racism and ethnocentrism. However, I prefer to use and define assimilationism as a more specific analytic tool. 'Ethnocentrism' as the 'inability to understand the validity or integrity of cultures other than one's own' (Bilton et al.1996:659) tends to be a broader concept, and may well be implicit in assimilationist discourses and policies. However, assimilationism, as well as completely deterministic discourses can operate without having to be ethnocentric. Here I refer to the common argument identified in sophisticated New Right discourses (for instance in France) that other cultures are equally valid as one's one, however they should be confined to their own national 'home' territory.

conceived as a change for the better. Assimilationism expects perfectibility. Assimilationism appears to offer a more optimistic assessment of human ability and tends towards a universal view of humankind. Thus, like complete determinism ~ but in opposition to it ~ 'assimilationism' also embodies Enlightenment values, namely those expressed by Rousseau who insisted on humans' capacity to transform themselves in his opposition to the natural determinism proposed by the scientistic doctrines of Diderot (Todorov 1993:18-23). However, the promise of these Enlightenment values embedded in assimilationism is ambiguous to say the least. On the one hand, it promises individual and collective learning and improvement. On the other hand, it has frequently been associated with ethnocentrism, paternalism and imperialism. In modernity, the missionaries' efforts of conversion has been complemented by various secular missions of conversions, most notably in the colonialist project of the civilising mission. In the contemporary context of migration, immigrants are frequently expected to ~ and even forced to ~ integrate and assimilate to the culture and life styles of the host society.

Three points are crucial for my conceptualisation of assimilationism.
First, assimilationism does not just assume that the Other *can*, but it demands that he/she *should*, indeed *must*, change towards one's own religious or cultural standards.
Second, assimilationism claims that the Other is not capable of achieving this by his/her own efforts, or alternatively the Other is *not willing* to assimilate. He/she requires appropriate guidance, education, surveillance and even coercion. This requires the intervention by a host of specialist educators and supervisors ~ often employed by the state or the church ~ who help to 'normalise' or 'nationalise' the Other in a more or less institutionalised regime of disciplinary power (Foucault 1995). Several authors have pointed out how some forms of well-meaning actions and expressions of pity towards migrants and ethnic minorities also amount to a form of patronising guardianship which turn the Other into an object (Haug 1992a:28; Kalpaka and Räthzel 1990:).

Third, assimilationism demands that the Other give up the adherence and loyalty to his or her culture of origin.[12] The progress towards full assimilation is often marked by a series of rites of passages culminating in a kind of baptism (in religious forms of assimilationism) or citizenship ceremony (in secular forms of assimilationism) which includes a pledge to the new community.[13]

It is important to regard the three points mentioned above as tendencies of assimilationism. They may be stressed more or less in specific discourses, or they may be implicit assumptions rather than explicit statements. For instance, assimilation may allow the migrant Other to retain some superficial aspects of his or her culture of origin, as long as it is not perceived as an obstacle to integration/assimilation and as long as it is not perceived as a threat to the nation.

Are there differences in likely outcome between complete determinism and assimilationism? It is tempting to speculate that complete determinism, which includes racism (both biological and cultural forms), is a more destructive force than assimilationism. After all, to take an example, racism appears to be more destructive as it has been linked to severe oppression, dehumanisation and extermination. Assimilationism at least holds out the expectation of some sort of conversion. However, again I shall stress that the likely outcomes of these discourses can not be predicted and it depends on many other socio-political factors, for instance the strength of unequal power relations. In some instances, completely determinist discourses, such as racism, may result in the reproduction of the Other's culture, for instance in the cases of the culture of slaves, migrant cultures and 'cultures of

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[12] For a common definition of 'assimilation' and of the related term 'integration' we can quote a dictionary definition 'Integration: The process whereby any minority group, especially a racial one, adapts itself to a majority society and is accorded by the latter equality of rights and treatment. If such a process reaches the point of obliterating the minority's separate cultural identity, a preferable term is assimilation'(Bullock et al. 1990:428).

[13] See especially Anderson (1991) on the religious roots of nationalism and the idea that nationalism functions as a secular religion. If the religious element in nationalism is strong, (forced) conversion may be more easily conceivable. However, if the element of the nation as a family is stronger (an idea that Anderson flags but does not develop further, see Balakrishnan 1995) than we come closer to a biological definition of the nation and therefore becoming a member of the nation is only possible through marriage or birth.

resistance' (Collins 1990:10). Being regarded in completely determinist ways and therefore 'beyond' redemption or conversion, may in fact result in being left alone to some degree or simply separated in a ghetto situation. While this may be an oppressive and exploitative situation, it may still allow the reproduction of a group's culture, albeit in dire circumstances.[14] This can occur because there are few attempts to 'civilise' the Others if they are conceived as not 'civilisable' by completely deterministic discourses. Somewhat ironically it is being reproduced in some ghetto situation. On the other hand, assimilation aims at the active suppression or even destruction of the Other's culture through religious or civilising missions. Thus, while assimilationism is less likely to be associated with actual genocide (actual killings) or ethnic cleansing (actual expulsion), it is more likely to prompt a far-reaching 'regime of power' which aims to discipline and punish (Foucault 1995) in order to suppress the Other's culture (language, religion, art, identity, memory). While genocide and segregation is associated with completely determinist arguments, 'culturecide' is associated with assimilationism.[15]

To sum up this section, complete determinism, as well as assimilationism can be expressed in religious or secular forms, can involve arguments of superiority/inferiority or difference (Wieviorka 1994:182), and they can be found in both the pre-modern and the modern era.[16] This is the vast discursive field of the

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[14] See Collins (1990) for the example of Black women's culture of resistance in the USA.

[15] See Kahn (1995:43): 'While ethnocide may be implied by civilising ideologies, it is important to note that a radical culturalism may be implicated in genocide'.

[16] The question of the wider applicability of these analytic distinctions goes beyond the scope of this thesis.

Histories of racism usually stress the shift from a medieval, religious view of the Other which allowed, indeed demanded conversion of the 'natives' (Christian universalism) to a modern scientistic world view which began to view human differences in racial terms, namely as innate, biologically determined and therefore unchangeable. For instance, Goldberg asserts that 'the shift from medieval premodernity to modernity is in part the shift from a religiously defined to a racially defined discourse of human identity and personhood' (Goldberg 1993:24). This may create the wrong impression of a linear evolution from religious assimilationist views (that is, non-Christians can be converted) to a secular determinist view of the Other. However, my discussion should have made it clear that there are secular, as well as religious versions of assimilationism. Further, both forms of assimilationism have occurred in the pre-modern, as well as in the modern era. For instance, the assimilationist logic of religious conversion has a secular counterpart in the civilising missions of colonialism as well as in the contemporary demand that migrants assimilate in their host society.

determinist and the assimilationist imagination. Discourses may shift and undergo metamorphoses for strategic reasons. As the discussion of neo-racism or cultural racism has demonstrated, such metamorphoses may occur for strategic reasons so that the speaker avoids being accused and convicted of racism. Simultaneously, however, the new metamorphoses may retain similar discursive patterns, political functions and purposes of justification, such as the demand for an exclusionary practices towards *Ausländer* or the demand for a extreme assimilation bordering on radical self-denial.

In the next section, I shall discuss particularly problematic strategies within this field.

THE OSCILLATION BETWEEN COMPLETE DETERMINISM AND ASSIMILATIONISM

Strictly speaking, completely deterministic arguments, such as racism, do not allow exceptions (Goldberg 1993:32) or behavioural change. *All* members of the group in question are *always* believed to be sharing common characteristics. All Blacks are supposedly lazy or musical. Logically, arguments about group relations can not be completely deterministic *and* assimilationist.

Nevertheless, the distinction between completely deterministic arguments and assimilationist arguments may become blurred in particular discourses. In addition, completely deterministic arguments may combine with ~ or begin to transform into ~ assimilationist arguments in seemingly contradictory, but nevertheless powerful ways within one discourse or state policy (see also Kalpaka and Räthzel 1990:17). In other words, the claim of complete non-assimilability may be qualified or contradicted by simultaneous claims of 'relative non-assimilability' (Taguieff 1991). This combination has been observed historically in relation to colonizing projects which were 'frequently split between assimilationist and segregationist ways of dealing with indigenous peoples' (Thomas 1994).

Of course, this appears logically contradictory. However, logical contradiction does not necessarily diminish the ideological strength and social impact of a discourse – to the contrary. *Ad hoc* explanations can always be put forward to account for the seeming contradiction: 'Even though Albert is black, he is not really like them, because...'. Completely determinist discourses can engage in strategic temporary shifts to assimilationist discourses in order to avoid or deny accusations of racism: 'I did not mean to say Blacks could not improve, it's just that they take much longer...'.

If state policies in relation to migrants are based on a contradictory combination of completely determinist and assimilationist assumptions, migrant minorities are faced with the impossibility of satisfying contradictory demands. The situation is made particularly difficult both practically and psychologically, if policies and expectations continue to oscillate between the two poles of assimilationism and complete determinism. A typical example is the limbo state of asylum seekers awaiting the final decision about their application: policy towards them may oscillate between helping them to integrate (for instance, language classes) and preventing them from integrating (for instance, no working permits). This duality of expectations also puts enormous psychological pressure on asylum seekers, who find it impossible to focus on one life path.

When powerful actors and institutions, especially the state, combine the deterministic and assimilationist logic, the discursive and political battle of anti-racism and self-determination becomes particularly difficult. The strategic problem for anti-racist or anti-colonial movements is that if they stress the 'right to difference' in response to intense assimilation pressures, they inadvertendly may reproduce — and fall prey to — the completely deterministic logic which also stresses radical difference. Taguieff's (1991) discussion of the limits of antiracism in France provides a good example. The anti-racist demand of a 'right to be different' in reaction to strong assimilationist pressures ended up echoing the neo-racist differentialist racism of the *Front National*.

Anti-racist particularism may echo the particularism of complete determinisms, such as racism.

If, on the other hand, anti-racists stress the 'right to equal access' in response to the deterministic logic's insistence on separation and segregation, they may inadvertently reproduce the assimilationist logic. Anti-racists may be inclined to deny differences and advocate an abstract universalism ('We are all the same') (Haug 1992a:28-30). West (1993:27) also refers to the 'assimilationist manner' with which Black people in the USA set out to correct racial stereotypes by showing how 'Black people were really like White people'. This ends up playing into the hands of the homogenisation pressures of assimilationism, and, of course, undermines any claim for affirmative policy or ~ in the example of indigenous peoples ~ of land rights. Anti-racist universalism may echo the colonising universalism of 'assimilationism'.

The contradictory situation described above may lead to severe pressure on the unity of anti-racist projects and could even lead to splits between a more separatist 'nationalist' approach and a more assimilationist approach. An example of such tensions is the split between the black nationalist and the integrationist tradition in Afro-American movements in the USA (Marable 1993).[17]

In the following, I shall briefly distinguish six versions of combinations of ~ or oscillations between ~ complete determinism and assimilationism that are particularly important for my analysis. These arguments are not strictly speaking *completely* deterministic, however, they can function like completely deterministic arguments in promoting and legitimating specific policies of discrimination and exclusion -- with similarly destructive effects. When accused of racism, these arguments can easily retract to an assimilationist position and thus deny being racist. As this thesis shows in the next chapters, these combinations or oscillations have played an important role in the nation/migrant Other dialectics in Switzerland.

The 'Threshold of Tolerance' argument

This argument suggests that a small number of the Other (for instance, *Ausländer*, migrants) could assimilate, however, a large number of 'Others' would render assimilation impossible. For instance, the argument may claim that larger numbers of migrants would lead to ghettoisation and lack of proper integration and assimilation, and/or larger numbers would in some way stretch the tolerance of the local people [18]. In France, there were attempts to identify such a 'threshold of tolerance', a certain number or percentage of foreigners within a certain area, in the 1970s (MacMaster 1991). In Germany, Federal Chancellor Kohl used the phrase '*die Grenze des Zumutbaren*' ('limit of the reasonable') in relation to the numbers of asylum seekers (Huisken 1993:16). In Switzerland, we can almost speak of a history of an official and public obsession with maximal absolute and relative numbers of *Ausländer* (see next chapters).[19]

Very slow change

The argument of complete determinism and therefore inassimilability can be qualified by arguments proposing that change or assimilability may be possible over a *very long* time span. This is a case of 'relative unassimilability' hinted at by Taguieff (1991). Melber's work on German colonialism recounts the German discussion about the '*Erziehungsfähigkeit des Negers*' (education potential) and the conclusion that Africans would take 'generations' to learn (Melber 1992:40). A common British colonial argument in the context of India was that the civilising mission would

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[17] Chatterjee's (1993) analysis of Indian anti-colonial nationalism provides an example of a movement that manages to combine this tension by advocating difference to the West in the 'spiritual realm', but the overcoming of difference and discrimination in the 'material realm'.

[18] An Australian example of this argument was contained in the letter to editor of 'The Australian' newspaper , 24 April 2002: 'Europe demonstrates that societies have a limited tolerance for such instability and division [caused by immigration], and that a healthy infusion of alternative cultures is different from an open door'.

[19] The contemporary idea of a 'threshold of tolerance' in relation to the size of migrant populations echoes – or rather: mirrors - an older debate about the 'threshold principle' in relation to the viability of small nations (Hobsbawm 1990:32). Ever since the liberals in the 19th century, there has been the re-occurring argument that nations had to be a certain size to become culturally and economically viable nation-states. If they are too small (however that may be established), they were to 'merge and be absorbed into another' in Mill's words (quoted in Hobsbawm 1990:34).

eventually raise the Indian population to the civilised levels of Europeans, however it would take a rather long time, that is several generations.[20]

We will find the idea of very slow intergenerational changes again in discourses about migrants' assimilation in their host country, for instance in Switzerland. Importantly, the 'very slow change' argument results in practice in a completely deterministic argument regarding any individual or group that we encounter now. For all intents and purposes, they are being completely determined, and change will not come for some generations.

Adults can not change

A similar argument of 'relative unassimilability' holds that adults would not be able to change, assimilate, or be converted, because they were set in their ways, that is completely determined. The German saying *Was Hänschen nicht lernt, lernt Hans nimmermehr* (What little Hans doesn't learn, adult Hans will never be able to learn) captures that way of thinking. Following this argument, removing small children from the influence of their parents and their culture early enough would make it possible to educate, assimilate and convert them to become 'good members of our group'. The taking away of Aboriginal children from their parents (The Stolen Generation) is a good example from Australia (Wilson 1997; Manne 2002). In the Swiss context, the aid organisation '*Pro Juventute*' forcibly removed over 600 *Jenische* (Roma) children from their families between 1926 and 1992 (Leimgruber et al. 1998).

The good and the bad 'natives'

We should also expect the coexistence of complete determinism and assimilationism. This is the discourse of two different kinds of Others: those that can be converted or assimilated, and those who can not. This is the 'good vs. bad native' stereotype

[20] Another example is Charles Dickens' opinion about Africans as an 'ignorant and savage race' and that any attempt to change their customs 'requires a stretch of years that dazzles in the looking at' (quoted in Goldberg 1993:65).

(Cohen 1991) so common to colonialist discourses, for instance 'the old story of ferocious Caribs chasing timid Arawaks'
promulgated since Columbus' voyages (Hulme and Whitehead 1992: 3). Similarly, in the contemporary nation-state, some discourses on migration distinguish between migrants from unassimilable cultural or racial backgrounds and migrants from assimilable backgrounds. Again, the most interesting question in Switzerland refers to the analysis of competing discourses about who is and who is not assimilable and shifting discourses which change the boundary lines between assimilable Others and unassimilable Others. In recent years, the distinction between 'European' and non-European' migrants has become important in this context in Switzerland.

Superficial change, but underneath they are still the same

The key historical example of this refers to a common attitude towards Jews who had converted to Christianity in the Middle ages. In Spain, these so-called *conversos* were exposed to the most ferocious persecution by the inquisitors, as there was the constant suspicion that their conversion was only superficial (Geiss 1988:116-117). As we shall see in the following chapters, in the Swiss context, there is a re-occurring suspicion in relation to both Jews and migrants that their assimilation may only be superficial and that 'deep down' they have not acquired Swissness.

The danger of relapse

A related theme is the notion that somebody has assimilated quite considerably, but in certain moments, they may fall back or relapse into their old patterns. These 'relapses' may be regarded as particularly dangerous to the host society in times of conflict and war. The emergence of the problematic concept of 'sleeping agents', which gained widespread publicity after the 11 September attacks on the World Trade Centers in New York, is a perfect example. The term *Schläfer* (sleeper) entered the German vocabulary in that period to refer to Islamic Fundamentalists who live normal, assimilated lives for years, only to be directed to commit murderous terrorist acts by a simple phone call by a distant leader.

CONCLUSION

This chapter indicated why it is important to expand the narrow focus on 'racism' and 'xenophobia' to include the much broader and dynamic field of complete determinist and assimilationist discourses. These analytical concepts are broad and general in order to be able to identify continuities and differences in a whole range of different discourses. In particular, they are able to identify old and new forms of discourses that are equivalent to racist and ethnocentric discourses, but appear to be legitimate on the surface.

This conceptual elaboration and clarification can now be used to re-phrase the arguments of chapters 1 and 2. The exploration of the *competing* imaginings of the nation should not be confined to the classic distinction between ethnic, civic-political and multi-cultural discourses of the nation and its significant non-national Other. The consideration of the issue of racism first raises the possibility of the racialisation of the nation (Silverman 1992), both historically and in contemporary discourses. My analysis of the core content and recent metamorphoses of racism leads to the broader question of the role of various completely deterministic and assimilationist discourses on the nation and the Other.

In the case of Switzerland, an important question arises. In general terms, Wieviorka suggests a linear development of racism, from incoherent, fragmented racism in the infra-political sphere to the more coherent, organised political form and then finally conquering the state.

> Racism becomes worrying when there are political actors capable of carrying racism across the line where it becomes a force for collective mobilization, when it can possibly capture state power. (Wieviorka 1994:42).

In the case of Switzerland, there has been concern that a new racism does not just arise at the margins of society, but has also appeared in state policies in the 1990s (see chapter 2). By employing the concept of completely determinist discourses, the question arises to what degree forms of completely deterministic arguments have not already been contained within the political sphere and institutionalised by the Swiss state before the adoption of the 'Three circles model'. This would put the challenge

by racist and culturalist challenges by fringe groups and parties into a new light. Rather than assuming a mighty battle between the racist challengers and the state defenders of democracy, the Trojan horse of completely determinist arguments may already be in the core of the Swiss state and society. The focus on the various forms of completely determinist arguments helps us to identify and analyse these sort of dynamics which would be lost if our sole focus was on racism in the narrow sense of biological arguments. If complete determinisms and assimilationisms were to be found in the dominant discourses on the Swiss nation, the Swiss case may be more related to the situation of the racialised state in the USA (Omi and Winant 1986), even though Switzerland did not go through a period of racialised slavery. The provocative parallel could hinge on the observation that while both countries have been held up as beacons of democracy, they both have excluded significant parts of the population from taking part in democratic decision-making and citizenship. In both cases, various ideologies have served to prompt and justify these exclusions. While the racist exclusion of 'blacks' in the USA has been well-documented and researched, the actual nature of the exclusion of migrants, Jews, women, Gypsies and others in Switzerland has received far less systematic attention. Is that exclusion in some way racist, or at least accompanied by particular completelely deterministic and assimilationist discourses? If there is some truth in this provocative hypothesis, Wieviorka's (1995:51) assessment of the US could be more relevant to the Swiss case than is normally thought:

> When racism clearly runs through a society and its institutions, and, in particular, when it is associated with concrete forms of domination, the mechanism we have just presented is definitely less visible and less present than when the racist phenomenon is emerging.

More specifically and more dangerously, instead of a racist discourse, there may be a range of deterministic arguments that are disguised by the surface appearance of a seemingly innocent, highly legitimate mask. In the Swiss case, the deterministic imagination of the nation ended up reifying and fetishising one of the most legitimate

values of the Enlightenment and the celebrated core principle of the Swiss nation, a principle that is held to be the very antithesis of racism and culturalism: democracy.

In the following chapters, I explore the operation of completely deterministic and assimilationist representations of the nation and crucial 'Others within' (particularly Jews, *Ausländer*) in modern Swiss history.

Chapter 5

THE CREATION OF THE SWISS NATION AND THE EXCLUSION OF THE JEWS IN THE 19TH CENTURY

In chapter 1, I reviewed Heckmann's (1991) argument that modern Switzerland was based on a political concept of the nation, or more precisely, on an ethnic-pluralist concept of the nation. According to Heckmann the existence of an ethnic-pluralist concept of the nation is more likely to promote tolerance towards culturally different migrant and ethnic minorities than the alternative ethnic or demotic-unitarian concepts of the nation. In principle, nation-states based on this concept can incorporate minorities into the nation without demanding cultural assimilation. 'Any aversions or discrimination towards ethnic minorities which can nevertheless be observed here derive "from society"', rather than being a 'consequence of the constitution and legitimation conditions of the state' (Heckmann 1991:73). In other words, racism and xenophobia may occur at the margins of society, but they are not generated nor legitimated by the state. Heckmann's thesis appears to be confirmed by various events in the history of Switzerland, for instance the peaceful coexistence of a people who do neither share the same language, the same religion, or the same regional-cultural characteristics. Moreover, we can point to a long tradition of granting asylum to religious and political refugees[1], as well as to the settlement of large numbers of foreign workers since the end of last century. It appears indeed that Switzerland managed to be relatively free of the sort of complete deterministic, including racist and ethnic, concepts of the nation and embrace a more multicultural representation of itself.

However, the historical evidence about the emergence of a wide-spread sense of a Swiss nation in the 19th century and the establishment of the Swiss Federal state in 1848 already points to certain limits of the Swiss voluntaristic multicultural nation-

[1] The central geographic position and the relative peace of Switzerland attracted many refugees from 'almost all European conflicts' (Haug 1984:128). Particularly the Protestant Cantons supported Protestant minorities in neighbouring countries and accepted many religious refugees who suffered from persecution during the Counter-Reformation. Following the massacre of approximately 20 000 Huguenots in France in the 'night of Bartholomew' of 1572, tens of thousands of Huguenots, as well as Waldenser fled to Geneva and other Protestant Cantons throughout the 17th century.

of-the-will. Following the lead shown by the recent discussions on the historical sources of contemporary cultural racsim (Taguieff 1991), I wish to highlight the completely deterministic and assimilationist discourses on Jews in Switzerland. These discourses justified and prompted severe exclusionary practices towards the Jews in Switzerland. This, of course, was not unusual for Europe (Geiss 1988). Mattioli (1998b:9) argued that, in this regard, Switzerland was not a humanitarian special case (*Sonderfall)*, but a European *Normalfall* (normal case). In terms of the emancipation of Jews, Switzerland even lagged behind other countries. However, in the Swiss case, such completely deterministic discourses on Jews — and, by implication, on the Swiss nation as well—contradicted the dominant voluntaristic representation of the nation.

I argue that the discursive patterns of anti-Semitism, both in their religious anti-Judaistic and in their secular, racist versions, have provided an important precursor, model and resources for the 20th century discourses on *Ausländer* within the Swiss foreignisation process. Anti-Semitism in 19th century Switzerland only affected a very small number of Jews, who were largely confined to two villages in the Surb valley. Nevertheless, anti-Semitic discourses and practices played an important part in establishing a model for completely deterministic discourses of the Swiss nation and excluded non-national Others (Jews, Roma, *Ausländer*) on the Swiss territory. Significantly, anti-Semitism also provided a model for the *coexistence* of completely deterministic representations of the nation (including the notion of the 'Christian nation') and voluntaristic representations of the nation (the nation-of-the-will).

THE EMERGENCE OF THE SWISS NATION AND NATION STATE: THE PLURALISTIC NATION - OF - THE WILL

For much of the modern period, historians and politicians have consciously sought to establish and describe a *long* history of the Swiss nation (Jost 1987). Some even suggested that the Swiss nation was an 'eternal' (Merki 1995:80), supra-historical phenomenon with an essence given by God or nature. However, in recent times historians and social scientists have begun to counter this view. They argue that the Swiss nation is in fact a modern social construction, an imagined community that

arrived rather late on the modern scene.[2] For instance, Anderson included Switzerland in the 'last wave' of nations towards the end of the 19th century (Anderson 1991:136). According to Frei (1983:115),

> before the end of the eighteenth century, Switzerland did not exist as a state. There were practically no common institutions except perhaps the common administration of some subject territories like Baden and Ticino. People living in Switzerland at that time did not consider themselves as Swiss citizens. The Cantons, not the Confederation, were the salient political, cultural and economic units. National feeling was so weak that in February and March 1798, when Berne was seriously threatened by revolutionary French armies, it was not even possible to organize an efficient common defence.

Similarly, Mesmer argued that even immediately after the formation of the modern Swiss state in 1848, a general 'national awareness, which was shared by all levels of society and religions, could obviously not be addressed. I think it is questionable, whether such an awareness already emerged in the first decades of the Federal state.' (Mesmer, quoted in Merki 1995:24). Marchal and Mattioli (1992:14) agreed that 'only in the middle of the 1880s did the forms, contents and staging of national identity crystallise in which the Radical circles, as well as the Catholic-Conservative Switzerland and part of the workers' movement could recognize themselves'. Anderson (1991:137), following Hugh (1975), went as far as to argue that ironically the first national jubilee in 1891 'marked the birth' of Swiss nationalism, even though it celebrated '600 years of Switzerland'.

The modern Swiss Federal State was established in 1848. The ongoing tensions between the conservative Catholic Cantons and the progressive Protestant Cantons had come to a head in the *Sonderbund* (Separate League)War in 1847. The Catholic Cantons had been eager to preserve their cantonal autonomy and strongly opposed the principle of Federal power.[3] After a swift war with few casualities (Remake

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[2] On the eve of the Helvetic Republic (1798), the *Ancien Régime* presented a complex and fragmented political landscape consisting of alliances between variously constituted political territories: republican cantons and cities (so-called aristodemocracies), small monarchies, protectorates, subject territories, and 'village republics' such as *Gersau* (Guggenbühl 1998:34). Such a patchwork of feudal-legal, linguistic-cultural, religious and regional differences made it impossible to foster national identification patterns (Guggenbühl 1998:34).

[3] See Birmingham (1995:39) on the events leading up to the conflict, involving the provocative re-invitation of the Jesuits to the Catholic canton of Lucerne. Birmingham also notes that while the war was nominally about religion, 'the Catholic League' (the *Sonderbund)* was also concerned about the encroaching age of factories and railways' (Birmingham 1995:39).

1993), the Radicals (*Freisinnige;* liberals), inspired by Enlightenment values, gained the upper hand and proceeded to draw up the new constitution.

Because the constitution took into account the Federalist sensitivities and was drawn up in a pragmatic and conciliatory spirit, it eventually gained the support of some Conservatives as well (Warburton 1980:285). Although these events acted as a catalyst for democratic revolutions in other parts of Europe, it remained the only successful Republican revolution in Europe at that time (Remake 1993:175). Not surprisingly, Switzerland once again became the country of hope and refuge for many democratically minded people in 19th century Europe, and it remained a thorn in the flesh of monarchists and aristocracies alike.

Altermatt et al. (1998:14) argued that the 1848 constitution, and its revised version of 1874, provided the basis for a gradual national integration on the basis of a common national citizenship, that is the principle of the *Staatsnation.* The Radicals' definition of the nation and citizenship has since proved to be a singularly successful and enduring tool of a democratic, rather than an ethnic-national integration. Following the ideas of the American and the French Revolution, as well as the medieval experience of communal liberty (Blickle 1987a, 1987b, 1992a, 1992b; Head 1995a, Head 1995b; Scribner 1994; Barber 1974)[4], the nation of free and equal citizens, namely the *Volk,* was to be the only legitimate basis of state power. This civic-democratic concept of the nation was also foreshadowed by influential individuals, such as the famous author Gottfried Keller who, in 1841, 'defended a concept of the nation which was not based on language, suggesting a specific Swiss national identity different form the surrounding monolingual "nation states"' (Brühlmeier 1992). Similarly, Gustav Hunziker explicitly contrasted the Italian and German *Kulturnationen* (culture nations) with the Swiss *Willensnation* (nation-of-the-will) (Warburton 1980:285).

The development of a mass identification with the new nation — the 'lifting of the national spirit' — was an explicit aim of the Radical 'founding fathers' of the

constitution (Altermatt et. al 1998:13). The Federal army, the post, and the education system all had to play their role in achieving this project of national identification. In turn, the emerging national awareness strengthened the common political institutions (Altermatt 1998:11). Significantly, however, this new wave of 'official nationalism' did not contain policies of enforced religious, linguistic or cultural homogenisation. German, French and Italian were all given the status of national languages, without however stipulating any special language policies. The new constitution also established the freedom of inter-Cantonal movement and settlement for all citizens.

This democratic perspective dominated the constitution, political institutions and the Swiss concept of the 'nation' in the 19th century. Altermatt et al. clearly regarded the constitution and the history of national integration since then as a success, 'even though some political forces or social groups, above all women, were for a long time only partially integrated in this new state' (Altermatt et al. 1998:14).

Indeed, national integration took some time, not just in relation to women.[5] Birmingham (1995:41) argued that the 'nineteenth-century Swiss "Radicals" created a state in 1848 and an army in 1874, but they did not create a nation'. Most importantly, the decades after 1848 were characterised by a split between dominant Protestant Radicals promoting an ideal of Swiss unification based on a civic-democratic concept of the nation and an opposing anti-nationalist Catholic-conservative camp. Catholics and non-German speaking people feared that within the democracy of the new Federal state they would be overruled by the majority on questions of 'religion, language and culture' (Linder 1998:17). The Radicals' demand of a strong identification with the nation collided with the two alternative levels of Catholic-Conservative identification: Catholic universalism, that is the supra-national integration in the Catholic church, and sub-national integration in the

[4] The constitution was influenced by various sources, including the American constitution, the local experiences of collective autonomy made in the cantons (Warburton 1980:284), and the concepts of a separation of powers and of constitutionalism in the German tradition (McRae 1983:43).
[5] The general exclusion of women from active citizenship within nations, whilst simultaneously being represented as the cultural and symbolic embodiment of the nation, has been the focus of recent scholarship (Pettman 1996, Walby 1996). An analysis of the complex inclusion and exclusion of Swiss women, who did not gain the vote on the Federal level until 1972, from Swiss society and the imagining of the nation is beyond the scope of this thesis.

region or canton (Merki 1995:34).[6] After the *Sonderbund* War, the Catholic-Conservatives retreated into what has been called the 'Catholic ghetto' until they mobilised for an anti-nationalist, anti-liberal and anti-rationalist reaction against the hegemonic liberalism during the 1870s (Merki 1995:34).

The dominant civic-democratic perspective of the Radicals was defended during the so-called *Kulturkampf* (cultural/confessional battle) in the 1870s against the twin domestic challenge of Catholic universalism and Cantonal particularism, as well as against the surrounding language-based nationalisms in Europe. In 1875, Carl Hilty gave expression to the notion of a *Willensnation* (nation-of-the-will) which subsequently influenced Ernst Renan's famous speech on 'What is a nation?' in 1882 (Brühlmeier 1992:28). Hilty wrote that '[n]either race, nor tribal community, nor common language or customs, nor nature or history founded the state of the Swiss confederation. In complete contrast to all the powerful nations, she emerged from an idea, from political thinking and striving, becoming clearer and clearer' (quoted in Brühlmeier 1992:25-26). For Hilty, the Swiss concept could be a model for other nations 'because of their superior concept of nationality, superior in its being deliberate, more self-conscious and well examined' (Brühlmeier 1998:26).

An opposing concept of the nation as 'cultural' (*Kulturnation*) and therefore of Switzerland as being constituted of different, cultural nations was put forward by the lawyer Johann Kaspar Bluntschli in the same year.[7] He argued that even though the state held Switzerland together politically, 'the Swiss Germans continue to be, in their entire mental shape, members and fellows of the great German nation' (quoted in Brühlmeier 1998:26). Therefore, the more common, powerful European theories of linguistic and cultural nationalism exerted their power on Switzerland too,

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[6] In 1848 – following the humiliating defeat of the Catholics in the *Sonderbund* war – the Catholic patrician von Segesser expressed his 'sub-national identification' and anti-republicanism in the following strong and colourful terms:

> for me Switzerland is only of interest as long as the canton of Luzern - this is my fatherland - is part of it. If the canton Luzern no longer exists as a free, sovereign member of the Helvetic Confederation, then Switzerland is as irrelevant to me as the lesser or greater Tartary. Second I shall be either a free man or a subject. If as a *Luzerner* I cannot be a free man, I should rather be a subject of the king of France or the emperor of Austria or even the sultan himself than of some Swiss republican diet (quoted in Steinberg 1991:1010).

[7] Both Hilty and Bluntschli entitled their contribution to this debate 'The Swiss Nationality'.

threatening to divide the country into various cultural, linguistic nations. Bluntschli managed to counter this view by proposing a Swiss 'people' as a political concept, held together by the state.

DETERMINISTIC MODELS OF THE NATION: THE PRICE OF THE IDEOLOGICAL INTEGRATION OF THE CATHOLIC-CONSERVATIVES

The eventual political and ideological integration of Catholics into the Federal nation-state towards the end of the 19th century was greatly aided by the institutionalisation of the new direct-democratic and Federalist mechanisms in the new constitution of 1874. Paradoxically, the new constitution was a project of the Radicals, but it unintentionally increased the power and influence of the Catholic-conservative forces (Merki 1995:34). Combining democracy with federalism provided an answer to the fears of being overruled by the majority of Protestant Radicals. Within the Federalist system, 'the democratic majority rule of "one person, one vote" has to match a federal majority rule of an "equal vote for every canton"'(Linder 1998:18).

The use of direct-democratic means by reactionary Catholic-Conservative forces appeared rather ironic given that 'the encyclical "*Quanta cura*" of 8 December 1864 condemned every proposition dear to modern liberalism' (Steinberg 1991:1011). However, for instance, the Catholic patrician Philipp Anton von Segesser (1817-1888) of Lucern 'and other central Swiss Conservatives [gradually] found their way to direct democracy, to the initiative and referendum, as devices to control the rampant, liberal and capitalist circles in Zurich and Bern' (Steinberg 1991:1011). Von Segesser wrote in 1866:

> My firm conviction is that we of the conservative camp must put ourselves entirely onto a democratic basis. After the collapse of the old conditions nothing else can provide us with a future and a justification, except pure democracy. Even if democracy has its dark side it is preferable to the quasi-bureaucratic aristocracy of the representative system (quoted in Steinberg 1991:1011).

As Altermatt argued, in 'numerous referenda they organized oppositional voting alliances, which slowed or halted the radical law-making machinery. In this way the Catholic-conservative opposition, excluded from executive authority in government, found a compensation for its lack of power in parliament' (quoted in Steinberg

1991:1011). This culminated in the election of the first Catholic member, Hans Zemp, into the national executive in 1891. An important mechanism, which has often been observed in connection with the Swiss direct-democratic institutions, began to operate. Political forces can be co-opted and integrated if they have access to direct-democratic tools of referendum and initiatives.[8] It is important to note, however, that this political mechanism of integrating diverse religious and language groups, has not been extended to Jews in the first decades of the Federal nation-state, nor to *Ausländer* in the 20th century.

The political and ideological incorporation of the Catholic-Conservatives into the nation and the nation-state was accompanied by an influential re-imagining and re-positioning of the definition of the nation. The Radicals' civic-democratic definition of the nation was increasingly complemented by more deterministic definitions. For instance, an important Catholic definition of the Swiss nation as a unity found its expression in the discourse of the 'Christian state' and the related anti-Semitic discourses, as well as in the populist sacralisation of 'the people' (*Vox populi - vox Dei*).[9]

We can distinguish several re-occurring themes in an emerging completely determinist definition, or anchoring, of the Swiss nation towards the end of the 19th century, namely history, the Alps, God and democracy. While being put forward from a more Conservative perspective, effectively challenging the Radicals' civic-democratic definition of the nation, these discourses could eventually serve as a new national consensus about the representation of the nation.

These discourses on history, Alps, God and democracy have become central resources in the imagining of Switzerland in modern times, partly because the other nationalist discourses on offer and prominent in Europe, especially the discourses on 'race' or 'language' could not be used as a foundation for a multilinguistic and multireligious nation such as Switzerland (Marchal and Mattioli 1992:15). The

[8] Thus, the social-democratic party began to launch referenda from 1889 onwards and became more integrated in the context of the national-socialist threat in the 1930s (Merki 1995:36-39).

important point in this context is how history, geography and democracy are conceived as determining the *Volksgeist* in Swiss nationalist discourse. Thus, I shall be particularly alert to the moments, when social relations and national identifications become reified and conceived in completely deterministic forms.

Historical determinism: the *alten Eidgenossen* (old oathcomrades)

Linder argued that after 1848 there was a 'search for identity, for a common denominator' in Switzerland (Linder 1998:17). Historians began to construct an 'integrating view of the past', partly by personalising history by means of fictional figures such as Wilhelm Tell and Helvetia. The increasing mythologisation, monumentalisation and essentialisation of the history of the Old Confederates, which had begun during the Enlightenment[10] and Helvetic Period[11], culminated in the first national celebration (*Bundesfeier*) on 1 August 1891. Merki described this discourse as 'heroic-warlike identity presentation' (Merki 1995:63).

The image of the Old Confederation and the invention of the myth of national origin on the *Rütli* meadow in 1291(Merki 1985:33) replaced other myths of origin. The progressive world view of liberalism was juxtaposed by the backward-looking historical anchoring of the nation by the Conservatives (Merki 1985:33). Nevertheless, the invention of the 1291 origin of Switzerland was the 'price, which liberalism was prepared to pay in the 1880s to overcome the *Kulturkampf*' (Romano

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[9] Following Anderson's (1991) suggestions, we can speculate therefore that *if* secularised religion becomes the nation, a secularised God becomes the people. To put it the other way round: if the nation has roots in the sacred, so have the people.

[10] Eighteenth century Enlightenment intellectuals, such as Johann Jakob Bodmer (1698-1783), constructed a Swiss nation stressing the 'traditional virtues of the Swiss peasantry, its military heroes and the preservation of its "national" democratic heritage' in a conscious educational effort to enlighten the next generation, as well as people from other countries about the supposedly distinct character of the Swiss nation (Warburton 1980:275).

[11] The Helvetic period (1798-1803) was also important in terms of the diffusion of historical images of the 'Old Confederates' (*die alten Eidgenossen*) to the masses, thus preparing the ground for later mass nationalism.

According to Marchal, the Helvetic period (1798-1803) 'began to open up to the masses the imagery of the "Old Confederates" (*alten Eidgenossen*) which up to then was confined to a relatively limited public, namely the educated elites. In that regard, the Helvetic constitutes the actual hinge which transferred the image of the Old Confederates into the emerging national consciousness' (Marchal 1990:354). The glorification of the 'Old Confederates', personified by the figure of Wilhelm Tell, was important in order to historically legitimate the Republican revolution following the invasion (or liberation, depending on one's political perspective) by Napoleon's army, who was regarded as the new Wilhelm Tell from the perspective of the formerly subject territories (Warburton 1980:281).

1996:61). Liberalism was prepared to compromise on the definition of the nation, thus allowing to develop a consensus with the Catholic-Conservatives.[12] The recourse to history — or more precisely: a selective nationalist reading of history — allowed the construction of an image of the nation which could include Catholics, Liberals and Social Democrats, as well as German, French and Italian-speaking areas.[13] The year 1891 was again of some symbolic importance, as the first national celebrations were held in that year which marked the integration of the Catholic-Conservatives.[14]

A particular kind of essentialisation, ontologisation and mystification of Switzerland occurred in relation to the *Geist* (spirit/soul) of the heroic and freedom-loving ancestors. Public speeches and discourses often stressed that the *Geist* or spirit could not be taken for granted and had to be kept awake and needed strengthening (see for instance Merki 1995:145 for examples in the Catholic-conservative press). Thus, it can be argued that the determining force of history could not be taken for granted and required important rejuvenating efforts by the contemporaries. The discourse on the weakening national spirit helped to account for exceptions and 'untypical' behaviour amongst Swiss people who were supposedly so determined by their history and their environment. It also opened up some space for social action again, which is usually denied in completely determinist discourses. The notion of the 'weakening national spirit' introduces the interesting dynamics and strategic possibility of an oscillation between completely deterministic and assimilationist discourses (see chapter 4).

The victorious battles of the old Confederates centuries earlier were interpreted as a sign of being chosen by God to become the 'motherland of republican liberty' (Guggenbühl 1998:41).

[12] However, there were 'slight irritations' among liberal circles, for instance in the pages of liberal-radical newspapers such as the *Neue Zürcher Zeitung* (Merki 1995:33).

[13] The imagery of the nation, as well as the political rights of citizenship, remained however confined to the male part of the population. Swiss national identity remained imagined in masculine terms (Merki 1995:57).

[14] The patriotic celebrations of 1 August 1891 also need to be seen in opposition to the socialist invention of the 1 May celebration in Paris 1889. Thus, the integration of Catholic-Conservatives into the Radical-dominated nation-state was also part of an anti-socialist orientation uniting the

Geological determinism

Again refashioning earlier Enlightenment[15] and Helvetic[16] representations of the Alps as a constitutitve part of Swiss identity, discourses on the beauty of nature[17], especially the Alps, became central in the imagining of the foundation and coherence of the nation in the second half of the 19th century (Linder 1998:17). Gottfried Keller already wrote in 1854:

> It is not the nationality that gives us ideas, but an invisible idea which hovers in the mountains has created this unique nationality as its embodiment (quoted in Merki 1995:69).

Since the opening of the railway tunnel through the Gotthard mountain (1882), the Gotthard increasingly became to epitomise Switzerland, as for instance in the frequent reference to a 'Gotthard state' (Merki 1995:69). There was an important shift in the way in which the mountains were portrayed: von Haller had linked the Alps to a supposed purity and unspoilt nature of the lifestyle of the Swiss peasants, whereas at the end of the 19th century and throughout the 20th century, the Alps tended to be linked to the strength, sense of freedom and defensive will of the population (Merki 1995:69-71).

Divine Determinism

In contrast to the Radicals' attempt to separate state and church and in contrast to the frequent claim that nationalism acted as a *secular* religion, God has frequently been referred to as a determining and legitimating basis of the Swiss nation. For instance, during the first national celebrations God was referred to as the 'highest

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bourgeois forces. The social-democratic movement was going to be included much more in the 1930s national celebrations (Merki 1995:36)

[15] For instance, in 1706, the scholar Scheuchzer published his influential 'Description of the natural history of Switzerland' in which he 'based the historical understanding of Switzerland on a natural-historical foundation, in a sense "biologising" it, and described its inhabitants as naturally connected to a specific area and thus created the "homo alpinus" as a human type.' (Kreis 1992:179-180). Albrecht von Haller represented the 'Swiss' in his famous poem 'The Alps' as an alpine people that lived a simple and authentic life style in harmony with God and nature in contradistinction to the corrupted and decadent European world around them. Von Haller evoked a kind of alpine determinism . Nature appeared to have an autonomous power. It is fetishised as an educator who teaches and educates the inhabitants who are 'the happy pupils of nature' (Heidmann Vischer 1992).

[16] During the Helvetic period, the Swiss mountain people were portrayed as 'courageous', 'simple', 'physically strong', 'enterprising', 'honest', and 'pious', in contradistinction to the inhabitants of non-mountainous areas and to the decadent feudal elites. Even though this 'litany of virtues' can be regarded as a typical or almost universal list of nationalist claims, it eventually culminated in the claim of a moral superiority of the Swiss nation: there was 'no people around us' which had a 'truer sense for virtue, for morality, for freedom and justice' (Guggenbühl 1998:39).

[17] See Hawthorn (1987) for a general discussion of the role of nature in Enlighenment thought.

Confederate' (Merki 1995:12). The Oath ceremony of 1291 was referred to as an evangelical event, the founding documents as 'testaments' and the oath at the *Rütli* by three Confederates equated with the holy trinity. Even today, the constitution of Switzerland begins with a reference to God.

Evidently, the modern nation does not just have its cultural roots in religion (Anderson 1991), but it may still be resacralised and expressed in religious terms. In both instances, religion and nation, a large group attempts to be 'anchored in a sphere beyond life and death: in transcendence' (Lemberg, quoted in Merki 1995:79). Frequently, nationalist discourse portrayed the Swiss as 'elected' by God. The victories of the Confederates were seen as a sign from God, as has been the fact that Switzerland has been spared in the two World Wars, and even the beauty of nature was seen as a special gift from God to the Swiss (Merki 1995:178). The fact that this God was a *Christian* God and that the nation was imagined to be Christian in Conservative discourses has usually been felt to be so obvious that it has not been remarked upon. However, this ongoing implicit or explicit Christianisation of the nation (not just sacralisation) has always been apparent in relation to Jews and, in more recent decades, has also become more visible in relation to non-Christian migrants.

Democratic Determinism: The sacralisation of 'freedom' and 'democracy'

'Democracy' and 'freedom' have been central notions in modern Swiss discourse on the nation. These notions do not simply reflect and justify rather unique direct-democratic political institutions, which have attracted a lot of political and academic interest (Linder 1998:17). In particular, 'direct democracy' became much more than simply a descriptive or prescriptive term. In Switzerland, it 'has also become the most precious element of its common culture' (Linder 1998:17). 'Democracy' and 'freedom' have been portrayed as an essential, inherent aspect of the Swiss character, or at least as one with a long history. In this discourse, the Confederates of 1291 are portrayed as the 'first founders of European democracy' (Merki 1995:118; referring to a speech held by Federal Councillor Motta in 1921). Linder remarked that 'enthusiastic nineteenth-century writers praised the Swiss for their "innate taste for democracy"'(Linder 1998:15). Thus, as we shall see in more recent

history, close attention to the discourse on 'democracy' is absolutely crucial for the understanding of the evolving and competing Swiss nation-Other representations. In particular, rather than assuming that any representation of the Swiss nation in terms of 'democracy' is the antithesis of ethnic or racial concepts, we need to examine the way in which the reference to 'democracy' can function within completely deterministic discourses.

In other words, 'democracy' may be essentialised and thus function as the determining factor X, almost as some kind of 'democratic gene', which radically distinguishes the Swiss from non-Swiss. These are the sorts of discourses which the classic distinction between political-civic and ethnic concepts of the nation finds difficult to identify and interpret, as the case of Heckmann shows.

What is important in the dominant representations of the nation by both Radicals and Catholics is the anchoring of the nation in some sort of static essence, in other words, the nation was defined in completely deterministic terms. This frequently involved a form of sacralisation of the nation. The Radicals supported a state metaphysics, an essentialisation of political values and institutions and their history. For the Catholics, the nation and its celebrations are sacralised. God figures as the 'highest Confederate'. The Catholics deliberately stressed emotional attachments to the 'fatherland' over and above the 'cold' and 'mechanic state concept' (Merki 1995:121). Here, in the realm of the affective affirmation and celebration of the nation, the two camps could meet and agree. While the Catholics saw Switzerland as a religious project, the Radicals saw it as a quasi-religious project. Even the Radical press argued that for the *Volk* the affectual and emotional link to the nation was legitimate, a 'matter of the heart', unquestionable (Merki 1995:125), typically evoking the metaphor of the 'family' and love for one's parents and siblings. In these nationalist discourses, history, religion, the Alps and political institutions and values, such as freedom and democracy, were being essentialised and described in static and deterministic terms.

In this context, Merki (1995:179) quotes the sociologist M. Gauchet

- It is a constitutive characteristic of every society that it places its centre of meaning outside of itself.

Within religious discourse, this transcendence points to the divine, in secular discourse it points to history and nature (either to natural landscape or to internal human biology). These reference points outside of the imagined community, these transcendental points in turn define or even determine the community (and, implicitly or explicitly, the non-national Other as well). If Gauchet's dictum is correct, the idea of a 'nation of the will', the idea of a constitutional patriotism, appears almost impossible, or at least as insufficient, as it looks for its centre of meaning within itself, within the nation. The constant desire or tendency to imagine an archimedal point of reference and determination outside of the community has gone through various transformations. In other words, it can be formulated and imagined in various ways.

Another important way of defining the nation is, of course, by way of the Other, by way of what the nation is not. While this is not deterministic in the way the discourses on race, nature, God, history are, it is nonetheless a way of placing the centre of the nation's meaning outside itself. As more and more archimedal points of the past loose their plausibility in the course of modernity, the national self-definition in relation to the non-national Outsider becomes more important. I argue while such 'us' versus 'them' distinctions can be established in relation to a whole range of Others external to the country (for instance, neighbouring countries and peoples, colonised people at some distance), the Other within who can be controlled (Jews, *Ausländer*) has been a particularly useful reference point in attempts to establish stable collective identifications.

THE EXCLUSION OF JEWS FROM THE NATION IN THE 19TH CENTURY

Towards the end of the medieval period, Jews had been prohibited from residing and working in many parts of the Confederation. Since 1776, they had only been allowed to reside in the two village ghettos of *Oberendingen* and *Lengnau* in the County (*Grafschaft*) of Baden (Mattioli 1998; Böning 1998). Religious anti-Judaism had associated the Jews with the devil and portrayed them as 'murderers of

God'. In a completely deterministic argument, Jews were described as 'unrepenting heretics' who were generally harmful to the public and the commune (*gemeinschädlich)* (Mattioli 1998b:9). These views continued throughout the revolutionary Helvetic Period, in spite of the influence of Enlightenment ideas of equality and a general trend towards emancipation of Jews. The parliamentary debates about the emancipation of Jews illustrated the dominant anti-Semitic discourse. The popular, completely deterministic prejudice attributed an 'innate common harmfulness' (*angeborene Gemeinschädlichkeit*) to Jews (Mattioli 1998b:68). The stereotypes voiced in parliament included 'incorrigible', 'corrupt', 'incorrigible due to their "corporation" spirit' (Böning 1998:92), 'plague', 'a sponge that sucks in all the wealth of the country', and 'they would not adhere to the oath' (Böning 1998:93). They were 'a true nation and do not want to work'. Finally, 'as the cat can not stop chasing mice, the Jew can not stop his Jewishness' (Böning 1998:101).

The new Federal constitution of 1848 again turned out to be a bitter disappointment for the Jews living in Switzerland. The freedom of residence and equality before the law were confined to 'Swiss citizens of Christian denomination', while religious freedom only extended to 'recognized Christian confessions' (Mattioli 1998a:222). A majority (17:4) of both the Catholic-Conservative and the Radical representatives in the parliamentary commission voted against extending these rights to Jews after a 'very emotional' debate (Mattioli 1998a:222). The old prejudices of Jews as exploiters and as a danger to the community were reiterated forcefully, even by Radical, democratically-minded representatives such as Jonas Furrer (soon to be elected as Federal Councillor), who advocated even more restrictive policies. The granting of equal rights to Jews did not occur until the total revision of the constitution in 1874, which introduced confessional freedom (*Kultusfreiheit*).[18] Thus, emancipation of Jews in Republican Switzerland lagged behind the European monarchies (Mattioli 1998a:217).

[18] The fact that Jewish men serve in the army since the 1850s had little influence. In 1856, a Federal Decree gave Jews living in Switzerland political (voting) rights in their cantons and the right to buy and sell (Mattioli 1998c).

The Radicals' notion of the civic-democratic nation, of a nation of the will, was at its core and constitutional birth undermined and limited by the religious concept of a 'Christian nation'. This was intended to exclude Jews, but, of course, in principle, it excluded all other religions as well. Even though this was of little practical importance at the time, such a religious concept of the nation held the potential to enable the exclusion of future migrants of non-Christian backgrounds.

In the Catholic areas in the second half of the 19th century, anti-Semitism was an integral part of the common sense and world view of the clerical and bourgeois elites, as well as of the workers and peasants (Ries 1998:45). Catholic theologians, priests and bishops strongly argued against granting equal citizenship rights regardless of religious background. The influential *Schweizerische Kirchen-Zeitung* (Swiss Church-Paper) branded such a move as *Verjüdelung* (Jewification)[19] (Ries 1998:47) and argued in 1862 that.

> Historically, socially and politically the Jews are not compatible with the Swiss. Switzerland is historically a fatherland of Christians (quoted in Mattioli 1998a:230).

The completely deterministic stereotype that there was an 'irreconcilable difference between Christianity and Jewry' was frequently repeated. Jews were regarded as the 'eternal enemy'(Mattioli 1998c:147).

The Radical politicians shared many of the anti-Semitic prejudices. 'Even though the Radicals had taken up the cause of the rights of liberty, their politics was never exclusively focussed on basic rights'(Mattioli 1998b:72). It appears that — apart from anti-Semitic prejudice — the Radical promotors of the new constitution did not want to give cause for 'popular attacks' (Mattioli 1998a:225).[20] The religious

[19] The German term *Verjüdelung* (Jewification is strongly pejorative. The connections between *Verjüdelung* and the 20th century terms *Verfremdung* and *Überfremdung* (overforeignisation), and the more recent expression "*entfernte Kulturen*"/ "*fremde Kulturen*" (distant cultures/forgein cultures) will be explored later in the next chapter. In a sense, it could be argued that my thesis is exploring how this historical line of discourses *(Verjüdelung-->Überfremdung-->enfernte Kulturen*") has undermined a purely civic-democratic concept of the Swiss nation and state. For over hundred years, these constructions have helped the ideological and political integration of Switzerland to the detriment of marginalised groups such as Jews and migrants.

[20] This sort of argument was to resurface again before and during World War II (see next chapter). Historians have labelled this a form of 'preventative anti-Semitism'.

deterministic view was also paralleled by a secular deterministic argument in terms of the Jews being a 'distinct nation' that was not willing to integrate in society.

It becomes clear that anti-Semitism in this context is also part of a contestation about the nature of the Swiss nation, about society in general and its future direction. It expresses — or is a 'cultural code' for — anti-modernism. As Mattioli (1998a:230) argues 'the Conservative hostility to Jews was also a demagogic tool in the battle against the formation of a bourgeois-liberal national society with its secularised guiding principles, a social-conservative attitude expressing discontent about the progressing "demystification of the world" (Max Weber)'.

Even Radicals who fought for the emancipation of Jews were not necessarily tolerant enough to accept Jews as 'different' citizens. While some Radicals did not argue in terms of a completely deterministic notion of an unchangeable Jewish character and admitted that Jewish poverty and their confinement to certain activities was the result of a long history of discrimination, they nevertheless demanded complete assimilation (Mattioli 1998b:151). Radical politicians regarded *Erziehungsemanzipation* (Emancipation through education) as the tool to 'improve' Jews (Mattioli 1998b:150). As Mattioli observed:

> Even many Radical protagonists of emancipation were only able to conceive of the integration of the Jewish minority in to the Swiss national society in terms of the categories of complete assimilation(Mattioli 1998:232).[21]

In the 1850s and 1860s, the Radical elites began to rethink their approach to Jewish emancipation. This occurred partly due to the Enlightenment ideal that political rights of citizens should not depend on one's religion, but also due to important economic interests. The U.S.A., France, and the Netherlands refused to sign important trade agreements as long as their own Jewish citizens were discriminated against, or even excluded, by the state and the Cantons in Switzerland (Isser 1993; Mattioli 1998a:227). The Federal Council, in particular the Federal President Jakob

[21] In 1862, Carl Feer-Herzog, argued in the Cantonal parliament of the Canton Aargau: 'Open up the Aargau ghetto, give them the right to free choice of residence, the active and passive voting right in Cantonal matters and increasingly you will remove the evils which Jews introduce into every profession, and thus you assimilate their ways of thinking and behaviour with ours' (quoted in Mattioli 1998b:150-151).

Dubs, began to argue publicly in favour of emancipation and equal rights for Jews (Isser 1993:591).

Eventually, religious freedom was granted in 1874. 'In a sense this constituted the fall of the last constitutional concession to the Conservative heralds of the "Christian nation"'(Mattioli 1998a:231). While the Federal constitution of 1848 — celebrated for its progressive implementation of Enlightenment ideals — did contain elements of the civic-democratic concept of the nation, it also simultaneously and explicitly stipulated that these citizens had to be Christians until 1874. After that date, the notion of the 'Christian nation' excluding Jews was marginalised within official discourse. However, this did not mean that the notion disappeared all together from the Conservative discourse on the nation.[22] Similarly, it neither spelt the end of modern anti-Semitism, which increasingly replaced (or complemented) the religious arguments of anti-Judaism. Already in the 1860s, popular protests against equal rights for Jews (such as access to common goods, for instance to wood and the commons) increasingly went beyond the Christian formulations to include more secular, racist arguments about physical and psychological stereotypes and the reference to the 'Jewish race' (Mattioli 1998c:154).

The notion of a civic-political nation, of a nation of the will, was seriously undermined by the completely deterministic (Catholic-Conservative) and assimilationist (Radical) discourses about the Jews' relation to the Swiss nation. The representation and exclusion of Jews clearly showed the limits of Swiss pluralism in the 19th century. The significance of the exclusion of Jews in the modern Swiss Federal state goes far beyond a marginal, local event affecting a tiny majority. The salience of the relation between Jews and the Swiss in the 19th century is not just attested by the heated parliamentary and public debates, but also by popular anti-Semitic movement in Aargau in 1862, led by the Catholic populist Schleuniger (Mattioli 1998c).

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[22] In the parliamentary debates on constitutional reform in 1998, the *Nationalrat* (House of Representatives)
voted 105:53 to retain the reference to 'God' in the constitution as an official 'declaration of the Christian-Occidental fundament of the state' (see *Tages Anzeiger*, 24 March 1998)

Moreover, the 19th century anti-Semitism in its various completely deterministic and assimilationist forms can be seen as a precursor, model and resource for 20th century discourses and exclusionary practices in relation to *Ausländer* and refugees. Mattioli explicitly makes this link in his summary of Swiss anti-Semitism between 1848 and World War II:

> Swiss anti-Semitism was frequently expressed 'discretely' and was generally more xenophobic than motivated by racism. It was generally directed against the Jew as 'foreigner' and was closely linked with a nationalist *Ueberfremdung* (Overalienation/Overforeignisation) discourse since the emancipation conflicts in the early years of the Federal state. Until the middle of the 20th century, *Fremdenabwehr* (defense against foreigners) motivated by anti-Semitism was one of the defining features of modern Swiss history. In 1848, the argument of an '*Überflutung des Landes*' (overflooding of the country) by Jews from the Alsace played a central role in the discussions of the fathers of the constitution, as did the fear of an *Überschwemmung*' (inundation) of Switzerland by East-European '*Kaftanjuden*' (Caftan Jews) in the *fin de siècle*. At the time of the 'Third Reich', this attitude was expressed in restrictive refugee policies, which were based on the revealing dogma, that Jewish refugees could only stay temporarily — if at all — in Switzerland (Mattioli 1998b:11-12)

This exclusion of the Jews contrasted with a more liberal approach towards migrants and refugees in the 19th century.

MIGRANTS AND REFUGEES IN THE 19TH CENTURY

Until the late 19th century, Switzerland was mainly an emigration country, with rather small immigration numbers (Hoffmann-Nowotny and Killias 1979:45). Migration was generally liberalised in Europe, and the Swiss Federation concluded liberal migration treaties with many European countries. Before World War I, access to the country was not controlled and there was no need for passports or identity cards when crossing the Swiss border (Aeschbach 1994:220). The treaties ensured that migrants from treaty countries would enjoy economic and legal equality with Swiss citizens, although they would still be excluded from political rights (Hoffmann-Nowotny 1985:297).

With increased immigration and generally open borders, the issue of refugees and asylum lost its importance (Haug 1984:139). There was no formal asylum process until World War I in Switzerland (Goehrke and Zimmermann 1994:10) and those

> who wanted to settle in Switzerland as foreigners, could prove that they could support themselves and did not attract the attention of the police, usually did not have any problems during the 19th century – not even Lenin during World War I (Goehrke and Zimmermann 1994:10).

Thus, Switzerland continued to uphold its reputation as a 'classic asylum country' (Imboden and Lustenberger 1994:258). In contrast to more religiously motivated refugee migration in the 17th and 18th centuries, the 19th century saw more political refugees. At various times, nationalist revolutionaries (for instance, Mazzini from 1833-1836 (Kolbe 1994:25-28)), failed monarchs (Louis Napoleon Bonaparte in 1837 (Ludwig 1957:16)), Russian and Italian anarchists (Hutter and Grob 1994), social revolutionaries (such as the Communards in 1871 (Thiele 1994), as well as soldiers (for instance the French Bourbaki army in 1871 (Haug 1984:137)), and German social-democrats (in 1878; see Ludwig 1957:18) sought refuge in neutral Switzerland.

Switzerland was not just attractive to refugees due to its central geographic location, but also due to the relative room to manoeuvre individual Cantons enjoyed in relation to the Federal State within the Federalist system. For instance, French socialist refugees could find refuge in more progressive French-speaking Cantons, while conservative German-speaking Cantons would have been more reluctant to act in that way.

However, this did not just lead to diplomatic tensions with foreign powers (Goehrke and Zimmermann 1994:11; Ludwig 1957:16), but also to domestic disputes between the Federal Government and the Cantons. For instance, Geneva gave refuge to French Radical and socialist refugees in 1848 against the will of the Federal Council (Haug 1984:136). Increasingly though the Federal State began to coordinate the distribution of refugees amongst the Cantons, and arranged their accommodation and their eventual departure to a third country (Haug 1984:165). The Federal Council also had the constitutional right to deport foreigners who endangered internal or external security.

In the 19th century, refugees were given temporary refuge, rather than a permanent status and permanent residence (Haug 1984:165). The Swiss 'political-pragmatic solution' and compromise to the issue of refugees was not to repatriate them, nor to let them stay permanently, but to demand that they eventually left for a third country (Goehrke and Zimmermann 1994:10; Ludwig 1957:2-3). In spite of these limitations, Switzerland's asylum tradition had an almost 'mythical reputation' at that time (Goehrke and Zimmermann 1994:10).

CONCLUSION

There is strong evidence of definite limits to the inclusive and universal notions of equality in the Helvetic Republic and in the first decades of the modern nation-state in Switzerland. The definitions of the Swiss nation in civic-political terms, relatively free of racist or linguistic delineation, was contradicted and undermined by various deterministic discourses about the nation. In the Swiss case, racial, ethnic-nationalist and linguistic-nationalist definitions of the nation were not plausible options as they would have led to the breaking up of the nation. However, particular Swiss formulations of what can be called geological, geographic, historical, democratic and religious determinisms have been adopted. Thus, Switzerland's versions of modern exclusions were developed in relation to comparatively subtle, but nevertheless radically deterministic discourses, including modern anti-Semitism. Therefore, it is tempting to argue that, various forms of complete determinism, which have become attractive in other countries *after* the delegitimisation of racist arguments following World War II, had been formulated and reproduced in Switzerland for a much longer period. Notions of a 'Christian state', and various deterministic discourses about the supposed essence of the Swiss nation, served to construct a 'Swissness' which included both Radicals and Conservative-Catholics, but signified difference to its neighbours who shared the same, or similar languages and religions. Importantly, the notion of the Christian state also justifed the exclusion of Jews. On the other hand, Switzerland's approach to migrants and refugees was rather liberal in the 19th century. In fact, until the end

of the century, there was more emigration than immigration (Hoffmann-Nowotny and Killias 1979:45).

As the next chapter documents, in the 20th century, completely deterministic and assimilationist discourses on *Ausländer* and related practices of exclusion are related to, and inspired by, anti-Semitic discourses rather than older Swiss discourses about migration.

Chapter 6

THE SWISS NATION AND THE *AUSLÄNDER* (1900-1945): THE EMERGENCE OF THE FOREIGNISATION PROCESS

Migration to modern Switzerland began to increase in the late 19th century with the spread of industrialisation and major building projects such as railway constructions[1] (Haug 1984:139; Hoffmann-Nowotny 1985:212-213). The liberal migration treaties which the Swiss Federation had concluded with a large number of European countries in order to facilitate the *e*migration for Swiss citizens now enabled relatively easy *im*migration into Switzerland. This resulted in an increase in the number of *Ausländer* reaching a top of 15.5% of the total population in Switzerland just before World War I (Hoffmann-Nowotny 1985:207). Almost all foreign residents came from the four neighbouring countries. In 1910, 39.7% of foreigners were Germans, 36.7% Italians, 11.5% French, 7.3% Austrians (Hoffmann-Nowotny 1985:208). World War I saw the arrival of various types of deserters, conscientous objectors, refugees and prisoners of war in neutral Switzerland (Durrer 1994), including some influential artists (for instance those associated with the Dada movement) and revolutionaries such as Lenin and Trotski (Haug 1984:143). But in the inter-war years of economic depression the number of foreign residents in Switzeland decreased and by 1941 the percentage of the foreign population had declined to 5.2% (Hoffmann-Nowotny 1985:209). After Mussolini came to power in 1922, Italian anti-Fascists began to flee to Switzerland (Aeschbach 1994:221). Oppressive measures against Jews and left wing groups and individuals by the National-Socialist regime in Germany (and in Austria since the *Anschluss* in 1938) and the outbreak of World War II led to increased refugee migration to Switzerland.

This chapter discusses the way in which the presence of labour migrants and refugees was represented, and dealt with, in Switzerland between 1900 and World War II. In keeping with the focus of this thesis, I concentrate on the way in which

[1] In an interesting irony of history, one of the first major influxes of foreign migrant workers in modern Switzerland related to the building of the railway tunnel through the Gotthard, the very mountain area that has often taken on quasi-mythical significance in nationalist rhetoric. According to Rosoli (quoted in Sassen 1996:57), 44 000 Italians worked in the railway construction industry in Switzerland in 1900 (see also Elsasser 2002:4).

the discourses and policies on *Ausländer* (foreigners) were linked with the ensuing debates about the essential features that supposedly characterised, or held together, the Swiss (Romano 1996). The various competing arguments about the nation and the migrant Other have to be interpreted in relation to the rapid social and economic changes brought about by modernisation and the frequently shared sense of a social crisis (Ernst and Wigger 1996). Class tensions culminating in the General Strike in 1918 (Fahrni 1994:101-102), tensions — or, what Swiss call the opening 'ditch' (*Graben*) — between the German speaking and the French speaking areas already before World War I (Kreis 1996), urbanisation, increased mobility and nationalist and imperialist tensions in Europe culminating in World War I all formed the background for a continuous search for 'guiding semantics' which could provide a reassuring national identity in a rapidly changing world.

In particular, I shall examine the validity of Heckmann's hypothesis for this period: can the dominant conception of the Swiss nation be characterised as a political one, or even an 'ethnic-pluralist' one, and did this contribute to a tolerant acceptance of the ethnic and cultural differences of migrant groups and individuals?[2]

Of course, it is beyond the scope of this thesis to provide an exhaustive account of the migration movements to Switzerland, of the state policies in relation to *Ausländer*, or of the whole range of Swiss representations of migrants during this period. It is also not my aim to outline a substantial history of the range of competing representations of the Swiss nation from the rival perspectives of the Radicals, Conservatives, Socialists and others.[3] The more modest aim of this chapter is to give an indication of how the civic or political representation of the nation, as championed by the Radicals, was severely challenged and undermined by

[2] See chapter 1 for a discussion of Heckmann's thesis. It is important to keep in mind that Heckmann's thesis represents a whole range of observers (academics, as well as political actors) who put forward similar arguments. Thus, the purpose is not to single out one author for criticism, but to use his writing as a convenient summary of a much wider argument, which has been shared by powerful political actors in Switzerland.

[3] As pointed out in the introduction, this thesis concentrates on elite discourses on the nation, on the dominant representations of the nation and the *Ausländer*. An examination of the variety and contradiction in the discourses of the major political parties, of the state and of intellectuals is central to my challenge to Heckmann's thesis. Of course, an analysis of popular and media discourses would be required to explore the question to what degree the dominant representations of the nation

the dominant discourses about *Ausländer* emerging since World War I. As this chapter shows, the discourse of *Überfremdung* (over-alienation/over-foreignisation) attempted to constitute the national 'spirit' or 'way of life' in an essentialist, determinist way and linked this to a determinist representation of *Ausländer* in general, and Jews in particular, as being unable to assimilate to the Swiss national way of life and character.

To put it the other way around: because the period in question was characterised by deep concerns about national cohesion and even national survival, the discourse on the 'issue of foreigners' (*Fremdenfrage*) served as one important way of defining the nation by negation. Paradoxically, the representation of *Ausländer* (especially Jews, Russians, Asians, and 'Gypsies') as a potential or actual threat in the discourse of *Überfremdung* served — on a deeper ontological level — to reassure the very existence of the nation. If it is difficult or even impossible to specify the essence of the Swiss nation beyond vague generalities such as some unspecified 'Swiss spirit', a 'Swiss patriotism' (or a collection of secondary virtues, such as generosity or cleanliness, which can hardly be assumed to be exclusively Swiss characteristics), then the discourse of a danger of *Überfremdung* serves to indirectly reaffirm the existence of the Swiss national character. After all, if it is in danger of being swamped by foreign cultures, it must exist after all, albeit in a state of siege.[4]

Thus, the Swiss pre-occupation with the *Überfremdung* threat posed by *Ausländer* is not simply due to the undeniable practical, political, legal and social problems associated with the entry and presence of *Ausländer*, but constitutes an indirect and inherently unstable attempt at defining the nation, at searching for a center that holds (Bauman 1995), a collective identity that can not be taken away in spite of all the other rapid social and cultural changes brought on by modernity. In a provocative spirit, it can be argued that the Swiss needed their *Ausländer*, not simply as a solution to labour shortages, but as a way of imagining the nation in terms of a unifying, inherent character despite its actual dynamic diversity. Thus, while

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were shared by the broader population (see Hobsbawm's (1992a) stress on the difference between 'grassroots' and 'state' views on the nation).

[4] Similarly, any talk about the nation in terms of threat and danger aims to mobilise the citizens of the nation, thus serving to heighten the sense of Swiss patriotism.

Switzerland's economy has become dependent on migrant workers, Switzerland's sense of national coherence has become partially dependent on *Ausländer*, especially by restricting these migrants and their children to the status of *Ausländer*. Keeping or making migrants 'foreign' has been the Swiss way of 'solving' the problem of the stranger, or to be more precise, the ambiguity of the stranger (Baumann 1991). As we shall see below, this is an unstable solution which only transposes the ambiguity and contradictions to another level.

The meaning of *Überfremdung* in Swiss discourses is far from unambiguous and it has undergone some important shifts. This ambiguity has not prevented *Überfremdung* from becoming one of the major concepts in public and political discourse to describe the problematic and unstable relationship between the Swiss and the *Ausländer* throughout the 20th century. In fact, its very ambiguity has probably contributed to its persistence and accounts for the wide-spread support it has enjoyed. It has not just been a term in public discourse, but, as we shall see below, it has become a core term in state discourses and policies in relation to *Ausländer*. Thus, the new discourse of *Überfremdung* (over-alienation; over-foreignisation) constituted a unique Swiss attempt at coming to terms with significant social, economic, political and ideological changes by relating them to the presence of *Ausländer* (foreigners, aliens).

The following discussion shows how the years of World War I (especially the year 1917) marked an important turning point in the discourse and practice regarding *Ausländer* (foreigners). This was linked to a shift from a civic-political representation of the nation, which favoured the assimilation and naturalisation of migrants, to a more determinist one, which favoured restrictions to immigration and strict control of foreign residents within Switzerland.

Thus, World War I can be identified as the historical context for the emergence of what I shall call the foreignisation process or the foreignisation regime. I define the foreignisation process as a combination of discourses, state policies, laws and institutions which together construct migrants as *Ausländer* (foreigners) who are a potential threat to the nation and the national way of life and therefore need to be

controlled, restricted from certain rights and be kept under surveillance. The specifically Swiss discourse of *Überfremdung* begins to be linked with a strong emphasis on the tight legal and social control of *Ausländer*. This approach became institutionalised with the formation of a centralised Foreigners' Police (*Fremdenpolizei*) and the enactment of a series of decrees which culminated in the Law on the Residence and Settlement of *Ausländer* in 1931 (*ANAG*).

The foreignisation process has evolved over time up until today. I shall document some of the changes. However, it is an important part of my argument that some essential features have been reproduced and reworked throughout the 20th century and provided the backbone for what is called *Ausländerpolitik* (politics and policies in relation to *Ausländer*). This chapter describes the emergence and development of the foreignisation process during and after World War I, its interpretation and evolution before and during World War II in relation to refugees. The following chapters 7 and 8 analyse the operation of the foreignisation process in relation to post-war labour migration and refugee migration. Chapter 9 discusses the essential features of the foreignisation process.

THE ASSIMILATIONIST SOLUTION TO *ÜBERFREMDUNG* BEFORE WWI: FORCED NATURALISATION AND *JUS SOLI*

On several occasions, the presence of *Ausländer* became a publicly contested issue in Switzerland before World War I. Some tensions erupted against Italian workers in Zürich (Hoffmann-Nowotny 1992:79-80). Anti-Germanic sentiments linked to the presence of German businesses and professionals rose in the French speaking part of Switzerland (Kreis 1996).[5] Concerns about the number of *Ausländer* began to be voiced, although the actual number of foreigners was frequently over-estimated by contemporaries (Arlettaz and Arlettaz 1990).[6]

[5] In his study of the French-Swiss, anti-German and anti-modern discourse in the immediate pre-WWI years, Kreis observed that the Germans appeared like the embodiment of threatening progress and 'materialism'. The German speaking Swiss were seen as representatives of the German Reich and also actors of economic domination (Kreis 1996).

[6] I discuss this preoccupation with absolute and relative numbers of *Ausländer* in Switzerland in chapter 9

It was in this context that the German term *Überfremdung* began its career in Switzerland. According to Romano, the term *Überfremdung* (initially in alternation with the term *Verfremdung*), loosely translatable as 'overalienation' or 'overforeignisation', was apparently first used by C.A. Schmid in his 1900 publication *Unsere Fremdenfrage* (Our Foreigners'/Aliens' Question) (Romano 1996:74; Jost 1991:100). In this and later publications, Schmid warned in apocalyptic terms of the 'foreign' threats to Switzerland. *Überfremdung*[7] may even lead to the demise of Switzerland. However, while Schmid's alarmist warnings remained marginal for some time (Romano 1996:74), *Überfremdung* became entrenched as a key term: initially, from about 1910, as part of a specialist discourse of an elite of jurists and politicians, later as part of a broader parliamentary, public and media discourse.

The crucial characteristic of this elite liberal discourse on *Überfremdung* before 1917 was the relatively relaxed and confident assessment of the situation in Switzerland. The discourse acknowledged that there may be potential problems with foreign residents with divided loyalties in the context of increasing rivalries of surrounding imperialist nations. However, this was not seen as an existential threat to the nation but as a technical, practical and legal problem that could be solved by technical, practical and legal means: namely by means of *Zwangseinbürgerung*, that is, forced naturalisation of foreigners (Hoffmann-Nowotny 1985:208). In other words, the dominant liberal view favoured an assimilationist, rather than a completely determinist or a multicultural approach.

Romano (1996) examined the dominant liberal view before WWI in an analysis of the discourse of leading Radical politicians, such as Göttisberg and Bissegger, and of the *Neue Zürcher Zeitung*. These politicians re-iterated their civic-democratic conception of the Swiss nation. For instance, Bissegger argued in 1910:

> the existence of Switzerland is based on the patriotic force of its citizens, its moral legitimation on the unique, exemplary power of its ancient democratic institutions, however mainly on the fact that we managed to hold together different language groups [*Sprachstämme*] in undisturbed harmony in common political efforts for centuries (quoted in Romano 1996:54).

[7] Schmid also used the largely synonymous words *Verfremdung* or *Verausländerung*. However, these terms did not enter the policial or public vocabulary in the way *Überfremdung* did.

Following this civic-democratic, multi-linguistic view of the nation, Göttisberg (Romano 1996) saw the main problem not in the supposed threat or unassimilability of foreigners, but in the violation of the Swiss democratic principle, because a large part of the resident working population (defined as 'foreigners') was excluded from political rights. Thus, the civic-democratic conception of the Swiss nation was associated with an optimistic assessment of the possibility of 'assimilation' of foreigners. Indeed, the Federal President Forrer argued in 1912 that 'the Swiss nature/essence [*Wesen*] exerts a more momentous power of assimilation [*Assimilationskraft*] than anywhere else in Europe'(Romano 1996:58).

These assimilationist views were clearly reflected in the debates about the revisions of naturalisation and citizenship laws. The revision of citizenship laws in 1903 permitted cantons to introduce the *jus soli* on the Cantonal level. However, no Canton made use of this option ostensibly out of fear of getting involved in conflicts over international citizenship rights. Nevertheless, the Cantons supported the introduction of the *jus soli* on the Federal level by 1909, and their 'commission of the nine representatives' (*Neunerkommission*) presented a draft for a constitutional revision along the lines of a *jus soli* to the Federal Council (*Bundesrat*) in 1912 (Arlettaz and Arlettaz 1990:22).

The concept of *Überfremdung* entered official state discourse in the 'Report to the Federal Council of 30 May 1914 regarding measures against *Überfremdung*' by the Federal Political Department (see Ludwig 1957:57). The report pointed out that on 1 December 1910 the proportion of *Ausländer* of the total population was 14.7%, and even higher in some cantons and cities, for instance 50% in Lugano (Ludwig 1957:57). This was regarded as 'completely extraordinary' ('*ganz ausserordentlich*') in comparison with other European countries. Significantly, the report explicitly rejected any proposal to reduce the number of Ausländer by restricting their entry and settlement. Instead, it advocated increased naturalisation, by means of forced naturalisation (*Zwangseinbürgerung*), as well as by granting the right to naturalisation under certain conditions. The Federal Council agreed with

this approach in July 1914, but WWI put a stop to the envisaged legislative process (Ludwig 1957:57).

Two points warrant mention in relation to the dominant liberal view regarding the nation and *Ausländer* before WWI: first, while the liberal view stressed and celebrated the linguistic diversity within Switzerland, it did not promote or expect an open-ended multiculturalism or ethnic-pluralism in relation to *Ausländer*. In fact, it clearly and explicitly promoted an assimilationist view, even coining terms such as the superior Swiss *Assimilationskraft* (Assimilation force/power). Thus, at least for this period, Heckmann's argument regarding Swiss ethnic-pluralism needs to be qualified substantially. Second, the liberal, assimilationist representation of the nation and the *Ausländer* before World War I was already challenged by alternative, conservative representations put forward by an emerging radical Right-wing movement of intellectuals and writers at the turn of the century (Jost 1991). Their conservative 'cultural' battle over the direction and identity of the Swiss nation anticipated some important political, legal and institutional changes.

THE RISE OF THE HELVETIC NEW RIGHT

The confident Radical civic-democratic construction of the Swiss nation, and the concomitant relaxed attitude towards the presence of *Ausländer* and naturalisation, dominated the political and legislative arena before WWI. However, a whole range of public figures began to share a sense of disillusionment with the liberal-democratic notion of the nation and began to search for an essence of the Swiss nation or a Swiss spirit (Matter 1996:87). For instance, Ernest Bovet, the founder of the *Schweizerische Vereinigung für Heimatschutz* (Swiss Association of Heritage Protection) in 1905 and of the journal *Wissen und Leben* (Knowledge and Life) in 1907 [8], argued that the liberal concept of the Swiss nation as a political idea 'had become too weak to be able to be the foundation of the unity of Switzerland'(Romano 1996:64).

[8] The journal *Wissen and Leben* acted as an arena for a wide-ranging critique of modernity, especially of its faith in science, its consumerism and its destruction of community.

Thus, a conservative challenge to both the construction of the nation, as well as the construction of the *Ausländer* began to gain ground in the extra-parliamentary, cultural arena.[9] As Jost (1991) shows, the perception of a 'crisis of modernity' at the turn of the century led to a renaissance of a reactionary and authoritarian 'New Right' which was fiercely critical of liberalism (including rationalism, individualism, democracy, industrialisation, capitalism and its 'materialism') and socialism.

As this radical right wing critique rejected Swiss democracy and liberalism, it had to put forward another basis for the identification of the Swiss nation. Prominent figures of this right wing movement joined in the public discussion that ensued in the German speaking part of Switzerland, from about 1907, as to whether there was a Swiss nation and what was its distinct character as opposed to the surrounding countries that shared language, religion, culture, the alpine territory, and even some of its history.

This new right replaced the civic-democratic concept of the nation by a nationalism based on authoritarian, even militaristic[10], hierarchical and Christian values, and on a glorified mythical view of history (*Urschweiz*, *Ancien Régime*) and, in some instances, on racism and xenophobia (Jost 1991:98). To put it more generally, it attempted to put the Swiss nation on a firm essentialist, determinist footing in opposition to the rapid changes brought about by modernisation, with its perceived twin threats of capitalism and socialism.

The 'question of foreigners' played an important part in this particular discourse. The new Right saw the higher proportion of foreigners in Switzerland as a symbol of — as well as part of the reason for — the more general social crisis of modernity.

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[9] There is an interesting parallel here, as both the Swiss Right wing around the turn of the century and recent Right wing movements, for instance the *Nouvelle Droite* in France in the 1970s (Taguieff 1991), began its renewal in the extra-parliamentary, cultural arena and made the issue of 'foreigners' a central focus.

[10] For many on the Right, the military was not simply an institution, but also an ideological value. It taught the values of hierarchy, patriotism, and masculinity, and, of course, it could also be used against the workers and socialism. The embracing of military values included a positive assessment of war. For instance, Koller managed to detect a purifying effect of war, as it 'throws the nationalities back on themselves'(Koller 1915:26))

They spoke of an 'acute crisis of *Überfremdung*', a 'foreign invasion', which threatened a process of *Entschweizerung* (literally: De-Swissification) (Mattioli 1996:116)). The increased mobilisation of workers and trade unions before and during World War I were seen as the result of guestworkers acting as 'agents of revolution' (Mattioli 1996:117). Thus, strikes were frequently regarded as the result of 'foreign agents' and agitators (Jost 1991:100). For instance, in his *Die Fremdenfrage in der Schweiz*, Koller stated:

> Let us be blunt: the kind of socialist agitation in our democracy, which could already grow to such a degree that it led to pure terrorism, to the general strike, is as foreign to us as possible and it is entirely inconceivable without this foreign invasion (Koller 1915:25).

Metaphors of disease and illness abounded, such as the reference to a 'socialist bacillus' and to a 'revolutionary epidemic' (Mattioli 1996:117).

One of the key figures of this New Right was the reactionary Catholic intellectual Gonzague de Reynold, who became adviser to several Federal Councillors (Jost 1991:104). He advocated the establishment of an authoritarian, hierarchical 'Christian state' based on 'traditional' values and practices of the rural, rather than the industrial past.

The following two quotes give an impression of his views on the state of the nation and the threat posed by 'foreigners':

> A dumb materialism is flooding everything. Our tradition is being despised, our past is being falsified; our glory is being forgotten. The foreigner is stirring things up everywhere, and yet one does everything for him. The '*Fremdenindustrie*'[11] – another of those particularly humiliating expressions – destroys our people, without gaining anything from it. It even invades the sacred realms of art, science and education. And the real industry produces a proletariat that largely consists of French, Italian and German refugees, who make fun of the country in which they live. Even the people's representatives who have been elected through general suffrage tremble when facing them. Nobody dares to openly react against this. In addition, one fears clear words: the aristocratic titles are being dropped and a *Korpskommandant* is only called *Oberst*.[12] And finally, nobody dares, if necessary, to remove the right of asylum and thus put the axe to the root of the problem. (quoted in Jost 1991:97)

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[11] *Fremdenindustrie* is a term used to refer to the tourist industry. Literally, it means aliens' or strangers' industry, that is, industry that caters for the foreign tourists. In relation to the argument of this thesis, *Fremdenindustrie* is indeed a revealing term that could be radically reinterpreted as the process (or industry) that socially constructs or produces *Fremde*.(strangers).

[12] *Korpskommandant* and *Oberst* (colonel) refer to military ranks in the Swiss army.

The theme of being invaded by 'barbarians' and threatened by (real or metaphorical) diseases and anarchy is expressed in the following passage, which de Reynold wrote in 1909/1910:

> In addition we are also being invaded by barbarians (...) These slaves, these Greeks, these South-Americans, these Orientals are all big, uncivilised children, who come to us with tasteless knick-knacks and great luxury, with nebulous philosophies, with subversive ideas and moral and physical diseases. If only we were strong enough to force our culture upon them! But no: it is them who are spreading propaganda, and quite some propaganda with substantial means! And anarchy is spreading in our cities. The 'right of asylum' had its justification in an epoch, when one fought for the basic rights of freedom – it has become a danger today (quoted in Jost 1991:99).

Apart from its sweeping generalisations about migrants, and the use of the metaphors of war (invasion) and medical metaphors (disease) which are frequent in many anti-migrant discourses, this quote is also interesting in terms of its peculiar contradictions. For instance, on the one hand, the migrants are represented as 'slaves', as 'children', suggesting they are rather weak. On the other hand, 'they' and their propaganda appear to be strong enough to overwhelm the Swiss 'culture'. Another perplexing point is de Reynold's reference to 'South-Americans, Greeks, Orientals', which appear to have no relation to the actual ethnic or national back-ground of the vast majority of *Ausländer* (see also below the reference to 'negroid decadence'). Of course, these references, and the similarly puzzling reference to 'slaves', could be interpreted simply as figures of speech, as rhetorical exaggerations. However, such references can also be interpreted as reflecting and confirming the way in which discourse functions within the foreignisation process. The *Ausländer* discourse is not so much about the actual situation of migrant workers or refugees in Switzerland, but it constitutes *Ausländer* as an object of knowledge and of discipline in contradistinction to the Swiss nation. Thus, the actual labelling and descriptions of migrants is not based on empirical evidence (for instance, actual national back-ground of migrants), but is guided its own logic, by political interests and desires. In this sense, the *Ausländer* discourse shares important similarities with Orientalist discourses, as identified by Said (1979). Consequently, the Swiss foreignisation discourse can in fact recycle the colonial discourse ('negroid decadence', 'uncivilised children', 'Orientals') *outside* the colonial context, namely in the domestic Swiss context in relation to migrants.

De Reynold's quote is also interesting in the way in which it located part of the problem with the democratically elected government and parliamentarians, as well as with the legal framework allowing asylum to refugees. Such populist arguments have also surfaced in more recent debates about asylum seekers (see chapter 10).

Following the dissemination of racial and Aryan theories in Europe in general (Polyakov 1974), some Swiss intellectuals began to explore the option of a racial basis for the Swiss nation. For instance, Eugen Bircher considered the idea of a Swiss 'Alpine race' in the journal *Schweizer Monatshefte* (Swiss Monthly Journals). The respected journal *Wissen und Zeit* (Knowledge and Time) published suggestions for a breeding of a 'Swiss race' in the face of the danger posed by 'negroid decadence' (Jost 1991:99). Anti-Semitism, as well as anti-Roma sentiments were also on the rise at that time (Jost 1991:99).

The intriguing, ambiguous results of attempts to define the Swiss nation on a racial basis are exemplified by Max Koller's publication *Die Fremdenfrage in der Schweiz* (1915).[13] While this publication is of historical significance in that it highlights the existence of representations of the Swiss nation which clearly rival and undermine the Radical, liberal views (countering Heckmann's one-dimensional categorisation of Switzerland), it is also fascinating to compare Koller's combination of assimilationist and completely determinist arguments with more recent Swiss policies in relation to migration, in particular the Three Circle model (see chapter 10).

Koller shared the conservative critique of the negative 'influence of modern life', including industrialisation, proletariansisation and urbanisation, as a 'cause of *Überfremdung*'. He also used theories of 'races' and 'tribes' (*Stämme*) to analyse the threat posed by migration: 'successive invasion by foreign blood' would lead to a 'mixing of blood' which he likened to 'creeping poison' and 'alcohol' (1915:13):

[13] Max Koller was a member of the Germanophile *Deutschschweizer Sprachenverein* (Swiss German language association), which published a series of articles on the issue of foreigners under the dramatic heading '*Stimmen im Sturm*' (voices in the storm).

> There is no more fundamental way of destroying a united people (*Volkstum*) than by mixing all sorts of tribes [*Stämme*] and races.(1915:13)

Explicitly, Koller introduced the argument of inassimilability of many of the new migrants:

> The protection of asylum, which we have granted in the past to leading intellectuals of our tribally related (*stammesverwandten*) neighbouring countries, is today being offered far too liberally to Polish and Russian students, possibly even of Jewish origin, gangs of Italian workers with their wives and children, indeed in Geneva even Turks and Egyptians, and they also easily obtain naturalisation. However, they are elements who are simply not assimilable: it is not a matter of their will, but it is a matter of their inability (Koller 1915:13-14).

Of course, the phobia of mixing and the claim of inassimilabilty has been a common theme in racist theories (Geiss 1988; Taguieff 1991). However, what is particularly interesting in this context is how a racial theorist grapples with the linguistic and cultural diversity within Switzerland. While Koller searched for common 'Swiss characteristics', he did not define the Swiss nation in racial terms or in terms of one *Stamm* (tribe/descent). Instead, Koller divided Switzerland into 'three *Stämme*' which roughly coincided with the three major linguistic groups (German, French and Italian). For Koller, these *Stämme* were also alien to each other and should be kept separate. On the other hand, people from each *Stamm* were said to feel at ease with people from neighbouring countries, who speak the same language and are seen as 'related' (*verwandt*).[14]

This begs the familiar question — forever haunting Swiss nationalist and racial thought — of what in fact unites the Swiss nation, if the concepts of race or *Stamm* threaten to split the nation and assign the different linguistic areas to the neighbouring countries. Koller argued that the only common uniting factor of the Swiss people and state is 'the democratic idea', this 'cultural thought' (*Kulturgedanke*), 'which we have maintained since ancient times' (Koller 1915:10-11). At this stage, it may appear that Koller has abandoned the search for racial and other completely determinist definitions of the nation and has returned to the Radical, liberal representation of the nation. However, it is crucial to note that for Koller, this 'democratic thought' is not simply expressed in the political system or

political culture, but 'even more so in the indigenous [*eingebore* ife' (Koller 1915:24). It is this central aspect of Swiss way of life or amely the democratic idea, that is particularly in danger through the mixing d:

> The examples of the American Republics, Egypt and other countries show us how the extensive mixing of blood damages precisely the qualities which are absolutely necessary for a truly democratic state, which we represent after all. (Koller 1915:26)

The intriguing idea that 'blood mixing' undermines democracy has the important corollary that democracy, or more precisely a democratic spirit, depends on the purity of blood, that it is biologically innate. Thus, the Swiss nation can be distinguished and defined in terms of an innate sense of democracy. Importantly, this is a completely deterministic argument, even though it may appear in some passages as a 'civic' or 'democratic' argument about the nation. Democracy, thus, can not be learnt or acquired: it is in the blood. It is completely determined by one's blood, by nature. It comes as no surprise then that Koller's Poles, Russians, Turks, Egyptians and Italians can not assimilate, even if they wanted to. 'The assimilation of so many foreign elements is totally impossible, as one would have to change the laws of nature' (Koller 1915:26).[15]

Koller suggested an interesting 'clean solution' [*saubere Lösung*[16]] to this perceived problem, in which he combined completely deterministic with assimilationist arguments.[17] He advocated that the 'really assimilable elements' be naturalised as quickly as possible (Koller 1915:27). He considered people from the Southern-German areas of Baden, Württemberg, Bavaria and German-Tyrol as assimilable in the German-speaking part of Switzerland. Similarly, French from the border areas could migrate to and assimilate in the French-speaking part of Switzerland, and the same rule applied to the North-Italians in relation to the Italian-speaking Canton of

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[14] The notion of neigbouring countries or cultures being 'related' (*verwandt*) in a quasi-kinship sense has played an important role in more recent discourses on *Ausländer* in the context of European integration (see chapter 10).

[15] Note that the reference to 'so many foreign elements' leaves open the theoretical option of assimilation for a small number of *Ausländer*. This is an instance of the oscillation between completely determinist and assimilationist arguments described in chapter 4.

[16] With hindsight, Koller's 1915 formulation of a 'clean solution' in relation to migrant minorities appears rather chilling, given that it appears like a combination of 'final solution' and 'ethnic cleansing'. Of course, the search for 'clean solutions' reflects the racist pre-occupation with purity and (racial) order.

[17] See chapter 4 for a discussion of the significance of combinations of completely determinist and assimilationist discourses.

Ticino. However, Koller considered the 'North-German' in 'his manner' already 'quite foreign' (especially for French-speaking Swiss) and fundamentally the North-German had 'no understanding of our democratic conditions' (Koller 1915:27). Similarly, 'Southern-French', as well as 'Middle-Italians' and 'South-Italians' were to be 'treated differently':

> Forced naturalisation of elements from these areas would be desirable only under particular conditions, in any case this would have to depend on a much longer stay at the same place. (Koller 1915:27)

Interestingly, migrants from England and America would also fall in this category.

Finally, Koller mentioned the 'completely foreign elements, such as Spanish, Slavic, Turks, Orientals of all kinds' (Koller 1915:28). They should be excluded from any naturalisation, 'because it is entirely inconceivable that they could assimilate in the foreseeable future' (Koller 1915:28). Reflecting the dominant thinking at the time, Koller was more concerned with the restrictions of naturalisation than with the restriction of access to the country. Non-assimilable 'foreigners' could nevertheless stay in the country: 'The rest can stay with us as foreigners [*Fremde*], after all they are foreign'(Koller 1915:28).

I have presented Koller's view at some length because it exhibits a few important discursive strategies that were to re-occur in a reworked form for the rest of the century.[18]

First, democracy is presented as an innate Swiss characteristic, in fact *the* central characteristic which distinguishes the Swiss nation from all others. A completely deterministic argument links blood, democracy and the nation. If the democratic spirit is innate, it can hardly be learned. Thus, it is theoretically impossible to become Swiss, because only the Swiss possess what could be termed 'democratic blood'. Thus, the discourse which conceives democracy as an innate, inherent characteristic of a people, rather than as simply a political principle of legitimacy, serves to exclude migrants from the nation, rather than include them. Democracy

[18] This is not to suggest that Koller's publication was at the beginning of 'a trend', nor that it was particularly influential. The precise social impact of one particular historical writing is often difficult or impossible to measure. However, Koller's piece can give an indication that these sorts of ideas about democracy and the foreigner, about assimilable and non-assimilable foreigners and so on have a history that goes back to at least World War I.

has been central in many representations of the nation, however not necessarily in the way in which Heckmann portrayed it (the Radicals' conception of the nation). The analytic concepts of 'complete determinism' and 'assimilationism' help to detect and clarify these distinctions.

Second, Koller used a combination of completely determinist and essentialist arguments to construct what could be termed a 'Three circle model', consisting of readily assimilable foreigners from across the borders, foreigners that can be assimilated after some time from slightly further away (including Americans), and 'the rest' which is constructed as non-assimilable. Very similar distinctions appeared again in the 'Three circle model' in the Swiss state's *Ausländerpolitik* in the 1990s. As I shall discuss in chapter 10, the 'Three circle model', which informed, guided and justified the Swiss state's approach to migration in the 1990s, substituted the term *Kulturkreis* (cultural area) for the discredited terms 'race' and '*Stamm*', but continued to argue in terms of related (*verwandt*) cultures, which could be assimilated, and 'further distant cultures' which could not and should therefore be prevented from immigrating to Switzerland.

The historian Jost concluded that many intellectuals of the new Right (such as Bircher and de Reynold) were integrated into the political elite and important elements of their ideology began to influence society and institutions in the interwar years, particularly in relation to xenophobia and racism (Jost 1991:104).

THE BEGINNINGS OF THE FOREIGNISATION PROCESS DURING WORLD WAR I

The period of World War I constituted an important turning point in the imagining of the nation and the representations of *Ausländer* in Switzerland (Arlettaz and Arlettaz 1990).

Public and parliamentary discussions began to focus on the presence of 'undesirable *Ausländer*', namely deserters and conscientious objectors.[19] These deserters and

[19] The changed climate was also expressed and promoted by a press campaign against 'undesirable' foreigners in autumn 1917 (Arlettaz and Arlettaz 1990:24).

conscientious objectors were accused of socialist, anarchist and anti-militaristic agitation (Arlettaz and Arlettaz 1990:38; Durrer 1996:202). Consequently, the traumatic experience of the general strike of 1918 was considered by bourgeois politicians, such as the Radical politician Henri Bersier, as 'essentially of foreign origin' (Arlettaz and Arlettaz 1990:52; Haug 1984:142). An important distinction began to be made between migrants who arrived before 1914 and those who came after, with the latter frequently being regarded as 'opportunistic, inassimilable and useless' (Arlettaz and Arlettaz 1990:40). Moreover, they were frequently accused of espionage, smuggling (Durrer 1996:202) and of abusing the generous Swiss hospitality (Arlettaz and Arlettaz 1990:48).[20]

Ausländer increasingly became seen as a threat to the nation and its way of life due to their inassimilability, or due to the lower 'acceptance capacity' (*Aufnahmefähigkeit*) of the Swiss nation. This reversal in the assessment of the nation's assimilation capacity was accompanied by a change of the meaning of *Überfremdung*. In turns, this also led to legal changes (the introduction of separate legislation for *Ausländer*) and institutional changes, notably the establishment of a central Foreigners' police (*Fremdenpolizei*). The new discourse of *Überfremdung*, as well as the related legal and institutional changes, marked the beginning of the foreignisation process, which dominated the approach to *Ausländer* for the rest of the century.

The discourse of *Überfremdung*

The debate in terms of *Überfremdung* became broader and more public, as indicated by the more frequent appearance of the term in the Neue Zürcher Zeitung (Romano 1996).

Romano (1996:51-52) highlights the following changes to the concept and the discourse of *Überfremdung*:

a) The question of naturalisation became marginalised and disconnected from the discourse of *Überfremdung*.

[20] In May 1918, the Federal Council even issued an order that 'foreign deserters and objectors' were to be prevented from entering Switzerland. However, opposition by the public and by some politicians led to a reversal of this policy in October 1918 shortly before the end of the War (Durrer 1996).

b) Naturalisation became more difficult, as the *jus soli* concept was ignored in the 1920s.

c) A change from a technical, legal and demographic discourse to a social and cultural debate about the limits of the assimilation capacity of Switzerland, as well as of the foreigners themselves (see also Arlettaz and Arlettaz 1990:58).

d) the concept of *Überfremdung* became more differentiated. The discourse distinguished between *geistige* (intellectual-spiritual), political and economic *Überfremdung*. *Geistige Überfremdung* refered to foreign cultural influences stemming from strong congregations of foreigners within the country, and it also referred to the foreign influences on the 'language question' (tensions between French and German-speaking areas); political *Überfremdung* referred to 'foreign revolutionaries' and socialists. Domestic, vertical conflicts (class distinctions) were thus translated into horizontal conflicts between nationals and foreigners (ethnic/national distinctions). Economic *Überfremdung* referred to the threat of foreign competition and was linked to the demand for protectionist policies.[21]

e) The liberal attitude towards immigration and assimilation was replaced by restrictions on immigration and strict controls of the *Ausländer* living in the country (see alsoArlettaz and Arlettaz 1990:59).

According to Romano, the discourse of *Überfremdung* became in fact a 'Swiss alternative semantic to ethnic-racial identity options' (Romano 1996:43). Essentialist notions of the Swiss nation allowed a more convincing portrayal of foreign influences as a considerable threat due to their essential differences. In turn, the designation of *Ausländer* as inassimilable and as a threat indirectly confirmed the idea of a Swiss essence , particularly in a situation when contemporary thinkers struggled to identify a specific Swiss essence. As Romano (1996) points out, this whole debate occurred independently of the actual fluctuations in the number of foreigners at the time, further indicating that the debate had more to do with a crisis of collective identification than with the actual practical or political problem posed by *Ausländer*.

[21] For instance, in 1919, the Head of the Federal Department of Justice and Police, Eduard Müller, was less worried about the 'danger of *Überfremdung* by all sorts of people', but by the danger of 'economic *Überfremdung*', that is, a 'foreign infiltration' and 'economic dependence on foreign countries'(quoted in Arlettaz and Arlettaz 1990:16).

Thus, a new consensus emerged, in which the dominant Radical, civic-democratic concept of the nation was at least diluted. According to Romano's analysis, the Radicals had to react to the threat posed by the ethnicisation of the language question by conservative groups such as the *Deutschschweizer Sprachenverein* (publishing in '*Stimmen im Sturm*') and writers such as Koller, whose separatist flirtation with the concept of linguistic *Stämme* I discussed above. However, instead of re-asserting the liberal democratic concept of national identity, the Radicals began to invoke history, as well as a romantic historicising natural, geological-geographical constructions akin to the pathos-filled nationalist discourse of the late 19th century (see quotes in Romano 1996:69-70). This resulted in a more exclusivist concept of the nation. Romano concluded that

> from 1917 a restrictively interpreted concept of *Überfremdung* begins to become the guiding semantic of the identity definition of Switzerland ex negativo (Romano 1996:71).

An analysis of the parliamentary debates at the time led to a similar conclusion:

> From then on, the Swiss character was not perceived in political or civic terms any more, but as 'mystic' and innate. (Arlettaz and Arlettaz 1990:31)

Completely deterministic definitions of the Swiss nation, which had been more marginal and also expressed in more extreme form by intellectuals such as Koller, became mainstream. As pointed out in chapter 4, such a completely determinist representation of the relation between the nation and *Ausländer* does not necessarily exclude simultaneous assimilationist representations. For instance, in 1920, Giuseppe Motta, the new Head of the Political Department, stressed the importance of developing the 'moral forces' and maintaining the 'individuality' of Switzerland, by promoting the political assimilation of foreigners and the ejection of those who are not assimilable (Arlettaz and Arlettaz 1990:27).

The concept of *Überfremdung* continued to be used in official state discourses. On 9 November 1920, the Federal Council discussed 'measures against *Überfremdung*' in a *Botschaft* (declaration). The Federal Council feared that the Swiss population in cities and cantons with an 'excessive' number of *Ausländer* would take on the

'foreign mentality' and as a consequence would not be able to communicate with other parts of the country which would endanger the coherence of the Swiss state and nation.(BIGA 1964:127). There was also concern that the nation would 'lose its unique character (*Eigenart*), and that the customs, habits, the political ideas, the moral values and the feeling of connectedness and dedication to the fatherland would decrease' (BIGA 1964:128).

It is important to note that the discourse of *Überfremdung* was also linked to — and expressed in terms of — anti-Semitism (see Mattioli 1998; Bergier 1999:47) and hostility to *Fahrende* (literally itinerant, referring to Romani/'Gypsies') (Bergier 1999:47).

Legislation regarding *Ausländer*

The paradigmatic changes in the meaning of *Überfremdung* also found expression in new legislation in relation to *Ausländer*. The new emphasis was on the control and restriction of immigration, as well as on the surveillance, control and restriction of *Ausländer* living in the country. In 1917, the Federal Council introduced visa requirements and the registration of all resident *Ausländer*, and landlords and employers had to notify the authorities, if they employed or rented to an *Ausländer* (Aeschbach 1994:232; Haug 1984:141). The granting of permits had to be guided by the 'acceptance capacity' (*Aufnahmefähigkeit*) of the country and the suitability of the applicant as judged by the authorities (BIGA 1964:141).

It is important to keep in mind that this process change towards the restriction of migration and the strict control of resident *Ausländer* within Switzerland occurred within the framework of the special emergency powers (*Notrecht*) during a war situation. The new legal measures against the 'danger of *Überfremdung*' were also introduced in a spirit of urgency. The sense of immediate danger justified the use of special emergency powers (Arlettaz and Arlettaz 1990:16). The combination of a sense of urgency and a sense of emergency was to be a re-occuring pattern in relation to *Ausländerpolitik* in the 20th century. Finally, this process change also

resulted in greater centralisation of issues in relation to *Ausländer*.[22] The Federal Justice and Police department took over the responsibility for the border police and the 'control of *Ausländer*' (Haug 1984:141). Greater centralisation of power has always been a sensitive issue in the Swiss Federalist system which strives to give cantons considerable decision-making power. Greater centralisation may be interpreted as a general tendency of any war situation, however, it is a also a further indication of the intimate link between the representation of *Ausländer* and the imagining of the nation.

The Foreigners' Police (*Fremdenpolizei*)

The Federal Council decree of 21 November 1917 also established the Central Office of the Foreigner's Police (*Zentralstelle für Fremdenpolizei*) charged with the control of foreigners' movement (Arlettaz and Arlettaz 1990:46; Aeschbach 1996:232). Initially, the Central Office of the Foreigners' Police was largely independent, and headed by H. Rothmund, who was to play a central role in its development and defensive and restrictive orientation in its first decades. In December 1933, the Foreigners' Police was integrated into the Police Section, which by then was headed by Rothmund. The Police Section in turn was part of the Federal Justice and Police Department (EJPD). The Foreigners' Police is only an administrative authority without an actual police force. The instructions of the Foreigners' police are implemented and monitored by the Cantonal authorities and police forces, or, rather, the Foreigners' Police has a veto right over the Cantons' decision in relation to permits for *Ausländer* (Bergier 1999:57). The Foreigners' Police, as well as its long-serving head Rothmund, were to reproduce an institutional basis for a general attitude and practice of hostility to *Ausländer*, especially Jewish refugees between the 1920s and 1945 (Bergier 1999:47-48). There was opposition to the introduction of this new policing regime by some Radical and socialist politicans, as well as the hotel industry reliant on foreign workers (Arlettaz and Arlettaz 1990:64-73). However, fear of unemployment and of *Überfremdung* of the national character by masses of *Ausländer* dominated the parliamentary debates in

[22] Since 1848, the Federal government already had the right to expel foreigners who were regarded a threat to 'internal or external security', thus overriding Cantonal jurisdiction . This occurred more frequently later in the 19th century against foreign representatives of the working class (Arlettaz and Arlettaz 1990:46).

the years after 1917. For instance, the parliamentarian Häberlin saw the Foreigners Police as a 'bulwark against the Orient' (Arlettaz and Arlettaz 1990:62) and the parliamentarian Wettstein saw it as a 'necessary evil' in the fight against unemployment (Arlettaz and Arlettaz 1990:65-66).

Thus, the elements of the foreignisation process, combining discourses, state laws and policies, as well as new state institutions such as the *Fremdenpolizei* began to be assembled for the first time during World War I. The media also played an important role in this, as well as some extra-parliamentary mobilisation, such as the committee for the battle against the 'foreign overpopulation' (Vuilleumier 1989:73) which launched popular initiatives (Arlettaz and Arlettaz 1990:28).[23]

NORMALISING THE FOREIGNISATION PROCESS IN THE 1920S

It is evident that the original foreignisation process reflected a sense of imminent, existentialist threat to the nation posed by the war situation and, from the bourgeois perspective, by socialist revolutionary activities. Contemporary critics, such as the Radical parliamentarian Rochaix, pointed out the 'policing and xenophobic spirit' which led to the establishment of the Foreigners' Police (Arlettaz and Arlettaz 1990:71).

It is significant for the development of the nation/*Ausländer* representations in the 20th century that the foreignisation process was not abandoned after the war. In the light of several economic crises and unemployment in the 1920s and 1930s (Fahrni 1983:104-106), it may not be surprising that immigration was seen as problematic. However, throughout this period, the authorities stressed that, apart from concerns about competition for jobs, the issue of *Überfremdung* continued to be of special, separate concern. The foreignisation process, including the discourse of *Überfremdung*, the separate legal framework for *Ausländer* and the Foreigners' police, was institutionalised and entrenched in the decade after the war. A series of

[23] Public and media discourses are important aspects of the foreignisation process, however, they are not the focus of this thesis.

Federal Council decrees (*Verordnungen*)[24] and resolutions (*Beschlüsse*), and a necessary constitutional change in the 1920s[25] culminated in the introduction of the Federal Law of 26 March 1931 'on the residence and settlement of Ausländer' (ANAG)[26]. This law has been revised several times but is still in force today. Thus, the foreignisation process and the sense of emergency out of which it had been borne continue until today. The foreignisation process represents the normalisation and institutionalisation of a permanent emergency. Its continuation and reproduction, in particular its preoccupation with *Überfremdung*, has played a strangely ambiguous role in relation to the dominant representation of the nation: on the one hand, it is quietly destabilising. The constant evocation of an existential threat to the nation (its character, its way of life) posed by *Ausländer* promotes and reflects an unstable, weak sense of collective identity. Moreover, it significantly undermines and rivals any claim that the Swiss nation is based on a political or civic concept, or even on a multicultural concept. On the other hand, and almost for the same reason, the foreignisation process has been a stabilising force. The constant evocation of an existential threat has also had the effect of mobilising and galvanising rituals and discourses which seek to affirm a Swiss national character and coherence. And, as mentioned above, evoking a threat to something, logically presumes and confirms the very existence of what is supposedly threatened. Thus, the foreignisation process does not just create or constitute *Ausländer*, but also the nation.

Two state texts illustrate the process of the normalisation and institutionalisation of the foreignisation process in that period: the Federal Council's report of 2nd June 1924 and the Federal Law of 26th March 1931 (*ANAG*).

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[24] The *Verordnung* (decree) of 29 November 1921 'on the control of *Ausländer*' and the *Beschlüsse* (resolutions) of 7 September 1923 and 16 October 1928 provided the legal basis for the continued control and registration of *Ausländer*, be they refugees or migrants. Cantons still maintained the rights to issue residence and working permits, however the Federal *Zentralstelle für Fremdenpolizei* had veto rights. (Ludwig 1957:24).

[25] On 25 October 1925, the Swiss voters accepted a new article in the Federal constitution giving the Federal State the right to legislate on the entry, exit, residence and settlement of *Ausländer* (Arlettaz and Arlettaz 1990:76; Vuilleumier 1989:73).

[26] This law replaced the decree of 29 November 1921 which had been issued under the emergency power (*Notrecht*).

The Federal Council's report (*Botschaft*) of 2nd June 1924 spelled out the official analysis, fears, assumptions and suggestions for solutions in relation to the threat presented by *Ausländer*. The *Botschaft* argued that the battle against *Überfremdung* by means of the *Fremdenpolizei* had to be continued even after World War I and the end of emergency law. This was necessary because of fears of a 'run'[27] on Switzerland due to a 'very strong latent immigration will' by 'masses of most heterogeneous people' (*Volksmassen von der heterogensten Zusammensetzung)* (quoted in Ludwig 1957:58). The rise of the proportion of foreigners had to be stopped by 'every reasonably possible effort' (quoted in Ludwig 1957:58).[28] The entry of *Ausländer* had to be determined by the 'acceptance capacity' (*Aufnahmefähigkeit*) of the country, and permanent residence permits (*Niederlassungsbewilligungen*) should be granted only reluctantly. In particular, the *sans papiers* (refugees without personal documents) had to be deterred:

> We would have to fear that our country becomes the gathering point of all up-rooted people, if we do not reject these people already at the border. Because once they are here, we have to expect that they can not be removed again. (quoted in Ludwig 1957:59).

The report made an intriguing distinction between a chronic and an acute danger of *Überfremdung,* thus again employing disease metaphors, which are so common in nationalist, racist and anti-foreigner discourses. During the war, there was an 'acute danger of *Überfremdung'*. Peace time was not characterised by a disappearance of the danger of *Überfremdung*, but instead a change to a situation of 'chronic *Überfremdung'* as the proportion of Ausländer had risen again.

The report also highlighted a structural contradiction or tension which has posed policy dilemmas for the Swiss state ever since. The perceived need to restrict the proportion of *Ausländer* contradicted the demands of sectors of the Swiss economy, especially the hospitality and tourism industry, for allowing easy entry for foreign tourists and increasingly seasonal migrant workers. The report proposed to solve this dilemma by a strict registration and control of *Ausländer* by the Foreigners'

[27] The English word 'run' was used in the original German.
[28] Based on extrapolations of pre-war statistics, the report expected the proportion of foreigners to reach 50% in the year 1990.

police. This would not just allow the control of entry and residence of *Ausländer*, but would also provide a basis for their departure in the future (Ludwig 1957:59-60).

Thus, in this report, the deterrence of, or defense against (*Abwehr*), potential immigrants, and the strict control of the resident *Ausländer* became the basic principles which were to profoundly influence *Ausländerpolitik* (policies regarding *Ausländer*) in the 20th century (Haug 1984:143-144). The pre-World War I expectation of assimilation and of the acquisition of citizenship was replaced by an expectation of a separation from the Swiss population and an eventual departure after a temporary stay. Assimilationism was replaced by complete determinism.

The Federal Law of 26th March 1931 on the residence and settlement of *Ausländer* (*ANAG*) is perhaps *the* central document of the foreignisation process. As a law, it obviously has more powerful implications than a government or parliamentary report, let alone a newspaper article or a letter to the editor. It provides the legal basis for the separate status of *Ausländer*[29] and their control and restriction by the Foreigners' Police. The law provided the basis for the registration of all foreigners, the rights of Cantons to grant permits for abode, residence, and work, and the requirement of consent by the Federal Foreigners' Police. The law also specified conditions which would require *Ausländer* to leave the country again. These included lack of permits, a conviction, 'the abuse of the right of hospitality' (Ludwig 1957:27), mental problems which endangered public order and becoming dependent on public or private welfare. It is important to note that the *Ausländer* law (ANAG) provided the general legal framework, while still giving the government considerable room to manoeuver on the level of decrees (*Verordnungen*), where a large part of regulations in relation to *Ausländer* has been institutionalised (Dhiroa 1991).

The law has been revised several times, however it is still in force today. In particular, several core assumptions have remained unchanged, in spite of the

[29] The law also introduced important distinctions between three different permits or statuses: *Niederlassung*, which referred to an unlimited residence and far-reaching rights (Art. 6); *Aufenthalt*, which referred to a limited stay (one or two years) for work or education purposes (Art. 5); and the

political, economic, social and ideological changes, as well as changes to the patterns of migration and the situation of *Ausländer* living in Switzerland since the 1930s. This relative permanence could be related to the conservative nature of large parts of the Swiss population or to the conservative mechanisms in the Swiss political system. However, in the context of this thesis, it is not unreasonable to suggest that the foreignisation process, including its *Ausländer* Law (ANAG), has been reproduced precisely because its points of reference – its *raison d'etre* – is not simply the management of migration or the control of *Ausländer*, but the stabilisation of a Swiss identity in the face of social change. I shall discuss this paradoxical argument in chapter 9.

The Federal Law on the residence and settlement of *Ausländer* of 1931 was explicitly introduced as a regulating tool in the 'battle against *Überfremdung*'. The law stipulated that the authorities had to take into account the '*geistige* (intellectual/spiritual) and economic interests' of the country, as well as the 'degree of *Überfremdung*' when granting permits to *Ausländer* (Ludwig 1957:26).

Importantly, the term *Überfremdung* was not defined clearly in the prior debates, nor in the eventual formulation of the law. A government report of 1964 commented that there was no 'scientific definition', simply a reliance on common usage, whatever that was (BIGA 1964:128). There also is no French equivalent, which again points to the importance of regional discourse in framing social issues (BIGA 1964:128).

To make matters even more opaque and potentially arbitrary, authorities were also required to take into consider the 'future threat or danger' of *Überfremdung*, not simply the present state of *Überfremdung* (BIGA 1964:128). In relation to measuring the current state or the future threat of *Überfremdung*, the law's formulation is particularly unclear whether *Überfremdung* referred simply to the a) the actual number or proportion of *Ausländer*, or b) whether the authorities should make a distinction between different kinds of foreigners, with some presumably

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tolerance permit, which referred to a limited stay of three to six months, required a deposit (*Kaution*), and could apply to *sans papier*.

contributing more to *Überfremdung* than others. As will be discussed below, both interpretations have played an important role at different times (and sometimes simultaneously). In relation to Jews fleeing the Nazi regime, the concept of inassimilability of Jews came to the fore (b). In the context of post-WWII labour migration, the numbers or proportion of *Ausländer* appeared of greater concern to the state and parts of the population (a). In relation to more recent asylum seeker migration, the concept of incompatible cultural differences became a central preoccupation of the state again (b).

While the vagueness of the concept of *Überfremdung* opened up considerable room to move for decision making, it could also serve to legitimate popular anti-migration sentiments and fears. The *Ausländer* law was clearly not simply a practical tool to deal with the presence of migrants in Switzerland, but it also served to deter *potential* migrants and send a message to the Swiss population. This message at the core of the foreignisation process has been rather ambiguous, as we shall see below. On the one hand, it appears reassuring as it promises to control *Ausländer* and migration, thus also helping to pacify fears of an undermining of the Swiss character (*Überfremdung*). On the other hand, the concept of *Überfremdung* is extremely unsettling and evocative, precisely because of its vagueness and undetermined meaning. Thus, it expresses a nebulous multi-facetted, latent, and also potentially future threat. In other words, you can never be sure whether the Swiss nation was safe.

While the concept of *Überfremdung* was not defined clearly, its meaning was in fact defined by the authorities when the concept was used to justify particular decisions, decrees and policy demands in relation *Ausländer*. In addition, the so-called *Überfremdung* movement and parties of the 1960s and 1970s began to promote their own interpretation of the concept (see chapter 8). It was not until 1964 when a report by the Federal Office of Industry, Trade and Labour (BIGA 1964) made the intriguing official attempt to define the term (see chapter 8).

To sum up, the law explicitly aimed to keep away undesirable foreigners in order to maintain the national identity and to regulate the labour market in favour of the perceived interests of the Swiss workers and industry (Aeschbach 1994:233).

PREVENTATIVE ANTI-SEMITISM IN THE 1920's AND 1930's

The actual meaning of the concepts and policies contained in the foreignisation process was first tested in relation to refugee migration triggered by the access to power by the National-Socialists in Germany in 1933.

Switzerland's official treatment of Jewish Holocaust refugees became the subject of an important and emotional public debate, a kind of contemporary *Kulturkampf* (cultural battle) (Lang 2002), in Switzerland in the late 1990s. Serious accusations surfaced against the Swiss banks, for collaborating with the Nazi regime (Trepp 1996) and for withholding money from Holocaust survivors (Picard 1996), and the Swiss state for rejecting Jewish refugees. Holocaust survivors launched court cases against Swiss banks and insurances, and there was also domestic pressure demanding the Swiss state and public face up to its anti-Semitic past (Dreyfus and Fischer 1997). The Swiss state established a commission of historians to comprehensively assess the historical records of that period. The Swiss state's policies and treatment of Jewish refugees formed the subject of a separate report (Bergier 1999). It is not my aim to cover the same ground again in this thesis. I simply mention a few important events to indicate how the long tradition of anti-Semitism and anti-Judaism played a continuing role in the decision-making of the authorities and thus fuelled and inspired the foreignisation process.

After World War I, the 'asylum law' was incorporated in the *Ausländer* law (ANAG) and was therefore also guided by the principle of protecting Switzerland from *Überfremdung*. Thus, while the granting of asylum was still regarded as an important Swiss tradition [30], political refugees after World War I could still be rejected if they were considered to be a negative impact in relation to *Überfremdung*

[30] The idea that Switzerland was a *Zufluchtsort* (place of refuge) was re-iterated during the national exhibition (the *Landi)* 1939 (Ludwig 1957:160; Häsler 1993:61).

or the employment situation, or if they were deemed to be inassimilable (Aeschbach1994:234). Generally, so-called 'political' refugees were allowed to stay temporarily in line with the doctrine that Switzerland was only a 'transit country' for refugees (Aeschbach 1994:221; Haug 1984:145). There were prohibitions on employment (Ludwig 1957:53) and refugees were urged to move on to a third country.[31]

However, with the expansion of the Nazi regime into Austria (*Anschluss*) and the eventual out-break of World War II, the Swiss authority's increasingly restrictive approach to refugees was in stark contrast to the century-old reputation of being a 'classic asylum country'. Jews who were persecuted by the National-Socialists were explicitly not regarded as refugees. As they fled 'for racial reasons', they were not regarded as refugees 'in a political sense'. Jews were seen as a particular danger to the nation because they were regarded as 'inassimilable' (Aeschbach 1994:221). Continuing 19th century anti-Semitic stereotypes, Jews, in particular 'East-Jews' (*Ostjuden*)[32], were regarded as radically different, namely '*wesensfremd*' (essentially foreign). These views were explicitly stated in official decrees, policies and internal memos in the 1920 and 1930s in Switzerland. Thus, anti-Semitism influenced the policies in relation to refugees in those years (see also Imboden and Lustenberger 1994). The Foreigners' police, headed and build up by Dr. Heinrich Rothmund (who went on to become the Head of the Police Department), played a particularly important role in the *Abwehr* (defense/repulsion) of Jews (Hässler 1993:15pp.).

From the perspective of the *Fremdenpolizei* and the Justice and Police Department, Jews were seen as a major, but not the only group of *Ausländer* who presented a particular danger in terms of *Überfremdung*. Thus, in this official discourse in the 1930s, older anti-Semitic arguments about 'inassimilable Jews' as a threat were combined with, and integrated into, the more general discourse of *Überfremdung*.

[31] The annual reports of the Police Section in 1934, 1935, 1936 and 1937 reiterated that, in the face of '*Überfremdung*' and '*the situation of the labour maret*', Switzerland could only be a transit country for refugees and had to adhere to restrictive approaches to granting permits to refugees and controlling the stay of foreigners. They stressed repeatedly that the stay by refugees was only to be temporary, and no employment (not even unpaid) was allowed (see Ludwig 1957).
[32] Until 1938, the distinction between *Westjuden* and *Ostjuden* played an important role in official decrees of the Swiss state. Eastern Jews were seen as particularly *wesensfremd* (essentially different) and thus could only be assimilated with great difficulty (Ludwig 1957:61).

The argumentative patterns of the 19th century anti-Semitic discourse could feed into the 20th discourse of *Überfremdung* and thus act as an discursive model which could be generalised eventually beyond Jews.[33] Interestingly, even the actual word *Überfremdung* has a direct equivalent term in anti-Semitic discourse, namely *Überjudung* (Ludwig 1957:60). In 1938, the Police Section of the Justice and Police Department summarised its activities in relation to refugees:

> The Foreigners' Police maintained a clear position since its inception. The Jews were regarded — together with other *Ausländer* — as an *Überfremdung* factor. Through systematic and careful work, we managed until today to avoid the *Verjudung* (Jewification) of Switzerland. (quoted in Vuilleumier 1989:74)

From 1920 until 1936, there were special regulations regarding the naturalisation of 'Jews from the East' in Zürich (Ludwig 1957:61). Vuilleumier (1989:72) noted that already in 1919 the Swiss embassies and consulates were instructed not to grant any visas to East-European Jews, because they were considered as not assimilable and therefore were not welcome to settle.

On 31 March 1933, the Justice and Police Department issued special directives 'regarding the entry of Israelites' to the Cantonal police directors, as well as to the public. The directives argued that Jews who had to flee Germany during these difficult times may be allowed into the country, however only temporarily, as the 'greatest attention' needed to be paid to the 'already existing *Überfremdung*' (quoted in Ludwig 1957:52). Therefore, the existing approach and policy of the Foreigners' police had to be continued and all possible means had to be used to prevent 'naturally foreign elements from taking a foothold' ('*Festsetzung wesensfremder Elemente*'; quoted in Ludwig 1957:52). Ludwig assumed that these 'naturally foreign elements' evidently meant 'Jews from the East'. The directives of the Justice and Police Department warned that special care should be taken that refugees could not create 'the basis and relations for a permanent stay'. It should also be made clear that even if such relations developed (jobs, founding a business, tenancy agreements and the like), they would not be taken into account when granting permits of stay. In fact, the Foreigners' Police would reject applications

[33] In this context, Parin (1987:71) reported the following exchange between a Dutch female doctor, interned in Switzerland during the war, and a female head of the camp:
Doctor: Why did you take on this position, if you hate Jews?

which presented them with such a *fait accompli*. The refugees should not forget to be grateful to get a temporary refuge, and they could not expect that the Switzerland ignored its own interests of protecting the labour market, as well as defending itself against increased *Überfremdung* (Ludwig 1957:53).

It is important to note again that these directives distinguished the concept *Überfremdung* from 'protection of the labour market'. *Überfremdung* was regarded as more general and going beyond mere concerns about competition for jobs. It was expressed by the number of foreigners in general, but especially 'naturally different ones', which was often a code for 'Jews'.[34]

On 20 April 1933, an official circular by the Justice and Police Department to the cantonal governments — based on the Decree of the Federal Council of 7 April 1933 'on the treatment of political refugees' (Hässler 1993:17)— spelt out for the first time the official Swiss directive that Jews could only be regarded as political refugees, if they had fled 'due to political reasons'. The Nazi boycotts of Jews *per se* was not to be regarded as a 'politicai reason'(Ludwig 1957:55). This narrow refugee definition meant that between 1933 and 1945, Switzerland only accepted 644 'political refugees', while all the other refugees, including Jews, had to try and obtain either a temporary residence permit (*Aufenthaltsbewilligung)* or a tolerance permit under the *Ausländer* Law (ANAG) (Bergier 1999:23).[35]

After the *Anschluss* of Austria in 1936, Austrian Jews were systematically deported by the SS and German border troops leading to more refugee migration to Switzerland (Haug 1984:147).

Head of Camp: It is not true, that I hate Jews. We hate all *Ausländer*.

[34] This argument contains some interesting contradictions or ambiguities. How exactly should one measure the danger of *Überfremdung*: is it the number of foreigners in general, or of particular inassimilable ones? Are Jews the only inassimilable foreigners? How important is the distinction between *Westjuden* and *Ostjuden*?
Another contradiction arises out of the analysis of 'inassimilability': on the one hand, there is the presumption of 'inassimilability', on the other hand, it transpires that assimilation is precisely what is feared. If they are naturally not capable of assimilation, how could they develop the 'basis and relations for a permanent stay'? I shall examine these contradictions more systematically in chapter 9.

[35] In keeping with the Federalist structure of the Swiss political system, Cantons granted these permits and thus had considerable room to manoeuvre until 1942 (Bergier 1999:23).

In this context, on 26 March 1938, the distinction between *Westjuden* and *Ostjuden* again appeared in an official document, namely in an application of the Justice and Police Department to the Federal Council regarding the introduction of visa requirements for holders of Austrian passes. The Department feared an increase of refugees, mainly Jewish, who would turn to Switzerland and remain there as the surrounding countries, such as France, introduced more and more restrictive border controls and visa requirements. The application of the Justice and Police Department reiterated concerns about the situation of the labour market and the 'degree of *Überfremdung*' (Ludwig 1957:76) which would only allow a temporary stay for Austrian refugees. This report contained the following infamous sentence:

> If we do not want to create a justified basis for an anti-Semitic movement which is unworthy of our country, we have to fend off the immigration by foreign Jews - especially from the East - with all force and, if necessary, with ruthlessness. (quoted in Ludwig 1957:76; see also Haug 1984:147-148).

Thus, the Justice and Police Department planned to prevent popular anti-Semitism by preventing Jews from entering. This approach has rightly been termed 'preventative anti-Semitism' (see Imboden and Lustenberger 1994).

On 8 April 1938, an official circular by the Justice and Police Department addressed to the Cantonal police directors reiterated the warning that there is increased migration pressure from 'Eastern Jews, that the admission capacity (*Aufnahmekapazität*) was more limited than ever and that it has become more difficult to remove people again from Swiss territory' (Ludwig 1957:80). The circular urged greater and more thorough registration and control of all foreigners by the police.

In June 1938, Dr. H. Rothmund, Head of the police Department, complained to the German ambassador in Bern about the National-Socialists' driving out of Jews from Austria to Switzerland. Apparently, Rothmund

> insisted with great earnestness that if it is not possible to stop this practice in Vienna, Switzerland — who does not need these Jews any more than Germany — would be forced to implement measures which would protect Switzerland from being flooded by Jews with the aid of the Viennese police (quoted in Ludwig 1957:82).

During the 1930s, there was also concern about the 'flooding by foreign workers' in the face of unemployment (see Ludwig 1957:63). However, it needs to be kept in mind that official documents at that time made a distinction between '*Überfremdung* issues' and 'labour market issues'. Thus, *Überfremdung* does not simply refer to competition over jobs, or other scarce resources.

Between 1938 and 1942, the Federal Council gradually introduced more and more stringent visa requirements, first for 'non-Aryan' Germans (4 October 1938) and eventually for everyone (after the outbreak of the war) (Bergier 1999:58). This time also saw greater centralisation of all decisions regarding entry permits in the Police Section, thus removing the rights of the cantons, which had rather varied attitudes and practices in relation to pre-war refugees (Bergier 1999:58). However, generally the Cantons, as well as the army, which regarded refugees as a security risk, supported the restrictive policies of the Police Section.

During the war, the centralisation of the handling of refugee did not just occur on the level of the assessment of applications (the Police Section), but also on the level of preventing refugees from entering. The army became more involved in the guarding of the borders and in the rejection or acceptance of refugees at the borders. Thus, refugee policy was not just centralised, but also militarised (Bergier 1999:60).

Eventually, the Federal Council decided to close the borders all-together (*Grenzsperre*) on 19 August 1938 to stem the flow of refugees from Austria. Parts of the press accepted this measure as a 'necessary protection from *Überfremdung*' (Ludwig 1957:91), while others criticised it vehemently.[36]

Another infamous example of the 'preventative anti-Semitism' of the Swiss authorities was the introduction of the so-called J-stamp. After secret negotiations initiated by the Swiss authorities in Berlin in August and September 1938, the Nazi authorities introduced the J stamp in passports of Jewish people. This was designed to allow Swiss authorities to control and prevent the influx of Jewish people (they

needed to get a visa from a Swiss embassy first) without having to introduce a general visa regime for the whole of Germany, nor having to somehow determine whether a person wanting to cross the border was 'Aryan' or not (Ludwig 1957:141; Haug 1984:148; Hässler 1993:56). To the public, the J stamp was presented as a German initiative independent of the Swiss authorities' point of view.[37]

Even in the first years of World War II, the anti-Semitic position kept being reiterated in official documents, and Jews were rejected at the borders (Ludwig 1957:195-196). For instance, instructions to Swiss embassies and consulates in relation to the issuing of visas stated in 1939:

> We also fear, that black marketeers, war-profiteers and other undesirable persons may come to Switzerland, especially emigrants (especially Jews), who are difficult to be recognised as such and difficult to control (quoted in Ludwig 1957:173).

On 30 July 1942, Dr. R. Jezler, a civil servant of the Police Department, gave the instruction that 'generally all undesirable elements (Jews, political extremists, suspected spies) are to be kept away' (Ludwig 1957:192). However, Jezler himself began to doubt the humanity of this approach in his report of 30. July 1942 in relation to French Jews:

> In recent times, however, we could not bring ourselves to enforce the rejections at the borders. The consistent and reliable reports about the way in which the deportations [of Jews by the Nazis] have been carried out and about the conditions in Jewish districts in the East are so gruesome that one has to understand the desperate attempts of refugees to escape such a fate, and thus it would be irresponsible to reject them. (quoted in Ludwig 1957:199)

However, even in the light of this information, the Swiss authorities were still intent on rejecting Jews. Rothmund wrote in a letter accompanying Jezler's report: 'Deportation of the Jews only? We are almost forced to do this.' (Ludwig 1957:203)

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[36] Even though Jewish organisations (*Schweizerische Isrealitische Gemeindebund)* provided accommodation and food for the Jewish refugees (see Ludwig 1957:151), it was nevertheless the Swiss authorities who decided when the 'acceptance capacity' of Switzerland was overwhelmed.
[37] By January 1939, the J stamp provision lost its practical significance, as all emigrants were required to obtain a visa (Ludwig 1957:142). As a post-script to this infamous episode in Swiss history, we can add that in the late 1980s, a public debate broke out about the use of R stamps (R standing for *refoulé*, meaning deported) by the Swiss Foreigners Police to mark passports of deported *Ausländer*. A Swiss psychologist claimed that 'the repetition of the worst collective crime Switzerland has been guilty of covers us in shame' (quoted in Hug 1988c:2).

And the Federal Council stated on 4 August 1942 that

> In future there have to be more rejections of foreign civil refugees, even if these *Ausländer* were to be severely disadvantaged (danger to their bodies and lives) by these actions (quoted in Ludwig 1957:204).

On 13 August 1942, Rothmund reiterated in a secret letter to Cantonal police directors and customs directors that 'refugees only for racial reasons, for instance Jews, do not constitute political refugees' (quoted in Ludwig 1957:205; Hässler 1993 :90).[38]

On 30 August 1942, the Federal Councillor Steiger used the infamous phrase 'the boat is full' in a speech to refer to what he considered the exhausted capacity of Switzerland to accept more refugees, even though there was considerable criticism and resistance by churches, the press and people working with refugees (Häsler 1993).[39] The authorities' approach did not change until 12 July 1944, when the exclusion of 'refugees for racial reasons' from refugee status was dropped and replaced by an acceptance of '*Ausländer*, which are threatened due to political or other reasons' (Häsler 1993:290).

THE BATTLE AGAINST *ÜBERFREMDUNG* AND THE JEWISH REFUGEES: AN EVALUATION

The situation in Switzerland during World War II, and more specifically the relation between Switzerland and the Jewish refugees between 1933 and 1945, has remained a sensitive issue that has led to lively public, political and academic debates on several occasions in the post-War years (Lang 2002). Obviously, this issue is centrally linked to — and threatens to question — the self-representation of the Swiss nation as a generous place of refuge and as a place of democratic resistance to fascism, as a 'community of fate which is resolute in its resistance' (*widerstandentschlossene Schicksalsgemeinschaft*) (Lang 2002:3). A central myth of this self-representation was the claim that the sheer defensive will of the army and

[38] The same sentence was repeated in instructions to the border control authorities on 26th September 1942 and in an another official instruction on 29th December 1942 (Ludwig 1957:238).
[39] 'The Boat is full' was also the title of Markus Imhof's influential 1981 film about the treatment of Jewish refugees by the Swiss authorities during World War II (Lang 2002).

the civil population prevented an attack on Switzerland during World War II. Importantly, these debates are not simply about a past era, or about the behaviours of an older (partially deceased) generation. They are also inextricably linked to contemporary issues and interests and have become part of what the historian Lang called a 30-year long cultural battle (*Kulturkampf*) (Lang 2002:3).

The actions and attitudes of the state and elites during World War II came under critical scrutiny by the anti-authoritarian movement since 1968, who began to point to the pro-Nazi sentiments of parts of the elites and to the on-going trade with the Nazi regime. These debates have been influenced by, and fed back into, contemporary issues, especially contemporary policy regarding asylum seekers.

After the war, the Swiss authorities preferred to create a positive impression, claiming that Switzerland had accepted 300,000 refugees, and to keep any critical debate of the issue off the public agenda (Bergier 1999:17,20). For many Swiss, especially those of the *Aktivdienstgeneration* (the generation of those who served in the army during the war), the rejection of refugees at the Swiss borders — if it was acknowledged at all — was justified as unfortunate, but necessary[40], either because Switzerland's capacity had come to a limit ('the boat was full'), or because Switzerland was forced to make concessions to the Nazi regime in order to guarantee its own survival[41]. Another common argument suggests that the Swiss people and perhaps even the authorities were not sufficiently aware of the fate of Jews in Nazi Germany, or regarded the reports of concentration camps and gas chambers as too horrific to be true. At any rate, for many of the *Aktivdienstgeneration*, it was not up to next generations to judge the events in the past, as the post-war generations lacked a proper understanding of the sense and

[40] The Federal Council also claimed that 'As unpleasant as it was for the Federal Council to impose special measures on German Jews, there was unfortunately no other option given the circumstances' (quoted in Ludwig 1957:139).

[41] The conference of the Swiss Police directors on 28 August 1942 declared that 'We need to strike an appropriate balance between the humanitarian principles, which are an essential part of the cultural (*geistige*) tradition of Switzerland, and the necessary safe-guarding of the state's interest' (quoted in Ludwig 1957:211). The general post-War view of the official attitude of Switzerland in relation to the Nazi threat was summarised by Fahrni (1983:116) in the following way:

> Switzerland's attitude in the Second World War was a blend of tactical accommodation and demonstrative insistence on the country's readiness to defend itself.

reality of threats during those times, and, moreover, it was unfair to use today's moral criteria to judge a past era. Critical debate of these events always threatened to undermine the positive self-representation created in the context of the *Geistige Landesverteidigung* (Spiritual/cultural defense of the country) since the 1930s.

However, the release of documents from German archives in 1[illegible] revealed that Swiss authorities had played an active role in the introduction of the J stamp for Jews (Bergier 1999:17). This led the state to commission Prof. Carl Ludwig (1957) to compile a report on the Swiss refugee policies since 1933. In 1957, Prof. Ludwig delivered his report laying considerable blame on the Federal Councillor von Steiger and Heinrich Rothmund, the head ot the Police Section of the Federal Justice and Police Department. This is part of Ludwig's summary of his findings:

> Another very significant reason for the reluctance when accepting refugees was the concern for the danger of *Überfremdung*, and in fact even at a time, when one knew at least that "horrific things" occurred during the *deportations* [italics in the original]. This may reflect the fact that the officials who were directly involved with refugee questions came mainly fr[illegible] the Foreigners' Police and therefore still remembered the exhortation, which was spelt out in the report (*Botschaft*) of 2 June 1924 in relation to the partial revision of the Federal constitution — namely the exhortation, that the increase of the foreigners quota "had to be prevented at the cost of any reasonably possible measure". However, the higher instances — the department, the Federal Council and to a certain degree the parliament — then accepted this view without opposition. Thus, it almost inevitably had to happen that — after the concern for the security of the country, for the protection of the labour market and for the defense against *Überfremdung* — another, not less important national interest was given only secondary significance: the eminently Swiss interest in being faithful to the demands of humanity. (Ludwig 1957:372)

Ludwig's rather critical report has remained an influential reference document and has guided historical research towards some key personalities and departments. However, subsequently other historians have given more weight to the co-responsibility of the whole society especially given the extensive democratic rights in the Swiss political system, for instance Bonjour (1970:41), who argued that 'the whole generation of that time failed and shares the guilt.'

In 1996, the Swiss parliament established an 'Independent Expert Commission Switzerland – World War II' to study the history of Switzerland in relation to National-Socialism. This was triggered by the international debate about the role of

the Swiss state in relation to Jewish refugees, and the role of Swiss banks which were accused of still holding Jewish property from that time. The Independent Expert Commission, chaired by the historian Jean-François Bergier, published its report *Switzerland and refugees during the Nazi era* in 1999 (Bergier 1999). The commission argued that the most important reason for the restrictive policy in relation to refugees was the fear or rather the discourse of *Überfremdung* (Bergier 1999:20). The commission agreed with the view that *Überfremdung* was partly a code for anti-Semitism, but its meaning at that time was likely to be even broader and vaguer, which may account for it having such an 'over-arching social effect' (Bergier 1999:20). In other words, different individuals and groups could read or project different meanings into the term.

As I have already suggested, my argument is not that the *Überfremdung* discourse is simply a 20th century, specifically Swiss and coded form of anti-Semitism, even though some instances of the *Überfremdung* discourse can be interpreted in such a way (especially at a time when Swiss anti-Semitism had to distinguish itself from the anti-Semitism of the Nazi regime (Bergier 1999:20). Rather, my argument refers to the patterns and functions of discourses, rather than the target group constituted by the discourse (Jews, *Ausländer* and so on). Thus, we can discern interesting similarities and continuities between typical elements of anti-Semitic discourses and typical elements of *Überfremdung* discourses, especially completely deterministic notions of inassimilability and notions of an existentialist, but actually rather unspecified threat to the nation, once the threatening Other (Jews in anti-Semitic discourse, Jews and *Ausländer* in *Überfremdung* discourse) has settled within the nation. 'Unspecified' does not mean that there are not very specific accusations in relation to Jews and/or *Ausländer*. Rather, in addition to specific accusations ('they take our jobs'; 'they cheat'), the concept of *Überfremdung* always contains an unspecified meaning, a sense of mysterious and insidious threat. This notorious vagueness does not only allow many different interpretations and thus attract the support from a wide-range of social groups and individuals with contradictory interests. Many concepts, such as 'multiculturalism', 'democracy', 'freedom', 'nationalism', have worked in this way and derived their social power precisely from their vagueness. However, over and beyond this, the concept of *Überfremdung*

derives its power not simply from its *vagueness*, but from its reference to a *vague threat to the nation from the outsider within*. It is the perfect concept to capture the modern sense of alienation that appears to be partially homemade and partially imported from outside (see more about this in chapter 9). Thus, the *Überfremdung* discourse is not simply anti-Semitism in politically correct terms, but serves similar functions in a different context. In particular, as we shall see, it was not simply a matter of anti-Semitism becoming taboo, but also a matter of the more general and vaguer discourse of *Überfremdung* doing a more convincing and plausible job in explaining the national situation, defining the national identity and suggesting solutions to national problems than the more specific anti-Semitic discourses could in the 20th century. Moreover, as the regular statistical up-dates in the media remind the population, there are far more *Ausländer* than Jews in the country. While it is, of course, possible to have anti-Semitism without Jews (Verdery 1993), it is easier to have anti-Semitism if there is evidence of *some* Jews. On the other hand, it is important to remember that the discourse about *Ausländer* is relatively removed from the actual experiences of the people defined as *Ausländer*.

It is of vital importance that the foreignisation process, consisting of the *Überfremdung* discourse, its entry into and reflection in the *Ausländer* Law (ANAG) and its institutionalisation in the Foreigners Police, continued to be operative and adaptable to new situations after its conception in the specific contexts of World War I. Policies in relation to refugees were still within the ambit of the *Ausländer* law (ANAG), as there was no separate asylum or refugee legislation (Bergier 1999:23). On both the legal and the discursive levels, distinctions were made between *Ausländer* that came for work or *Ausländer* that claimed to be refugees. However, in relation to the threat of *Überfremdung* such a distinction tended to be seen as irrelevant. In other words, refugees were simply *Ausländer* — and often undesirable ones— rather than a people who needed special protection.

Consequently, the overriding concerns about *Überfremdung* referred to both labour migrants and refugees, and so did restrictions to entry, as well as restrictions, registration and control within the country, and the expectation that their stay was temporary ('transit country' doctrine for refugees).

REPRESENTING THE NATION IN THE 1930S

Faced with the fascist, expansionist threats by Nazi Germany and Italy, deterministic definitions of the nation, over and beyond the notion of a diverse *Willensnation* (nation of the will), gained renewed salience. The distinctiveness of the Swiss nation needed to be restated to counter any claims by Nazi Germany to 'bring the Swiss-Germans home to the *Reich*' [42]. There was a strong cultivation of Swiss-German dialects and literature, and Raetho-Roman, a language spoken by only about 60,000 people (1% of the population) in the Eastern part of Switzerland, became the fourth national language following a plebiscite in 1938 (Junker and Fenner 1990:11).

Rückert (1998:96) observed that Swiss academics of various fields (especially history and ethnology) began to oppose their German colleagues in an attempt to stress fundamental differences between the Swiss and the German nation. For instance, Keller-Tarnuzzer proposed the theory of the *Pfahlbauleute*[43], a Swiss *Urbevölkerung* (Aboriginal people), who lived in the present area of Switzerland prior to the Alemannic settlements. His theories were explicitly trying to counter the historical theories of German academics who argued that a common Alemannic heritage united Germans and Swiss-Germans (Rückert 1998).

Other researchers tried to construct a racial identity for the Swiss nation (Kreis 1992). Between 1927 and 1932, Otto Schlaginhaufen, director of the Anthropological Institute of Zürich university, oversaw a large research project which measured 35,000 recruits of the Swiss army in an attempt to determine their racial characteristics in view of vaguely defined eugenic aims. The meagre result

[42] German school books and propaganda texts already predicted in the early 1930s that the German-speaking part of Switzerland would sooner or later become part of the German *Reich* (Rückert 1998:89).

[43] In the 19th century, archeological research had found wooden poles (*Pfahl*) in Swiss lakes. The existence and identity of a stone age population that built their dwellings on stumps in lakes became an important topic in racial and nationalist debates between Swiss and German researchers. Already in the late 19th century, there were many theories which saw the *Pfahlbauleute* as the real ancestors of the modern Swiss nation (Rückert 1998:98-99).

was that only 8.661% of the recruits were of a 'pure race', while the rest were mixtures of six different races (Kreis 1992:182-183; see also Keller 1995).

Racist and anti-Semitic arguments played a central role in Switzerland's own fascist movement. These 'National Fronts' (*Nationale Fronten*) emerged in the 1930s, encouraged by the access to power by the Nazis in Germany. These Fronts began to agitate against Jews who were held responsible for the twin evils of capitalism and communism. The national fronts advocated a Swiss version of fascism and used their own mythology of history, turning the 'old Confederates' (*Alte Eidgenossen*) into early fascists. The Swiss nation, or rather the Swiss *Volksgenossen* (comrades), were defined in terms of 'Aryan blood' and Christianity. Predictably, Jews belonged to a '*feindlich gesinnten Gegenrasse*' (hostile counter-race) who only pretended to want to get Swiss citizenship, but in truth worked towards a Jewish world revolution (Glaus 1969:403).[44]

The external and internal Fascist threat to the survival of the Swiss nation led to a closer political and ideological integration of the Social-Democrats into the nation under the concept *geistige Landesverteidigung* (spiritual/cultural defense of the country)[45]. In 1935, the Social Democratic party abandoned the goal of a 'dictatorship by the proletariat' and instead began to support 'bourgeois' democracy and the military defense of the country (Fahrni 1983:11). In 1937, the employers' organisation in the metallurgical industry concluded a 'peace treaty'

[44] It is interesting to ask to what degree a movement such as the fascist *Nationale Front* managed to formulate its own version of fascism. The Front explicitly argued that each country would produce its own version and claimed a Swiss fascist history going back to the 'Old Confederates'. Glaus argued that in spite of the sympathies for Nazi-Germany and for a new ordering of Europe, and in spite of a stress on Aryan theories, the National Front was not '*deutsch-national*' and did not advocate the '*Heimkehr ins Reich*' (return to the German empire) (Glaus 1969:357). 'In case of an attack by the German army against Switzerland, the best forces of the Front would probably have fought for the independence of the *Heimat* (home country)' (Glaus 1969:357). Fortunately, Glaus' hypothesis was never tested.

[45] The notion of the *Geistige Landesverteidigung* found its expression in the national exhibition, fondly called and remembered as the '*Landi*', in Zurich in 1939. Interestingly, the national exhibition of 1939 was also an occasion where the humanitarian tradition of Switzerland, in particular its generous tradition of granting asylum was being recalled 'in almost ritual manner' (Bergier 1999:46). Modern aspects of Swiss society were also celebrated as national achievements, such as the electrification of the Federal Railways (SBB) and the 'strongest locomotives in the world', which was not only an important practical tool of national economic integration, but also an important national icon and symbol during the 1930s (Elsasser 2002:4).

(*Arbeitsfrieden*) with the Machine-workers and Watch and Clock-Makers Union, the largest trade union in Switzerland. This treaty, which served as a model for other industries and has been renewed several times until today, stipulated that all disputes should be settled by negotiations rather than by violent means (Fahrni 1983:111). Ernst Nobs was elected as first social-democratic member of the Federal Council, thus including the Social-Democrats in the country's executive for the first time (Fahrni 1983:114).

Mattioli (1994:240pp) pointed out that since 1937 there have been at least two kinds of definitions of *Geistige Landesverteidigung* (spiritual/cultural defense of the country). These are related to the two major definitions or conceptualisations of the Swiss nations. The liberal version of *Geistige Landesverteidigung* was based on the liberal and democratic tradition of the country. It was not just focussed on the territorial defense of the country, but also on the defense of its freedoms and democracy.

The conservative definitions of *Geistige Landesverteidigung*, however, focussed on the 'holy earth' and the historical and 'authentic constants' (*Konstanten*) of Switzerland. Again, essentialism and complete determinism come to the fore in this concept. These views were represented by Federal Councillors Philipp Etter and Marcel Pilet-Golaz, as well as by Pilet-Golaz's adviser Gonzague de Reynold. For Gonzague de Reynold, *geistige Landesverteidigung* did not only refer to a defense against German invasion, but was also directed against the liberal view of Switzerland. It was an explicitly anti-democratic, aristocratic, dictatorial vision. For de Reynold, the 'Christian state' was an alternative to liberal democray and fascist dictatorship. Moreover, de Reynold stressed 'Federalism' as the actual unique achievement of Switzerland, rather than democracy (Mattioli 1994:253).
As war broke out, de Reynold warned against the 'immense Asiatic pressure' and the threat posed by 'nomadic and barbarian Asians' (Mattioli 1994:256, 257).

The important conclusion to take from this discussion of *Geistige Landesverteidigung* is that while there appeared to be a consensus about the need to reaffirm the national characteristics and to defend them, it is evident that there could

be different emphases on what constituted Swissness. Central aspects such as direct democracy and Federalism could be interpreted from a liberal, civic perspective or from a conservative, completely determinist perspective. Of course, in many conservative-Catholic perspectives, the link between the Swiss cross and the Christian cross was vital. The continued importance of a Christian definition of the nation could only make the position of Jews problematic again, as reflected in the policies of the Foreigners' Police and the Police Department.

As we shall see in the next chapters, the foreignisation process continued to function with minor adaptations in the post-World War II decades. The foreignisation process still influences important contemporary discussions about the nation and *Ausländer*. In fact, it still helps to define the nation at a time of increased globalisation and integration into Europe.

Chapter 7

THE MASS PRODUCTION OF *AUSLÄNDER* (1945-1980)

INTRODUCTION

In the decades after the Second World War, the Swiss state and Swiss society distinguished two types of migration: large-scale labour migration from surrounding countries, especially from Mediterranean countries, and much smaller refugee migration, mainly from Eastern Europe. In economic terms, the former was far more important, but both were to become significant political and ideological issues in Switzerland. While neither type of migration was a new phenomenon for Switzerland, they both took place in a dramatically new European context of economic growth and the Cold War. The number of *Ausländer* increased from low levels at the end of the Second World War to over half a million in 1960 (over 10% of the population) and over a million in 1970 (over 16% of the population)(BIGA/BfA 1991:29). Since 1970, the number of *Ausländer* permanently living in Switzerland (Annual Permit holders and permanent residents) has fluctuated around the 1 million mark (BIGA/BfA 1991:31).

In this chapter, I explore whether Heckmann's argument about the ethnic-pluralist incorporation of migrant minorities applied to this phase of Swiss history. In other words, I examine to what degree the end of the Second World War marked a break with the state's foreignisation process. As described in the previous chapter, the pre-War foreignisation process consisted of a discourse about the Swiss nation being constantly threatened by *Überfremdung* and of associated defensive policies, laws and institutions which attempted either to prevent all immigration by 'unassimilable'[1] migrants (especially Jews) or at least to effect their speedy departure for a third country (the doctrine of the 'transit country'), while tightly controlling the resident *Ausländer*.

[1] The word 'unassimilable' does not appear to exist in English. Nevertheless, I think it captures best the concept *unassimilierbar* which is so important in German completely determinist discourses.

How were the foreign workers and refugees represented by the state and civil society after the war? To what degree can we speak of a new era in the discursive construction and legal-political treatment of migrants? What representation of the Swiss nation emerged and was reflected in the discourse about the migrant Other?

I argue in this chapter that despite the rather different economic, political and ideological situation after the Second World War, there was no clear break with the foreignisation process. Instead, there were important continuities in terms of the discourse of *Überfremdung*, its explicit and implicit legitimation within the separate body of legislation for *Ausländer*, and its institutionalisation in bureaucracies such as the Foreigners' Police. To put it more precisely, the foreignisation process was re-worked in the new context. This included re-formulations of discourses, laws and policies, which nonetheless continued the discursive patterns of complete determinism and assimilationism. The effects were also rather similar: the foreignisation process constituted *Ausländer*. The era of mass production of goods and services did not only coincide with mass migration, but also with the mass production of *Ausländer*. Thus, the foreignisation process reached its full productive, as well as destructive potential. Productive in the sense of a creative product of the Swiss imagination, but destructive in the sense of severely restricting the rights of *Ausländer* on temporary, seasonal permits, and in the sense of preventing citizenship to permanent *Ausländer*. It was not a case of *Ausländer* migrating to Switzerland, but a case of Switzerland turning migrating people into *Ausländer*. Simultaneously, the paradigm was also productive in helping to construct a specific sense of Swissness. As migrants were first turned into temporary *ausländische Arbeitskräfte* (foreign labour power), and then increasingly into permanent *Ausländer*, there was no place for them within the limited multicultural imagining of the nation. As chapter 10 documents, Switzerland is still struggling with this legacy today. Thus, the foreignisation process has not just proved destructive for those turned into *Ausländer*, but also for the Swiss nation.

This is not to argue that there was only one type of discourse about migration and *Ausländer* during that period. Clearly, there were important differences between, for instance, the representation of foreign workers and the representation of refugees.

These representations also changed over time. In addition, at any one time there have been competing representations of *Ausländer*. In fact, as even casual observer of Swiss politics and public debates over the last half a century can attest, *Ausländerpolitik*, that is the politics, as well as the policies in relation to *Ausländer*, has been one of the most controversial issues in Switzerland. Intensive debates have regularly flared up and polarised political parties and social movements, as well as the voters, creating a sense of urgency. In *Ausländerpolitik*, the state has struggled to find the sort of lasting consensus or compromise Swiss politics has been renowned for. Since the early 1980s, a similar polarisation has occurred in the political realm called *Asylpolitik*, politics and policies in relation to asylum seekers.

Given this ever-changing complexity and on-going controversy, my argument about the operation of a foreignisation process seems to be too general, simplistic and static. However, as I show in the next chapter, the controversies over *Ausländerpolitik* and — in a slightly different way — *Asylpolitik* have remained within the broad framework of the foreignisation process.[2]

Rather than challenging the foreignisation process, the various sides of the debate expressed the contradictions within the foreignisation process itself, namely the contradiction between completely determinist and assimilationist constructions of the nation and the migrant Other. Similarly, the new 'accommodation' (Schmitter Heissler 1988) or consensus, which was achieved in the 1980s after a series of hotly debated *Überfremdung* initiatives, still contained a series of contradictory constructions and policies regarding *Ausländer* reflecting ideological and political tensions in the way in which the Swiss nation was imagined.

[2] I do not argue that an essentialist, static paradigm has determined Swiss history independent of social and political action. Rather, I note important continuities in the foreignisation process *in spite* of intense social and political conflict and intervention and in spite of the internal contradictions. Thus, I am aware of historical change, of process and conflicts, and, of course, of the social construction of the nation and *Ausländer*, rather than treating them as static essences. However, this epistemological and ontological approach should not make us blind to certain continuities. Instead, this approach leads us to the intriguing question of the reasons for the longevity of the foreignisation process. In a modern world of rapid change, the reproduction of permanence requires explanation, rather than treating it as an extra-historical or pre-modern given, or dismissing it as a figment of the essentialist imagination. See chapter 6 for a discussion of these issues.

I shall discuss the representations and policies in relation to migrant workers separately from the representation and policies in relation to refugees (chapter 8), as they differed in important respects. However, as chapter 8 shows, refugee migration was drawn more and more within the ambit of the foreignisation process.

THE MAKING OF TEMPORARY FOREIGN WORKERS (1945-1963)

The decades immediately following the Second World War constituted a new era of political stability and economic growth in Switzerland. Like many other Western and Northern European countries, Switzerland experienced labour shortages which were soon met by the employment of workers from other countries, mainly from Southern Europe (BIGA 1964:75). As economic growth was not expected to continue, these workers were employed on a temporary, often seasonal basis.

Straubhaar (1991:61) noted that the state policies regarding foreign workers were introduced and implemented rather hurriedly in response to the needs of certain industrial sectors and continued to be amended in an *ad hoc* way. This hurried, *ad hoc* approach already suggests an important continuation with the pre-war situation, even going back to World War I. Discourses and policies in relation to *Ausländer* tend to have a sense of urgency, even emergency, about them, regardless of whether the concern is that there are too many or not enough of them in the country. As becomes clear in this chapter, while commentators within and outside the state often criticise the *ad hoc* nature of policy making as unsystematic, erratic and lacking of a clear vision (see Miller 1988 on 'policy ad-hocracy' generally), it is nevertheless guided by the assumptions of the foreignisation process. Somewhat paradoxically, policy making on the run is more likely to reflect underlying ideologies, precisely because of the lack of time for reflection and public discussion. Moreover, urgent state measures tend to rely on already existing policy frameworks and institutions, rather than creating new ones. Thus, the frequent sense of urgency may in fact contribute to the relative permancency of the foreignisation process.[3]

[3] See chapter 9 for suggestions about more fundamental reasons for the longevity of the foreignisation process.

In line with the expectation of temporary employment, as well as with the foreignisation process, the new workers were described as *Fremdarbeiter* (foreign workers), *ausländische Arbeitskräfte* (foreign labour power) or *Ausländer* (foreigners) in official statistics and public discourse, rather than as *Einwanderer* (immigrants), *Migranten* (migrants) or even 'new Swiss', akin to the concept of 'new Australians'.[4] The specialist literature which emerged in the late 1950s also consistently spoke of 'foreign labour power' (*ausländische Arbeitskräfte; main-d'oeuvre étrangère*), usually in terms of 'the problem of the foreign labour power' (see for instance, Dürrenmatt 1961;. Pedotti 1961; Keller 1956). Similarly, the realm of policy making and political conflict regarding these 'foreign workers' has usually been referred to as *Fremdarbeiterpolitik* or *Ausländerpolitik*, rather than in terms of migration policy *(Migrationspolitik)*, or ethnic relations or race relations.

As a result of these processes and discourses of categorisation, rather than as an automatic result of migration *per se*, the number of *Ausländer* in Switzerland began to increase steadily, in fact doubling between 1950 and 1960 from 285,000 *Ausländer* (5.2 % of the total population) to 585,000 (10.8 % of the population) (BIGA 1964:12; Straubhaar 1991:39). The large majority came from neighbouring countries, initially mainly from Italy: in 1960, 59% of the foreign population were Italians, 16 % Germans, 6% Austrians, 5% French, 8% other Europeans, and 6 % non-Europeans or stateless (BIGA 1964:15).

In the Swiss case, the recruitment of foreign workers was carried out by employers themselves, rather than by state institutions as was the case in Germany (Dhima 1991:65; BIGA 1964:69).[5] Of course, this could not occur without the state's approval and support. The Federal government signed bilateral treaties which

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[4] The term *Gastarbeiter* (guestworker), which is common in Germany, is less frequently used in Switzerland. Hoffmann-Nowotny and Killias (1979:46) claimed that 'in no official document and in no title of official statistics does one find the concept 'immigration' or 'immigrant''. While this important and illuminating observation is predominantly correct, there are in fact interesting exceptions. For instance, the BIGA report (1964:79), which I discuss below at some length, occasionally refers to *Einwanderer* (immigrants). , While this may be an irrelevant slip in terminology, it is more likely a revealing reflection of its inherent contradictions.

[5] Frequently, foreign workers recommended friends and relatives as workers to their Swiss employers (BIGA 1964:70). In a revealing naturalist metaphor, this process was called the 'snowball system'. See below my discussion of the terminology used in Switzerland to discuss the nation and the foreigners.

facilitated the hiring of migrant labour (for instance with Italy in 1948) and the Cantonal authorities freely granted temporary residence permits.[6] Generally, new foreign workers were given a limited residence permit (*Aufenthaltsbewilligung*), usually only a seasonal permit of up to 9 months (BIGA 1964:40). This reflected and reinforced the expectation of the temporary nature of employment. This expectation was partially based on the uncertainty about the general economic situation, and partially on the seasonal nature of the employment (building, hospitality). Seasonal employment and seasonal permits gave maximum flexibility to employers and the authorities, while tightly restricting the foreign workers employment situation.

The notion of rotation expressed the officially held expectation — or ideal typical scenario — that single, young foreign men would only temporarily work in Switzerland with the aim of earning some start-up capital for their preferred future in their home country. They could then be replaced by other foreign workers, or — if the employment situation deteriorated — by Swiss workers. Thus, constant rotation allowed the Swiss state to use foreign workers as a 'buffer' or 'cushion' in relation to economic and labour market fluctuations. The regulation of the employment of foreigners was seen as the 'most important means' to avoid unemployment (BIGA 1964:71-72).

Apart from employers and the state authorities, the trade union leadership also largely agreed with this analysis, even though there were some concerns (Zuppinger 1987:75; Dhima 1991:50). The restrictions to the length and type of employment of foreign workers, combined with the stipulation that foreign workers should enjoy the same working conditions and pay, helped to alleviate concerns about increased competition on the labour market and the pressure on wages as a result of their employment. Trade unions appeared to tolerate or at least not oppose the employment of foreign workers as long as Swiss workers were not disadvantaged (Zuppinger 1987:73).[7]

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[6] It is characteristic of the Swiss model that there are no separate working permits. The various categories of residence permits include a working permit.

[7] In addition, Schmitter Heisler (1988:688) also stressed the relative weakness of the trade unions in Switzerland. Moreover, their hegemonic and institutional incorporation into the capitalists' analysis

As a corollary of the expectation of rotation, neither the state nor civil society aimed at the social integration of foreign workers beyond what was necessary for their temporary functioning within particular labor-intensive segments of the labour market.

> There were hardly any thoughts about their integration [*Eingliederung*] and how to make it easier for them to get closer to the local population.(BIGA 1964:64)

Nevertheless, within a short time span the official defensive attitude in relation to migration, culminating in the infamous slogan 'the boat is full' during the Second World War, was replaced by a general consensus that the employment of temporary migrant labour was necessary for the Swiss economy. A new *laisser-faire* approach replaced the closed borders policy.

THE CONTINUITIES OF THE FOREIGNISATION PROCESS: THE REPRODUCTION OF THE *ÜBERFREMDUNG* DISCOURSE

However, the state's new *laisser-faire* approach to labour migration was built on the key assumption and general consensus that the migrants were not individuals with equal political rights, but that they were *temporary*, *foreign* and *workers*. To ensure this, the laisser-faire approach to the *entry* of new workers was combined with a tight control and restriction of foreign workers *within* the country. Upon closer inspection, the liberal entry policies adopted by the state in response to the short-term needs of the economy did not constitute a radical break with the pre-war and war-time obsession with a 'defense against *Überfremdung*' by means of restrictive laws enforced by the Foreigners' Police. Simply, the main line of defense against *Überfremdung* was redrawn, while the principle remained.

As already indicated above, there were historical continuities in terms of discourse, policy and institutions regarding migrants. In particular, the expectation of a temporary stay, rather than a permanent settlement or even an assimilationist or multicultural incorporation into the nation, was a continuation of similar concerns

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of the 'needs of the economy' within the context of the Labour Peace Contract ensured their compliance with employers' demand for foreign workers (see Zuppinger 1987:73).

from before the war. Thus, the notion of rotation echoed earlier notions of a transit country.

The central continuity was provided by the reproduction and reworking of the state discourse of *Überfremdung* in the decades after the war. As discussed in the previous chapter, the fears of *Überfremdung* inspired and shaped the basic legal framework of the
Federal Law of Residence and Settlement of Foreigners (ANAG) of 1931. The key assumptions and intentions of the ANAG remained unchanged and unchallenged, when it was revised in 1948. The guiding principle of article 16 is still in force today:

> In their decisions, the authorities issuing the permits have to consider the intellectual/cultural [*geistig*] and economic interests as well as the degree of *Überfremdung* of the country.(ANAG, article 16)

The law does not provide a definition of *Überfremdung*. Moreover, it does not indicate how to balance the potential conflict between the economy's demand for more foreign workers and the fear of *Überfremdung* by *Ausländer*. This has allowed the Federal Council and other state authorities considerable lee-way in the interpretation and implementation of the law (BIGA/BfA 1991:6). A large part of the regulations of *Ausländer* have subsequently been codified as decrees (*Verordnungen*), rather than as laws (BIGA/BfA 1991:6-7).

The law also specifies the various permit categories which create different groups of *Ausländer* with different rights and entitlements. In the period under consideration, two types of limited residence permits (*Aufenthaltsbewilligung*) were important: seasonal permits (*Saisonnier*; Foreigners' licence A;) and the annual permits (*Jahresaufenthalter*; licence B). The unlimited, permanent residence permit (licence C) is called *Niederlassungsbewilligung* (see BIGA/BfA 1991:39-43).

On an institutional level, the legal framework of the ANAG and the various decrees continued to be enforced by the Foreigners' Police. After World War II, the task of controlling and regulating the entry and presence of foreign workers was relegated back to the cantons. This shift of responsibility restored the basic principles of

Federalism in Switzerland after the centralising tendencies during the war. The Cantonal Foreigners' Police were responsible for the issuing of temporary permits (seasonal and annual permits) in consultation with the Cantonal labour market authorities. The Federal Foreigners' Police focused on controlling and limiting the transitions from temporary to permanent residence. This was considered essential precisely from the point of view of *Überfremdung*:

> When the danger of *Überfremdung* began to loom again after WW II, the authorities strove to keep the number of foreigners who were getting permanent residence permits as low as possible, all the more considering the high level of employment was expected to be a temporary phase. (BIGA 1964:45)

Thus, the stipulation and expectation of a rotation of temporary foreign workers was not simply guided by labour market considerations linked to economic cycles and seasonal fluctuations, but was increasingly seen as serving the purpose of preventing *Überfremdung*. From this perspective, lack of social integration was not just something that 'hardly anybody thought about' (BIGA 1964:64), but in fact encouraged by the state. Already in 1954, the Federal Office for Industry, Commerce and Labour (BIGA) issued recommendations to the cantons entitled 'Preventative measures against the *Überfremdung* of the labour market' (BIGA 1954). The publication urged the cantons to grant permits in such a way as to keep the number of foreigners with a permanent residence to a minimum. Moreover, the temporary permits, such as the seasonal permit, imposed restrictions that prevented integration, for instance the stipulation that neither their spouses, nor their families could join the seasonal workers (this is still the case today).[8] As a state report argued in the early 1960s:

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[8] In order to maintain the legal room to move necessary for this policy of avoiding permanency, Switzerland negotiated compatible bilateral treaties with Italy (*Einwanderungsvereinbarung* 1948), Austria (1950) and Germany (1953). The treaties stipulated that foreigners on temporary permits needed to have worked and lived in Switzerland for at least 10 years before they could claim permanent residency. In the early 1960s, less restrictive treaties were concluded with some European states which reduced the period to 5 years uninterrupted stay in Switzerland (Belgium, Netherlands, France before World War II, Denmark and Liechtenstein) (BIGA 1964:45).
When the OECD Decree of 30 October 1953/20 December 1956 gave foreigners in OECD countries the right to a continuing work permit after at least 5 years regular residence on a temporary permit, Switzerland managed to negotiate a special opt-out clause. The special clause allowed Switzerland to be more restrictive, in that it was not required to convert the temporary to a permanent permit after 5 years of residence, if this led to 'demographic disturbances' (BIGA 1964:46). Even though the BIGA (1964) report noted that Switzerland had not made use of this opt-out clause, the member states of the OECD nevertheless recognised and thus legitimated the Swiss state's insistence that there is a special threat of *Überfremdung* in Switzerland which necessitated the application of special entry regulations (*Zulassungsvorschriften*)(BIGA 1964:78).

> As long as one expected foreigners to be employed on a short-term basis, it was logical to be very reluctant to allow their families to join them, because there is nothing that promotes permanent settlement (*Festsetzung*) as much as the joining of whole families. (BIGA 1964:78)[9]

The use of the word *Festsetzung* here is interesting. It is not as neutral as the alternative terms *Niederlassung* or *Ansiedlung* (settlement). *Festsetzen* tends to suggest a 'settling in' against resistance, an unwanted kind of 'settling in'. It is also the term that was used in the anti-Semitic phrase of *Festsetzung wesensfremder Element* (settling in of naturally foreign elements) discussed in chapter 6. However, at this stage, *Festsetzen* was used without any direct cultural reference, let alone any reference to Jews, and referred generally to all foreign workers.[10]

The system of temporary working permits provided, and still provides, the Foreigners' Police and the labour market authorities with several points of intervention and control, as temporary permit holders are subject to the so-called 'control obligation' (*kontrollpflichtig*). The renewal of permits depended on the labour market (which continued to boom), but also on the behaviour of the individual foreign worker (BIGA 1964:41). While the permits were usually renewed during the post-war boom years, seasonal workers still needed to leave the country for 3 months and reapply for a new permit, which opened new possibilities of state control and bureaucratic disgression. In cases of frequent job changes, 'the personal and professional behaviour of a foreigner is examined closely, so that in the case of a failure the person can be removed [*ausschalten*] from the Swiss labour market' (BIGA 1964:86).

Since 1948, the temporary residence permits (seasonal and annual permits) restricted the permit holder to a particular job. If a foreign worker wanted to change jobs, a permit was required from the Foreigners' Police (BIGA 1964:75). Thus, the state attempted to regulate the labour market by directing foreign labour to particular

[9] Interestingly, in the Swiss context, the word family 'reunion' is not used as such. Family reunion implies the re-joining of something that had been separated but ought to be joined. In Switzerland, the term *Familiennachzug* is used. The dictionary translation is 'joining one's family (*in country of immigration*)' (Terrell et al. 1991), however literally *nachziehen* means 'to pull or drag behind one', which obviously has less positive and less legitimate connotations.

[10] Of course, this does not mean that the category of *Ausländer* could not be culturalised, racialised or described in terms of classic anti-Semitic arguments. See below regarding the development of completely determinist arguments in relation to *Ausländer*.

jobs which were less desirable due to the working conditions or their location in remote areas. It also allowed the examination of the social behaviour of the foreign worker, who could be 'removed from the Swiss labour market', if he or she changed jobs due to some personal 'failure' (BIGA 1964:86). By the early 1960s, foreign workers who had been staying for a longer period could change their jobs in reality much like Swiss workers, even though they were technically and formally still subject to a permit. Nevertheless, regardless of the actual degree of restriction imposed by the Foreigners' Police, the important point here is that the legal and institutional framework was in place for wide-ranging state control of foreigners. Whether strictly applied or not, the laws and regulations reflected the institutionalisation of a potentially restrictive labour market regime and of the *Überfremdung* discourse.[11]

During the 1950s, the state managed to maintain a societal consensus on its *Fremdarbeiterpolitik* (policies in relation to foreign workers) by defining migrants as temporary foreign workers. The seasonal worker mechanism and associated restrictions on job changes allowed the Swiss state and corporatist interest groups (economic sectors such as building, hospitality, tourism, and agriculture) some room to negotiate and maneuver. This approach helped to alleviate trade union anxieties about labour market competition. Finally, it countered any xenophobic fears about *Überfremdung*. Importantly, the latter was not achieved by rejecting the notion of *Überfremdung*, but rather by promising to control it. Thus, the holy trinity of *Überfremdung* discourse, Foreigners' Police and foreigners' legislation (ANAG) was reproduced and adapted in a vastly changed context. Switzerland had changed from being a 'transit country' for refugees, to a 'boat that was full', to a work site that 'rotated' foreign workers. The foreignisation process was producing temporary *Ausländer*.

[11] In 1949, the possibility of the so-called recall (*Widerruf*), the cancellation of a temporary residence permit for labour market reasons (growing unemployment in some industry sector), was also introduced.(BIGA 1964:76). Even though this option was rarely made use of, it is another part in the defensive armory of state control of the movement of foreign workers.

TOWARDS PERMANENCY AND AN EXTENSION OF RECRUITMENT AREAS

From the perspective of the foreignisation process, two developments in the late 1950s-early 1960s became problematic: the increased permanency of migration and the extension of the recruitment area.

Towards the end of the 50s, it became evident to the state, employers and trade unions that the employment of foreign workers was a more permanent phenomenon and that a substantial number of foreign workers had become an integral part of the economy which showed no signs of slowing down (BIGA 1964:8;79). By 1960, 10.8% of the population were *Ausländer* (Straubhaar 1991:39). Not surprisingly, given the above discussion, only about a quarter of foreign workers were permanent residents (*Niedergelassene*) numbering 137 600 (BIGA 1964:13). A similar number (140 000) were seasonal workers. The largest group consisted of the 256 000 annual permit holders. Given the authorities' reluctance to grant permanent residence permits (requiring at least 10 years of uninterrupted employment as seasonal worker and then annual permit holder), the large, and continually growing group of annual permit holders represented a key indicator of the growing permanency of foreign workers in Switzerland (see **Table 1**).

Table 1
Number of temporary (*kontrollpflichtig*[12]) foreign workers by permit category; recorded in August [13] (Source: BIGA 1964:206)

	Seasonal Workers	Annual Permit Holders	Border Commuters	Total
1956	108 000	181 000	37 000	326 000
1957	121 000	215 000	41 000	377 000
1958	114 000	216 000	35 000	365 000
1960	140 000	256 000	39 000	435 000
1961	174 000	332 000	42 000	548 000
1962	194 000	406 000	45 000	645 000
1963	201 000	442 000	47 000	690 000

By the early 1960s, Switzerland lost some of its attraction for foreign workers from countries such as Italy, as a result of changes to residence regulations in the European Economic Area (EEA). Pressure started to mount from some sectors of the economy, but also from migrant workers and their countries of origin to allow more permanent permits with more rights and fewer restrictions (Banki and Späti 1994:373; BIGA 1964:78). Consequently, family reunion was made easier in the early 1960s, in particular for qualified workers and those who had been living and working in Switzerland for more than three years (BIGA 1964:79-80). In 1964, the so-called Italian Agreement (*Italienerabkommen*) introduced minor concessions for Italian seasonal workers. Those who had worked in Switzerland for 45 months in five consecutive years were entitled to an annual permit. Schmitter Heisler (1988:691) noted that although 'these concessions were relatively minor, the signing of the agreement marked an end of the illusion of temporariness and the idea of rotation.' (Schmitter Heisler 1988:691).

[12] *Kontrollpflichtig* (subject to Foreigners' Police control) refers to foreigners with a temporary residence (*Aufenthaltsbewilligung*) permit (seasonal; annual) and border crossing permits. It excludes those with permanent residence (*Niederlassungsbewilligung*).

[13] Levels of seasonal workers tend to be highest during the summer months. Ironically, in the summer months of the 1960s large numbers of Swiss people were able to afford holidays outside the country and began to participate in the emerging mass tourism which took many of them to precisely the Mediterranean countries from where most migrant workers came. The question of how travelling and holidaying affected dominant Swiss views of 'foreigners' goes beyond the scope of this thesis (did it confirm or challenge stereotypes? did it produce new stereotypes?). However, we should not discount the possibility that the strongest impressions derived from the observation that some Italian foreign workers laboured under intense heat and in dirty conditions to build freeways, while many Swiss enjoyed their holidays on Mediterranean beaches.

Consequently, the high percentage of seasonal workers (about a third of all temporary permit holders in 1956) decreased somewhat by 1963 (about a fifth), as more workers got an annual permit (BIGA 1964:206).

The drying up of the pool of available workers from Italy also led to the increased employment of workers from other Southern European countries during the 1960s, particularly from Yugoslavia, Spain, Portugal and Turkey (Banki and Späti 1994: 373; BIGA 1964:70). The long-term demographic effects of this shift can be gleaned from the statistics of the foreign population in Switzerland in 1990 (see Table 2).

Table 2
Annual Permit Holders and Permanent Residents, by nationality (End of December 1990) (BIGA/BfA 1991:35)

Italy	378 749
Yugoslavia	140 739
Spain	116 138
Portugal	85 649
Germany	83 401
Turkey	64 192
France	49 980
Austria	28 802
Others	152 612
Total	1100 262

THE FIRST PHASE OF THE STATE'S BATTLE AGAINST *ÜBERFREMDUNG* (1963-1965)

By the early 1960s, the shift towards greater permanency and towards new recruitment areas began to be discussed in terms of a serious danger of *Überfremdung*.[14] For instance, in 1962, the economic associations (*Verbände*) urged the employers to exercise more restraint in their recruitment of foreign

[14] The increased and continued employment of foreign workers was also criticised from an economic point of view as contributing to an 'overheating of the economy' and also of maintaining inefficient labour-intensive industrial sectors which would employ cheap migrant labour instead of shifting to more innovative, capital-intensive production (BIGA/BfA 1991:19). However, as will become

workers, without any noticeable effect on the growing numbers of foreign workers. In the same year, the Federal Councillor Hans Schaffner stated that

> the *Überfremdung* can not continue like that. The maximum permissible number of foreign workers is about 500 000 (Flüeler et al. 1975:316)

By that time, the number of foreign workers was already higher than 500,000 (see Table 1).

The recruitment of migrant workers from new recruitment areas was interpreted as a problematic shift to countries which were 'further distant' (*entferntere*), not just in terms of geography, but also in terms of culture (BIGA 1964:71). Therefore, since 16 March 1964 a special permit by the Federal Foreigners' Police was necessary for workers from such 'further distant countries' (*entferntere Länder*), including 'Greece, Malta, Portugal, Turkey, Cyprus as well as all African and Asiatic states' as well as 'Eastern European states' (*Oststaaten*) (BIGA 1964: 43, 82, 173). The concept of 'further distant' countries and cultures is yet another indication of a reproduction or metamorphosis of concepts which were used before WW II (see for instance Koller's 1915 distinctions, discussed in chapter 5.). Moreover, as we shall see below, the notion of 'further distant countries' has also played an important role in more recent years, notably in the Three Circle model of the Swiss state introduced in the 1990s and in academic writings such as Hoffmann-Nowotny (1992) (see chapter 10).

On 1 March 1963, the Federal Council introduced the first temporary state measures to limit the recruitment of foreign labour (Dhima 1991:50; BIGA/BfA 1991:19). The Federal Council *Decree on the Restriction of the Admission of Foreign Workers* attempted to put a ceiling (*Plafonierung*) on the general staff numbers in individual enterprises. The decree stipulated that permits for foreign workers would only be issued if their employment did not lead to an increase of the total staff of the employing company. The purpose of this decree was partially economic, but it was also explicitly designed and described as a 'defense against the danger of *Überfremdung*' (Straubhaar 1991:40; Dhima 1991:54; BIGA 1964:81). Thus, the

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apparent in my discussion of the BIGA report of 1964, economic considerations were carefully distinguished from and in many instances subordinated to concerns about *Überfremdung*.

notion of 'stabilisation' (*Stabilisierung*) of the size of the foreign population entered official policy (Hoffmann-Nowotny 1979). However, the decree failed to stop the growth of permanent residence and annual permit holders, partly because Swiss people who left a company could be replaced by foreign workers (BIGA 1964:180; BIGA/BfA 1991:19). A year later (21 February 1964), a new decree tried to limit the many exceptions, for instance by including all state firms in these restrictions (BIGA 1964:81). Again, these *ad hoc* measures by the Federal Council did not have the desired effect of limiting the size of the foreign population.

Already in 1961, a 'Study Commission for the problem of foreign workers' was established to analyse the competing demands of a growing economy and the preservation of national characteristics which were perceived to be threatened by *Überfremdung*. [15] In 1964, the Federal Office for Industry, Trade and Labour (BIGA) published the Study Commission's report bearing the unsurprising title *The Problem of the Foreign Workers*.

This report deserves some closer attention because, first, it gives an indication of the official dominant thinking and imagination within the Swiss state bureaucracies at an important turning point in the *Fremdarbeiterpolitik*, second, it proved to be an influential intervention, which helped to provide guidelines for the future *Ausländerpolitik* (BIGA/BfA 1991:20), and third, it represents the most elaborate discussion of the notion of *Überfremdung* by the state. As such, it provided yet another example of an intriguing and contradictory oscillation between assimilationist and completely determinist constructions of foreigners and the Swiss nation.

THE 1964 BIGA REPORT: *THE PROBLEM OF FOREIGN WORKERS*

The Study Commission, the author of this report, consisted of members of various parts of the Federal state bureaucracy, including the Federal Office of Industry,

[15] There has been a number of such reports commissioned by the state (and other institutions and social actors) in the last few decades. The *genre* consists of supposedly 'objective' expert reports on *Ausländer* issues with the purpose of replacing the *ad hoc* and short-term nature of policy making by

Trade and Labour (BIGA), the Foreigners' Police, the Federal Statistics Office, Federal Department of National Economy, as well as of Federal politicians and various academic experts. The commission was exclusively male, with the exception of Dr. Erika Rikli of the Federation of Swiss Women's Associations.[16] Significantly, the foreign workers themselves were not represented on the Study Commission, nor did they appear to be consulted. This was in accordance with the central assertion by the report that 'in relation to the entry of *Ausländer* the interest of the country is the only relevant [*massgebend]* consideration' (BIGA 1964:40). Clearly, the report was written by (mostly male) Swiss people for Swiss people. Moreover, even though it was ostensibly about foreign workers, it explicitly and implicitly was just as much about the Swiss people and the Swiss nation. The assumption was that foreign workers *were* the problem, but that it was the Swiss people who *had* the problem. As such, the report forms a part of the on-going and never-ending discussion about, and imagining of, the Swiss nation.

More precisely, the report revealed more about the thinking and assumptions of significant parts of the state bureaucracy than about the Swiss or foreigners living in Switzerland. This may be a rather controversial claim. After all, the 200-page report displayed the superficial signs of a well-researched, objective document: it took three years to complete, it acknowledged the involvement of a panel of professors and Ph.D. holders, it contained a list of 'literature on the Problem of Foreign Labour Power', and presented numerous tables of population statistics in the text and in the appendix. Indeed, its stated purpose was to provide the 'public' with a basis for the 'formation of objective judgments' (BIGA 1964:9).

However, the report repeatedly failed to directly refer to adequate evidence for its general claims about the behaviour, characteristics and motivations of foreign workers, as well as of the Swiss. In the absence of representative evidence, it is

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a more systematic and long-term response. Simultaneously, these reports have attempted to find new common ground in the polarised debate on *Ausländer*.

[16] The male predominance is not surprising given that in 1964 Swiss women still did not have the right to vote or be elected as parliamentarians. Nevertheless, the inclusion of a representative of the Federation of Swiss Women's Associations is notable, given that no other interest group or association appeared to be openly and explicitly represented on the Study Commission, least of all the *Ausländer*.

notable that the report reproduced commonly held stereotypes and presented them as statements of fact. The selection of statistics seemed to be guided by popular prejudices about crime, intermarriages and fertility of *Ausländer*. Frequently the report jumped from a statistical correlation to unsupported conclusions about motivations of social actors.[17] Occasionally, the report acknowledged that 'little is known about' the foreign workers' attitude towards a particular issue, and it suggested that 'more research was needed'. This did not prevent the report from making sweeping generalisations and general policy suggestions.

However, my aim is not to criticise the report for a lack of objectivity. My aim is to analyse the way in which this elite discourse, this state discourse, helped to discursively construct the nation and the *Ausländer*. Rather than criticising its lack of insight about foreigners' and Swiss' real motivations and situations, I shall focus on the way in which this elite discourse was linked more to earlier elite discourses and how it pre-formulated future elite discourses. Thus, I focus on the part this report played within the foreignisation process which constructs the foreigner and the nation. Incidentally, thinking of the report as functioning within the foreignisation process helps us to understand why the authors did not include foreign workers themselves and why it hardly reflected the experience of foreign workers and the Swiss. The underlying purpose was not so much to understand foreign workers, solve the problem of 'foreign workers' or suggest measures for labour market policy, but to construct *Ausländer* in a way which supported particular representations of the nation. In the final analysis, it was about the construction of *Ausländer* in a way that allowed a relatively plausible imagining of a *united, coherent* nation based on a purported stable, unique character (see next chapter).

In the preface, the report set the tone by referring to a fundamental change in public opinion regarding the 'problem of foreign labour power' since it had began its work in 1961:

[17] In the discussion of 'mixed marriages', the report speculated that spouses from different countries were attracted to each other due to their 'difference', and argued that foreign women migrated to Switzerland to find a marriage partner, rather than to work. Another example of a dubious deduction of collective motivation from a set of statistics was the argument that '[t]he Swiss prefer to find their foreign spouses primarily among the members of Germany.' (BIGA 1964:23).

> While broad sections of society have up to now regarded the strong influx of foreign labour power as desirable, even necessary, because it promoted the growth of our economy, in recent times one became also increasingly conscious of the disadvantages and dangers of these developments. Particularly, the expansion of the economy, which was only possible due to the massive influx of foreigners, has taken on dangerous proportions, so that drastic measures of the state have become necessary. In addition, the danger of *Überfremdung* has reached a degree which makes an intervention necessary.(BIGA 1964:8)

Apart from the 'size', it also expressed concern about the 'kind of immigration' (BIGA 1964:8): '... in more recent times more workers have entered the country from more distant areas whose living and working habits differ strongly from ours' (BIGA 1964:64). At the same time, the report acknowledged that many foreign workers had become indispensable to certain sectors of the economy.

Therefore, the report recommended a two-pronged strategy: on the one hand, 'limiting the number of foreigners' by means of a more restrictive entry policy (BIGA 1964:8), on the other hand advocating the assimilation of those foreigners whose stay had become permanent and who had become integral to the needs of the economy. Thus, the report signaled a shift, almost a reversal, in official thinking about both entry policy and residence policy. Regarding entry policy, it signaled a change from an open-door, laisser-faire policy towards a more restrictive approach aimed at the stabilisation or even reduction of the foreign work force. Regarding residence policy, it marked a shift from a restrictive policy of temporary rotation towards a more liberal policy of assimilation and it even contemplated naturalisation for *Ausländer*, who have resided in Switzerland for a considerable period.

So, did the report signal a move away from the foreignisation process, as it began to envisage assimilation and the incorporation of *Ausländer* in the nation? However, a close reading of the report reveals fundamental continuities of the foreignisation process, in which completely determinist discourses predominated in the final analysis. The report deserves special attention because it explicitly reproduced the discourse of *Überfremdung* in and for the post-World War II era. In fact, it constituted the most elaborate discussion and legitimization of the concept of *Überfremdung* by the Swiss state, and therefore simultaneously by sections of the Swiss elite.

Defining and assessing *Überfremdung* in the 1960s

The most revealing passages of this report were dedicated to a definition and analysis of the 'danger of *Überfremdung*'.[18] The headlines of section 3 promised theoretical clarifications of the concept ('the *Überfremdung* Problem generally', 'the various aspects of *Überfremdung*'), an empirical analysis of its significance in Switzerland ('the danger of *Überfremdung* and its state-political significance'), and finally some policy recommendations ('possibilities for a defense against *Überfremdung*').

Clearly, the report reproduced and legitimised the concept of *Überfremdung* as a valid analytical concept, rather than critically assessing its historical emergence, political use and finally its destructive effects within the defensive discourse and policy against Jewish people and others before and during World War II.[19] The report treated *Überfremdung* as a potentially measurable social fact, rather than as a social construction in whose reproduction the report took a major part. For the authors, the only problem of the concept was its relative vagueness and ambiguity, even though it had been such an influential concept in the conceptualisation of the Federal Law of Settlement and Abode of Foreigners (ANAG) of 1931 and the establishment of the Foreigners' Police in the period after World War I.[20]

The report obviously took the 1920s conceptualisation of *Überfremdung* as a starting point (see the previous chapter). However, it set out to more clearly define and refine the concept of *Überfremdung* as an analytic concept in the light of the

[18] The section on *Überfremdung* was preceded by a lengthy analysis of 'economic aspects' which concluded that there also were important economic reasons for a limitation and restriction of the number of foreign workers. These 'economic aspects' were clearly distinguished from '*Überfremdung* aspects'. Both were considered important and both were taken into account in the formulation of policy suggestions.

[19] In its brief historical review ('The *Überfremdung* Problem generally', pp. 127-128), the report referred to the Swiss discussions in the first three decades of the 20th century, but it completely ignored the operation of the term within the 'preventative anti-Semitic' discourse between 1933 and 1945, when *Überfremdung* was often used as an anti-Semitic code (see previous chapter).

[20] As argued in the previous chapter, there is no necessary contradiction between a concept's ambiguity and its social and political power. In fact, terms such as *Überfremdung* derive their social and political power precisely from their semantic ambiguity which allows many interpretations and resonates on the intellectual as well as emotional levels. They can act as relatively empty vessels that can be filled with almost any content. This allows the formation of at least temporary alliances between otherwise disparate groups.

different context of the early 1960s (BIGA 1964: 128). Of course, by implication it had to begin to define and refine what it considered to be the Swiss national characteristics [*Eigenart*] which were again perceived to be threatened by the foreign influences.

In an attempt at theoretical clarification, the report took the novel step of distinguishing four 'aspects' of *Überfremdung*[21] :

- Demographic *Überfremdung*
- Economic *Überfremdung*
- *Überfremdung* of real estate property
- Spiritual or cultural *[geistige] Überfremdung*

Let us examine these four aspects and the emerging discourse about the nation and the *Ausländer*. In particular, how did the report relate the assimilationist suggestions (assimilation, naturalisation) with the more determinist views contained within the *Überfremdung* discourse? As will become clear soon, the 'theoretical clarification' produced many intriguing contradictions, but basically re-stated a completely determinist argument.[22]

Demographic *Überfremdung*

The report's simple starting point was that the 'degree of *Überfremdung* is primarily measured in terms of the proportion of foreigners in the total population' (BIGA 1964:129). This analysis implied, first, that every foreigner's mentality and life style were by definition different to an as yet unidentified Swiss mentality and life style, and, second, that the foreigner's mentality can only have a negative, even dangerous influence on Switzerland. It also suggested that *Überfremdung* could easily be measured. This reflected and justified the preoccupation with absolute

[21] This typology obviously gave the impression of theoretical progress: we appear to be dealing here with a
more differentiated, more systematic, more objective analysis of *Überfremdung* than ever before. This typology also gave the impression of a cumulative sort of argument: not just one, but four different aspects of *Überfremdung* added up to an even bigger danger to the 'small country in the heart of Europe'.

[22] Again, internal contradictions do not necessarily undermine the social power and mobilising influence of a discourse or an ideology. It depends how discourses or ideologies deal with

numbers and proportions of *Ausländer* which has been characteristic of both state and public discourses on *Ausländer*.

However, the report suggested some important qualifications. Even though every category of foreigners potentially had some impact in terms of *Überfremdung*, the strength of that impact differed from one category to another.

> The danger of *Überfremdung* can obviously not be measured simply in terms of the proportional number of the foreign population; the decisive aspect is rather the factual influence of foreigners on the attitudes of the Swiss population and the strength of its influence (BIGA 1964:130).

Therefore, the strongest *Überfremdung* influence was expected to be exerted by long-term foreign residents, rather than by those who stay only briefly such as tourists, patients in clinics, border commuters, and seasonal workers. In particular, foreign professionals and intellectuals, such as scientists, artists, professors, directors of large companies, teachers, journalists and even students can have a 'far larger influence on our thinking and living conditions' (BIGA 1964:129).

Significantly, according to this analysis, the main danger of *Überfremdung* was not posed by culturally different, un-assimilated or even unassimilable newcomers (as had been the argument in relation to Jews), but by those foreigners who appeared most integrated (as had been the argument in relation to Germans before World War I):

> The foreign views penetrate into the native population more deeply and in a more sustained fashion, if the foreigners are more regularly spread throughout the population, like at the beginning of the century, and if the foreigners live for the most part like Swiss, but do not take the decisive step of naturalisation, but instead remain foreigners in their intellectual/cultural (*geistig*) attitude. In those days, the assimilation of a large part of foreigners was probably more advanced than today, but there still remained a substantial number (*Bestand*) of foreigners (*Fremden*) which have adapted (*angepasst*) externally, but internally they have remained loyal to their home (*heimatlich*) views.

There were some important corollaries to this analysis about the danger posed by influential, long-term foreign residents who have 'adapted externally, but not internally'. It justified, even demanded, first, the post-World War II policy of

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contradictions. From within an ideology, contradictions may not be apparent, or they may be re-interpreted and resolved in its own interest.

keeping foreigners' stay as temporary as possible, second, the confinement of foreigners to marginal, undesirable blue collar jobs with no or few channels of influence or communication, and third, their exclusion from political rights and citizenship. Even the apparently successful integration or assimilation may just be 'superficial' and is therefore no guarantee that foreigners may not become dangerous to the Swiss way of life and thinking, once they are given access to public debates and collective decision-making.[23]

The argument about foreigners who have 'adapted externally, but not internally' is a classic example of the mix of assimilationist and complete determinist discourses described in chapter 3. It echoes the typically anti-Semitic fear that the Jews' conversion to Christianity was only superficial (see for instance the discussion of attitudes towards the *conversos* in medieval Spain (Geiss 1988:116-121)).

The notion that the greatest danger of *Überfremdung* comes from the most integrated, if you like: the most Swiss *Ausländer*, is indeed deeply troubling.[24] The greatest danger derives from apparent similarity, not from apparent difference! As nobody can be entirely certain which *Ausländer* has completely assimilated and will not relapse at any time in the future, the spectre of an internal difference and danger remains. In fact, in a perverse twist, the more integrated or assimilated an *Ausländer* appears, the more easily he or she can fool you. Thus, the argument of complete determinism persists. Assimilation is only a surface phenomenon.

A logical corollary of this view is a series of lines of defense against *Überfremdung*. The best policy then is to ensure that *Ausländer* only remain in the country temporarily to avoid assimilation (the rotation notion). If, for some reason, they stay more permanently, then they need to be prevented from assimilating. If they do assimilate , then they at least should remain visibly and perceptively foreign. In this sense, signs of foreigness, for instance, an accent or a skin colour that is not deemed

[23] This conceptualisation of the danger of *Überfremdung* also had the effect of excluding the large number of tourists from any involvement in *Überfremdung* — a rather convenient outcome considering the economic importance of the tourist industry in Switzerland.
[24] The notion of the greatest danger lurking beneath the most familiar surface is common to many horror and science fiction movies, such as *Alien* and *Terminator II*. In a somewhat different form, it also appears in the figure of the Trojan horse in the Greek saga.

Swiss, are reassuring. This way the intervention of *Ausländer* could easily be detected as such: a foreign intervention. If they even appeared to be Swiss and have lost all outward signs of foreignness, then the final line of defense against *Überfremdung* is not to give them any political power, that is make it practically impossible for *Ausländer* to gain political rights and citizenship. The discourse, or rather the suspicion of inherent complete difference is thus reflected and reinforced by a policy of differentiation or discrimination.

Thus, keeping foreigners foreign and preventing any naturalisation logically appears as the best strategy against this type of *Überfremdung*. They may number a million, but as long as they are disenfrachised, they do not pose a danger. From this perspective, keeping such a large part of the population disenfranchised is not a violation of the democratic principle, but in fact a patriotic duty. Instead of undermining one of the core values said to characterise the Swiss nation, excluding a million of the resident population of Switzerland from political citizenship is in fact a defense of the Swiss nation.[25]

Importantly, even though the report purported to clarify the issues and provide objective information, in this general, theoretical section it only darkly and evocatively warned that *Überfremdung* 'touches the Swiss views, habits, mentality and customs' (BIGA 1964:129), without specifying the actual content of the 'Swiss views, habits, mentality and customs', nor of the threatening foreign influences. Consequently, the report did not spell out either how exactly, that is by what process or mechanism, the Swiss views, customs and tradition are 'touched', changed or undermined. Obviously, such vague formulations allow a multitude of interpretations, and the development and expression of a multitude of vague fears. In fact, the very strength of such a vague concept does not lie in providing theoretical clarification or empirical evidence, but in giving expression to a general sense of alienation in modernity.

[25] The issue of naturalisation has recently become a public issue in Switzerland. In true Federalist and direct-democratic fashion, the applications for naturalisations are being decided by a vote on the communal level in many municipalities. Recently, the Swiss and foreign media began to focus on numerous cases where local communities rejected all applicants from particular national backgrounds, regardless of their level of assimilation or their length of stay in Switzerland (Bolli 2001; Huber 2001; Vanoni 2000).

Economic *Überfremdung*

Economic *Überfremdung* was defined as 'a state in which the foreign influence (workers, enterpreneurs, capital investments and so on.) had an excessive significance within the domestic economy' and constituted a state of dependency on foreigners (BIGA 1964:131). The report stated that there was the danger of an expansion of an unspecified 'foreign mentality in the economic sphere', and 'foreign habits in staff policy' may gain the upper hand (BIGA 1964:131). In a war situation, there was the danger of sabotage by foreigners, or even the disappearance of whole sectors of 'our' economy as foreigners and their companies may leave the country. Zürich and Geneva were regarded as particularly exposed to 'such a development' (BIGA 1964:131). The hospitality, building and agricultural industry were described as already economically *überfremdet* (overforeignised/ overalienated). The report regarded it as 'particularly disturbing' that 'frequently companies employed more foreigners than Swiss' (BIGA 1964:132). Again, in spite of its claim to objectivity and clarification, the BIGA report failed to spell out what precisely these 'foreign mentalities' and 'foreign habits' were and in what way they would be detrimental to economic life.

Überfremdung of real estate property

The report argued that in 'many areas the foreign influence has taken on threatening dimensions as a result of numerous purchases of property by foreigners.'(BIGA 1964:132). Again, the report failed to list any statistics on these 'numerous purchases', nor did it spell out the precise nature of these 'threatening dimensions'.[26]

Intellectual/cultural [*geistige*] *Überfremdung*

The report dedicated most space to the fourth 'aspect', the so-called *geistige Überfremdung*, which may be translated as intellectual or cultural *Überfremdung*. In a cumulative fashion, this aspect of *Überfremdung* is adding to the previously discussed aspects:

[26] The discussion of the supposed *Überfremdung* of real estate property remained curiously brief. Perhaps any hint towards the necessity of a restriction to the purchase of real estate contradicted the free market ethos of large parts of the Swiss elite whose orientation and investment behaviour tends to be global.

> The demographic a[illegible] *Überfremdung* is amplified by intellectual and cultural *Überfremdu*[illegible] has clearly increased as a consequence of closer connection of our co[illegible] the surrounding world (*Umwelt*) (BIGA 1964:132).

At this stage, the report began to develop a discourse of a particularly vulnerable national culture.

> Some foreign influence (*Einschlag*) may be rather positive, as long as it is processed within the framework of the autonomous culture. However, it should not extend to the degree that it hollows[27] out our intellectual/cultural characteristic and destroys its substance. Switzerland is in this regard particularly threatened due to its small size and its situation at the heart of Europe. A further difficulty arises from the fact that we do not have *one* national language in which our whole intellectual life (*Geistesleben*) is embedded; a unique language is a strong support for the national characteristic and simultaneously serves as a delineation from the foreign countries. Finally, federalism also prevents the formation of a clearly visible, united national life style and is therefore not promoting a common intellectual and cultural consciousness in Switzerland. (BIGA 1964:132-133)

Obviously, this passage expressed a strong insecurity and concern about the content, substance and coherence of the Swiss national character. Like some of the conservative discourses at the beginning of the 20th century, this passage implicitly challenges the Radical's civic-democratic definition of the nation.[28] Federalism and linguistic diversity, as well as small size and being at the 'heart of Europe' are not seen as the defining feature of the nation, but in fact as undermining and destabilising factors.

Consequently, federalism and diversity are not seen as providing a well-functioning model that could also integrate migrants in a democratic or even multicultural way, but rather as a struggling model whose coherence was put under additional centrifugal pressure by migrants. In particular, the report argued that the 'most intensive cultural *Überfremdung* arises from neighbouring countries due to the common language', particularly through foreign media and press agencies, but also

[27] The term 'hollowing out' sets up the distinction between surface and core in a similar way to the discussion of externally adapted, but internally different *Ausländer*. In this scenario, the Swiss themselves are afflicted by the same phenomenon: the surface is Swiss, but it has been hollowed out by foreign influences.

[28] See chapter 4 for examples of such discourses. The Radicals' civic-democratic concept of the nation has frequently been found rather unstable and lacking of a firmer grounding. Thus, there is a re-occurring pattern in the Swiss discourse of the nation that tries to find a completely determinist 'footing' for the nation.

due to the 'constantly growing number of foreign workers in Switzerland' (BIGA 1964:134-135).[29] It was again the capacity to influence, which mattered.

In this context, the report made an interesting distinction between the different capacities of educated elites and the masses to 'judge' and 'to accept or reject' foreign influences.

> Today on the other hand the daily press and the magazines, radio and TV, cinema and gramophone records reach the large mass which often abandons itself to this foreign influence without much capacity to discern and without resistance and is susceptible to it to a dangerous degree (BIGA 1964:134).

This elitist assertion (again without providing any evidence) of 'the mass', who uncritically abandons itself to foreign influences, was to some degree contradicted later on in the report by the observation of popular prejudices which required educational campaigns.

The section on defining the four aspects of *Überfremdung* culminated in a 'general definition of *Überfremdung*' as:

> *the influence of unassimilated or insufficiently assimilated members of foreign cultures* - possibly increased by the immediate influences from abroad due to means of mass communication - , *which is so strong that essential and basic [tragende] ideas, which are fundamental to one's own culture, are being smothered by foreign ideas and the population does not create its living conditions on the basis of its autonomous [eigenständig] traditions any longer.* (BIGA 1964:136; italics in the original)[30]

After this 'theoretical clarification', the question remained how to ascertain whether Switzerland has reached a state of *Überfremdung*. The report concluded that it was 'not that important to be able to theoretically determine the degree of foreign influence which represent a state of complete *Überfremdung*' (BIGA 1964:137). Instead, it was sufficient to recognise the growing 'threat' or 'pronounced danger' of *Überfremdung* in Switzerland (BIGA 1964:137).

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[29] For instance, both left and right wing extremists in the Romandie (the French-speaking part of Switzerland) were seen to have their backing and spiritual origin in France (BIGA 1964:134).

[30] The report defined 'culture' in a rather anthropological (Kahn 1995) way:

> Culture has to be understood here in its broadest sense; it includes all areas of life of a people, its views about the state, its societal structure, its general views (*Geisteshaltung*) and its economy (BIGA 1964:136).

The effect of this sort of conclusion was not to 'theoretically clarify' the concept of *Überfremdung*, but to reinforce the vagueness of the concept of *Überfremdung* and thus to leave it open to subjective interpretations. This is a disappointment for those who expected clear theoretical yardsticks and empirical evidence in order to arrive at 'an objective judgement', as promised by the report. On the other hand, the conclusion does not come as a surprise given that it had not been able to clearly specify the supposedly problematic 'foreign influences', nor the particular danger they posed, nor, for that matter, what the supposedly threatened Swiss characteristics were.

In the end, the theoretical ride through the various 'aspects of *Überfremdung*' by the academic experts of the 'Study Commission' ended up restating and preformulating what many individuals and an emerging *Überfremdung* movement was beginning to express: life in Switzerland was changing rapidly for the worse, there were more and more *Ausländer* in the country, and we think the latter caused the former. In other words, the experience of alienation (*Entfremdung*) was interpreted as over-alienation (*Überfremdung*).

In Search of Swiss culture

Eventually, the report tried to identify the supposedly threatened 'constants of the Swiss national character', even though it conceded that it was 'difficult to describe them in words' (BIGA 1964:138). In other words, it began the journey, so often attempted in the past (see the previous chapter), of defining and pinning down the Swiss national character beyond the disturbingly up-rooted civic-democratic concept of a nation of the will. And again, the difficulties encountered in this project were not regarded as another proof of its general impossibility, because nations are always contested and imagined, rather than clearly definable, given essences (see chapter 2). Instead, the difficulties were again seen as specific to the case of Switzerland and its religious, linguistic and regional diversity.

A first clue to the national characteristic was provided by the report's analysis of the negative influence tourism may have in 'the cultural sphere' and especially on 'social interaction'. Due to the large number of tourists, the

> ways of speaking, sometimes also the customs, on public transport, in hotels, restaurants, shops partially lose their informal-democratic (*familiär-demokratische*[31]) character which is a basis of the Swiss characteristic (*Eigenart*). (BIGA 1964:135)

The 'informal-democratic character' in everyday social interactions was not defined more clearly. At any rate, informality can hardly be claimed by any nation as its exclusive unique characteristic. Ironically, the Swiss people have often been portrayed — even by themselves — as overly formal and reserved, whereas foreigners have usually been described as more informal, open, and spontaneous. In fact, elsewhere the report itself remarked on a 'certain restraint' in social interactions as a 'character aspect of the Swiss population', which is apparently even more pronounced in interactions with foreigners (BIGA 1964:152).

In response to the identified threats to the Swiss characteristics, the report recommended a strong role for the state to implement a 'systematic cultural policy' (BIGA 1964:136). The report exhorted 'all areas of the Swiss cultural/intellectual life' (*Geistesleben*) to promote the 'national characteristics' as part of a 'cultural/intellectual defense of the country' (*geistige Landesverteidigung*[32]) . In particular, it singled out the promotion of Swiss-German dialects. The dialects were glorified as the 'support of Federalism', as a 'protective wall against the cultural/intellectual *Überfremdung*' and as 'our actual mother tongue' (BIGA 1964:135). Critics may point out that the dialects were very varied and at the same time rather similar to Southern German dialects. But undeterred by such complications, the report argued that the Swiss dialects were 'filled with a similar language spirit [*Geist*] ' (BIGA 1964:135-136). This emphasis on the similar

[31] *Familiär-demokratisch*, literally familial-democratic or informal-democratic, is a rather unusual combined term. On the one hand, it appears to hint at the family model of the nation, which was mentioned by Anderson (1983) and emphasised more by Balakrishnan (1995). On the other hand, the term *familiär-demokratisch* may refer to 'egalitarian', as opposed to 'subservient', and 'informal', as opposed to 'formal' or 'stilted'.

[32] See chapter 6 on this concept that emerged before the Second World War in reaction to the threat by National-Socialism, and then was reproduced during the Cold War. Here, *geistige Landesverteidigung* (cultural/spiritual defense of the country) is being marshalled against the influence of *Ausländer*.

stated yearning for a unitary national language. It also exhibits the sort of Swiss-German-centric view of Swissness which excludes the speakers of the other 'national languages', French, Italian and Rhaeto-Romanic.

Thus, so far the search for 'Swiss characteristics' [33] has not been very successful: it has remained vague, struggled to find truly distinguishing features and ended up excluding a large part of the population. Again, like earlier attempts at finding some sort of ethnic or linguistic basis to the Swiss nation, this approach had to fail. The report did not acknowledge this failure directly, but it did recall the familiar position that

> The Swiss Confederation is not founded on a common race or a common language (...) (BIGA 1964:138).

It appeared that it was much easier to spell out what the nation was not, rather than what it actually was. Indeed, the report recalled the Federal Council's assessment in 1920 that

> the final and highest significance of our country lies precisely in the fact that in a sense it embodies the negation of all religious, linguistic and ethnic prejudices (quoted in BIGA 1964:152).

From this, the report appeared to reluctantly turn to a civic-democratic definition of the nation:

> The Swiss Confederation is not founded on a common race or a common language, but on common political and cultural guiding principles and in a common state will (*Staatswillen*) (BIGA 1964:138).

> For Switzerland the central characteristics include our particular conception of the maintenance and functioning of democracy with its communal autonomy, its federalist structure and the active and responsible participation of the citizen in public life. Typical characteristics are also our conception of the role of the state in the economy and of the relationship between the social partners[34] (BIGA 1964:136).

Apart from the reference to the role of the state and the relationship between the social partners, this list is practically identical with Heckmann's list of the

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Landesverteidigung (cultural/spiritual defense of the country) is being marshalled against the influence of *Ausländer*.

[33] *Schweizerische Eigenart* (Swiss unique characteristics), *geistige Eigenart* (spiritual/cultural characteristics) (BIGA 1964:133) and *eigenständige Kultur* (unique culture) (BIGA 1964:132) were the key terms in this report, rather than *Volksgeist* or 'national identity'.

[34] The term *Sozialpartner*, literally social partners, refers to the unions and the employers. The very term expresses the Swiss notion of non-confrontational industrial relations which this quote refers to.

characteristics of the Swiss model of the civic and multi-cultural nation (see chapter 1). It could therefore be expected that the reports' assertion of such a civic-democratic concept of the nation could perhaps anticipate a more tolerant approach to the incorporation of migrants from any background into the nation. Could this open up at least the possibility of assimilation of migrants into the nation?

However, it is crucial to note that in its discussion of democracy, the report fell back onto a completely determinist conception of the nation, in spite of apparent *ouvertures* towards the possibility of assimilation.

> The active experiencing of (*Mitleben*) and participating in (*Mithandeln*) all state matters, in the small as well as the large arena, distinguishes the Swiss from the citizens of most other nations. (BIGA 1964:138)

The reference to direct-democratic participation served to fundamentally distinguish the Swiss from practically all other nations. Direct-democracy and Federalism were not so much defended as worthwhile principles and institutions for the functioning of Swiss society, but rather, as becomes clear below, they served to fundamentally distinguish the Swiss nation from *Ausländer* and thus acted to exclude them.[35] The crucial point is the specific way in which the Swiss national characteristic of democratic participation was conceived of in a completely determinist way as almost innate, and therefore as practically unattainable by others:

> [The Swiss national character] is deeply anchored in the **emotional** (*Gefühlsmäßigen*) and includes some typical characteristics that reach back **far into the past**. (BIGA 1964:138) my emphasis)
>
> The Swiss Confederation is not founded on a common race or a common language, but on common political and cultural guiding principles and in a common state will (*Staatswillen*). This Confederal consciousness has grown slowly through centuries, **and as a rule it takes generations to acquire it.** (BIGA 1964:138). [my emphasis]
>
> If one has not grown **from a young age** into this way of thinking, one would hardly feel this obligation and joy to participate in decision-making (*Mitbestimmung*). One feels critical towards a participation by new citizens, because one fears that the political life would become more superficial (BIGA 1964:152)(my emphasis)

[35] This definition of Swissness, as direct-democratic participation on all levels of the political system, ran into further problems. In effect, it excluded all Swiss women, who were excluded from voting rights on the national level. However, from the patriarchal perspective of the report, this omission went unnoticed, as did the exclusion of French, Italian and Raetho-Romanan from the Swiss-German-centric celebration of the Swiss-German language spirit.

These passages provide a number of formidable obstacles to full assimilation, to the acquisition of Swissness. Anything that was 'deeply anchored in the emotional' would be difficult to express in words, thus presumably almost impossible to teach in a formal way. Moreover, the report does not just claim a primordialist heritage for national characteristics (in typical nationalist fashion), but it also intimated that precisely because national characteristics had grown over centuries that it would take generations to learn them. This is akin to arguing that it would take generations to learn to read and write because languages had developed over hundreds of years. The first impression of a case of assimilationism (it can be acquired), is severely undermined by the qualification that it 'takes generations', thus placing it out of reach of an individual's lifetime. Thus, for all intents and purposes, the individual is seen as completely determined by his or her culture.

The third quote above appears to represent a slightly stronger case of assimilationism: instead of 'taking generations', the second generation may be able to assimilate. But there is a central problem here: if the 'close relation of the Swiss to the state' and 'the feeling of shared responsibility for the functioning of the political community' which is being 'kept alive by the frequent votations on issues' (BIGA 1964:152) can only be learned 'by doing' as the citizen grows up within small-scale communal political and public contexts (BIGA 1964:138), how can an *Ausländer* child whose whole family is excluded from this process acquire this 'close relation' and this 'feeling of shared responsibility'? Logically, this would only be possible, if the child was removed from its family and placed with a Swiss family.

This is the catch-22 situation at the heart of the Swiss conceptualisation of foreigners and the possibility of assmilation. If the democratic spirit is the defining qualification or characteristic of Swissness and this democratic spirit can only be acquired by participating in the direct-democratic process, then *Ausländer,* whose main characteristic is the very exclusion from this direct-democratic process, will by definition never be able to learn to be Swiss. This catch-22 situation undermines

any prospect of becoming Swiss. All other assimilation efforts tend to be sabotaged at this final hurdle.

Thus, these passages indicated a completely determinist conception of the Swiss nation and *Ausländer*. Qualifying words such as 'most', 'as a rule' and 'hardly' may leave open the option for the occasional success story, which however is the exception that confirms the rule.[36] Not surprisingly, the naturalisation rates have remained very low in Switzerland, and recent debates about naturalisation on the communal level have shown strong public objection to granting citizenship to even the most assimilated and integrated applicants (Bolli 2001).

Even though the argument appears to be about democracy, thus on the surface appearing to be a civic-democratic concept of the nation, and even though it talks of assimilation, it is in fact a completely determinist argument which serves to exclude *Ausländer* almost as definitely and effectively as ethnic or racist concepts of a nation. Swiss consciousness, feeling and attitude towards direct-democracy, local autonomy and Federalism were not simply a reflection of a specific political system, but they referred to a quasi inherent, innate and unique set of characteristics of the Swiss people which are practically impossible to acquire.[37] Thus, the concept of complete determinism helps us to notice that the Swiss case blurs the simple distinction between ethnic and civic-democratic models of the nation by ethnicising or even racialising a civic-democratic spirit. Of course, on the surface, talk about democracy and about possible assimilation appears to be remote from racism. However, as argued above, assimilation is largely illusionary, and the completely deterministic definition of the democratic spirit ensures a rather definite exclusion of *Ausländer* from the nation.

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[36] Perhaps, the chances of naturalisation could be compared with the infamous 'eye of the needle'. The long path towards full assimilation and naturalisation in Switzerland could almost be compared with a laborious, religious path towards salvation. Many are called, few are chosen.

[37] Similarly, it could be countered that the report did not conceive of the Swiss nation in static, unchanging terms: it explicitly acknowledged that there were and should be changes to the way in which the Swiss lead their lives as a result of being integrated into the world economy and of being part of Western cultural production and exchange. However, the stress is again on slow development (for instance over centuries; long history), and especially on an 'organic development in a Swiss sense' (BIGA 1964:139). Thus, while change is not rejected and even embraced, the way the Swiss want to remain in control of these changes appears as the unchanging Swiss 'constant'.

The exclusion of *Ausländer* from citizenship is not only justified by the argument that *Ausländer* are not capable of learning the Swiss democratic spirit, but – more strongly – that in fact they would endanger or 'infect' Swiss democracy with radical views:

> The foreigners who work here with us often have a completely different attitude towards the state and the community in general. In their home country, they are not used to actively participating in the political life; their participation is limited to exerting an indirect influence via the election of people's representatives. As far as they are part of the less wealthy population with unsatisfactory school education, they traditionally oppose the powers of the state with more or less hostility, or they want at least to reduce contact with the state to a minimum, because for them it amounts to little more than administration by order. This attitude makes them more susceptible to political slogans and extreme propaganda, and it is bound to become dangerous if an increasing part of the population is filled with such views (*Geisteshaltung*). The danger of infection for the Swiss population ought not to be underestimated. For instance, associations in which foreigners have a certain possibility of influence are under some circumstances exposed to radical trends. But also many communes, particularly near cities, which already find it difficult to assimilate the exceptionally large influx of Swiss people, are threatened in their organic development in a Swiss sense. (BIGA1964:138-139)

Thus, by means of a determinist argument, the lack of direct democracy in nearly all other countries is held against members from these countries and they are thus excluded from taking part in the political life in Switzerland, not just on a Federal or cantonal level, but also in associations and clubs. It is also interesting how it was again the masses which were said to be particularly susceptible to bad influences — both the foreign masses and the Swiss masses.[38] The naturalist metaphor of 'infection' is particularly important in this rhetoric, as it implies that the danger does not just come from *Ausländer*, but from infected Swiss. This adds a further dimension to the vision of 'externally adapted, internally different'.

Apart from those *Ausländer* who have 'adapted externally, but not internally' (perhaps even coming from a neighbouring country), the report highlighted a second group as a main problem in terms of *Überfremdung*. These were *Ausländer*

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[38] The report gave the example of the 'un-assimilated German national socialists and Italian Fascists' during WWII who were supposedly a danger to the independence of the country. The report therefore implied that fascism was imported from outside, rather than also being developed within by Swiss people (see the debate by Swiss historians on this issue). Simultaneously, fascism is reduced to a lower class phenomenon, ignoring the Nazi sympathies of sections of the Swiss elite.

from 'more distant cultures'. The report distinguished between 'related' (*verwandte*) and 'more distant' (*entferntere*) cultures. 'Related' referred to 'European', 'more distant' to lesser developed countries outside Europe. The report suggested that

> no labour markets should be tapped from outside Europe, which would almost be inexhaustible for unqualified workers. At any rate there should be no official steps to encourage the recruitment in countries, with whom we are not connected with a common cultural basis. The members of these countries who could be considered for recruitment because of the excess of workers, would find it significantly more difficult to settle in (*sich einleben*) here than the workers that immigrated so far. They could hardly ever feel at home here, and assimilation would generally not be possible.(BIGA 1964:121).[39]
>
> Considering the difficult social and cultural situation of such workers and in order to defend against *Überfremdung*, measures are necessary - on the basis of the Foreign Police law - in order to reduce to a minimum (*hintanhalten*) the entry of hard-to-assimilate foreigners from other cultural circles (*Kulturkreise*). The practice of granting entry to workers from such areas is to be restrained.(BIGA 1964:121)
>
> The overcoming of cultural differences between the newly arrived and the resident population is of decisive significance for the process of assimilation.[...] The bigger the cultural differences, the lower the chances of assimilation. When selecting recruitment areas, it should therefore be considered that in general the bridging of the contrasts of foreigners from completely different cultural area (*Kulturkreise*) does not succeed. This, of course, does not preclude the possibility that individual foreigners of such origin nevertheless can be assimilated, especially if they enter the country when they are young and with the strong intention of a definite immigration. (BIGA 1964:145)

Here again, assimilation is possible, but only expected in special, individual cases. On the whole, people from 'further distant' cultures are seen as generally determined by these cultures and thus not able to assimilate. Again the oscillation between complete determinism and assimilationism points more strongly to the former.[40]

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[39] The changed background of workers from 'further distant countries' have, according to the BIGA report led to 'human and social problems' for foreign workers themselves, for instance 'isolation, homesickness and the feeling of being considered inferior sometimes trigger psychological problems' (BIGA 1964:64).

[40] In some passages, the report even suggested that people from neighbouring countries may also struggle to assimilate in the way people from 'further distant cultures' do. For instance, the report voiced some specific concerns about 'the Italian nationals': 'Characteristic for the Italian nationals is the preference to live together with their co-nationals and to spend their spare time with their own, which is presumably a consequence of their different language, which prevents them from coming closer to the indigenous population' (BIGA 1964: 144-145).

The concepts of 'traditional recruitment area', and especially the distinction between a European and a non-European 'cultural area' (*Kulturkreis*) will play again a central role in state policy in the 1990s, especially in relation to the 'Three Circle Model' which was to be accused of 'new' racism (see chapter 10). At this stage, it is important to note that the completely determinist construction of European and non-European cultural areas was already part of the Swiss state discourse in the 1960s.

Incidentally, when the report discussed 'fundamental differences in living styles', using popular stereotypes about different standards of cleanliness, hospitality and sociability (again, without supplying any empirical evidence), it insisted that the reference to these 'fundamental differences' did not imply a value judgement. [41] This call for the valuing of cultural difference, rather than supposing a relationship of inferiority and superiority, also anticipated the 'new' racist formulations observed by Baker in the UK in the 1970s and Taguieff and Balibar in France in the 1980s (see chapter 3).

To sum up, the report identified two groups of *Ausländer* as particularly problematic in terms of *Überfremdung*. Somewhat paradoxically, one group represents the very integrated *Ausländer*, possibly from neighbouring countries, whose danger comes from their direct public influence, and from another group, who comes from 'distant cultural area' which make assimilation very difficult. The paradox appears to be that with the first group the danger comes from their similarity with the Swiss, whereas with the second the danger comes from their dissimilarity. However, ultimately most members of both groups are seen as not able to assimilate: the first can not assimilate to the Swiss sense and practice of democracy, the second even struggles with assimilation in everyday life. Strictly speaking, the report allows exceptions: some individuals from both groups may in fact assimilate and even

[41] The report advocated that the 'public must also be enlightened about the fact that members of other nations have a different temperament, a different manner [*Art*] and another life style; these differences must be approached with understanding and respect without prejudice' (BIGA 1964:190). As positive as this call for a respect of difference may sound, it in fact reinforced the main thrust of the *Überfremdung* discourse: the construction of radical, incommensurable difference. Thus, 'respecting' and 'understanding' may even serve to underline and confirm the differences.

become naturalised, after considerable time and effort. However, it is precisely that: an assimilationist exception that confirms the completely determinist rule.

The twin arguments of virtual cultural un-assimilability of members of 'more distant' cultures, and the virtual cultural-political un-assimilability of members of 'more 'related' cultures, can be regarded as versions of cultural-racist arguments which pre-dated similar arguments of the French *Nouvelle Droite* (Taguieff 1991) and of Tory politicians in the UK (Barker 1981). In my terminology, they are completely deterministic arguments, which include a typical oscillation or combination with assimilationist options. In the Swiss case, these arguments were not proposed by a new-Right marginal group striving to regain cultural and political hegemony, nor was it simply a throw-away line by some politician. Rather, it was part of a supposedly 'objective' and considered state report involving several state departments and individual experts. In 1964, when the report was published, the theoretical discussion of racism had not developed to the point of considering culturalist arguments, let alone arguments about democracy, as a form of racism, or complete determinism.

The limits and effects of assimilation and naturalisation

In spite of the pessimistic discussions about the capacity of any *Ausländer* to fully assimilate, assimilation and eventual naturalisation formed part of the recommendations of the report. The adaptation of *Ausländer* to Swiss conditions should be made easier and encouraged, irrespective of whether they were planning to stay for a long or short period of residence (BIGA 1964:189). Foreigners within the country should be free to select and change jobs according to the market, rather than according to state regulations that divert foreign workers into undesirable jobs.[42] The report also recommended easier access for families in order to promote assimilation.[43]

[42] However, the report warned that the change from the current system of state regulation of seasonal workers and temporary permit holders (*Kontrollpflichtig*) had to be gradual as otherwise shock waves would be sent through the economic structures and would threaten not just (inefficient) individual businesses, but whole industrial sectors and regions.(BIGA 1964:123)

[43] While it was recommended that family reunion should not happen too fast as there were not enough schools and hospitals, family reunion was now considered in the interest of Switzerland as it led to faster and more harmonious integration, increased productivity, greater life satisfaction while lessening the likelihood of the adoption of extreme political views.

The long section dealing with assimilation[44] and naturalisation represented a shift away from the *temporary* foreignisation process. However, this did not constitute a complete break with the essentialist discourse of *Überfremdung*. First, the report explicitly advocated the retention of the temporary permit categories of seasonal workers and annual permit holders, partly because it still considered the 'possibility to restrict the permit to one season, one of the most effective means against *Überfremdung'* (BIGA 1964:187). Second, the shift was not so much towards a sort of migration paradigm, let alone multiculturalism, but towards a *permanent* foreignisation process. As the promise of naturalisation was in effect only a distant option for a privileged few, the shift towards permanency and assimilation was not to create many immigrants or new Swiss. Instead, it created permanent *Ausländer*. The report was explicit in its expectation that in the future *Ausländer* would not assimilate 'more than they have up to now' nor would they be prepared for naturalisation (BIGA 1964:138).

Such an outcome was the logical consequence of the particular Swiss conception of 'assimilation' and 'naturalisation' which remained linked to the discourse of *Überfremdung*. The starting point was the reified anthropological assumption of two distinct cultures or ways of life. 'Assimilation' was understood as a mainly one-sided, gradual process of adaptation and learning to conform by the migrant. The host society on the other hand was not expected to change in the process, apart from being respectful of differences and providing a few additional services. In fact, almost by definition, any changes brought on by the presence of *Ausländer* would be seen as a form of *Überfremdung*.

The report regarded three variables as central to the success or otherwise of the process of assimilation: a) the 'cultural distance' at the beginning of this process;

[44] It is interesting to note that in this report the political shift towards considering 'assimilation' is accompanied by a proliferation of German terms to describe 'assimilation': *Annäherung* (rapproachment), *Angleichung* (process of becoming the same), *Annahme* (acceptance, reception), *Anpassung* (adaptation), *Verschmelzung* (melting), *Integration* (integration), *Akkulturation* (acculturation), *Eingliederung* (integration)(BIGA 1964:154), *Eingewöhnung* (adaptation)(BIGA 1964:168). This may reflect a grappling with a new and unfamiliar process, but also an obsession with social conformity.

b) the assimilation capacity of the host culture or the 'attitude of the local population'; c) the assimilation capacity and readiness of the migrants.

Thus, in its simplistic, culturalist abstraction, the discourse of 'assimilation' ignored a whole range of important factors, including the issues of politics, the state, classes, sub-cultures, cultural over-lap, previous history of migration and interaction, the particular concept of the nation, legal rights and the socio-economic status of migrants, and their dominant representation in media and politics. Crucially, the report ignored its own role in reproducing a particular state discourse about the nation and the foreigners.

As a rule, the legal status of the *Ausländer* improves with his or her assimilation, roughly measured in terms of length of residence. The general sequence or evolutionary ladder is Seasonal Worker, Annual Permit Holder, Permanent Residence, naturalisation. Foreigners are expected to first adapt on the surface (*äußerlich anpassen*), for instance 'by being punctual', then — if they are suitable candidates — they were given the permit to allow their family to follow them (BIGA 1964:155). Finally after 10 years of uninterrupted and irreproachable stay in the country, they were given a permanent residence permit (*Niederlassung*). Only then could foreigners freely choose their jobs and also become self-employed. (BIGA 1964:156)

Not surprisingly, given the *Überfremdung* anxieties about migrants who were 'assimilated externally, but not internally', the report confirmed the notion and practice that the long, gradual process of assimilation had to be shadowed and controlled by the Foreigners' Police, especially, as the *Ausländer* gets closer to naturalisation.

> The more the improvement of the status approaches the higher levels, the more individually and closer the personal behaviour is examined before the authorities make a decision (BIGA 1964:155).

The report made explicit that the emphasis was on probation and social control, rather than on encouraging assimilation:

> It however is more a matter of eliminating foreigners who are not capable of assimilating, are anti-social and professionally or personally unwelcome (BIGA 1964:155).

According to this report, successful assimilation implied and demanded that the *Ausländer's* 'relations to the home country become correspondingly more loose' (BIGA 1964:150). Assimilation, therefore, was represented as a zero sum game. The complete state of assimilation meant a complete break with one's country of origin, as well as a complete disappearance of one's non-Swiss identity, thus amounting to a virtual wiping out, suppressing or ignoring of a substantial part of one's biography.[45]

Only when the authorities were satisfied that this complete stage of assimilation was reached, could naturalisation be envisaged. The report contained a revealing list of conditions that had to be met, including the demand that the applicant had to be 'so far assimilated that he thinks and feels Swiss' and to take 'our' customs and habits for granted.[46] Moreover, apart from speaking the local language and having no prior convictions, great emphasis was put on the foreigners' knowledge of the history and political processes in Switzerland. And, of course, his or her attitude towards the 'referendum democracy' was considered absolutely crucial (BIGA 1964:167). The Swiss authorities may play a guiding role in this process of growth and 'maturation' of the foreigner:

> If a foreigner appears suitable for integration [*Eingliederung*], but is not yet assimilation-ready [*assimilationsreif*; literally: assimilation-ripe], his citizenship application is to be deferred with a recommendation to the candidate, in what direction and by what means he should conform better in order to be able to be naturalised (BIGA 1964:196).

In relation to *Ausländer*, the Foucauldian nightmare scenario of supervision, of disciplining, and of normalising has escaped the total institutions of the prison, the

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[45] Consequently, the report rejected the suggestion of maintaining or also teaching the migrants' language at school, as this was considered an obstacle to assimilation.

[46] The metaphor of 'second nature' springs to mind, although it was not used by the report. However, it needs to be clarified that the report's conceptualisation of assimilation demanded - so-to-speak - the dropping of one's 'first nature', which is impossible by definition , thus in fact beautifully, as well as drastically capturing the above-mentioned catch 22 situation. Incidentally, it needs to be kept in mind that the report used the common term *Einbürgerung* (roughly translated as 'process of gaining citizenship') rather than *Naturalisierung* in the revealing sense of the English term 'naturalisation'. At least, this term appears to be in the civic-democratic tradition, rather than in an ethnic tradition of nationalism.

schools or the hospitals and has extended to a large degree to the part of the population which has been discursively constituted as *Ausländer*. This has occurred with the passive acceptance and even active support of a large part of the Swiss population, perhaps because it appears be in their interest. However, of course, there is always the danger that parts of this process of supervision and control could also be extended to include parts or the entire Swiss population.[47]

The report did not regard naturalisation as a factor that may contribute to greater assimilation, nor primarily as a deserved reward for the foreigners' assimilation efforts, but as the necessary final break with one's country of origin.[48] In this discourse of assimilation there can only be one 'fatherland':

> There is a certain period of the adaptation process, during which further progress is only possible by naturalisation, and without it the foreigner either sinks into a state without fatherland [*Vaterlandslosigkeit*] or falls back into the arms of his home state (quoted in BIGA 1964:158)
>
> The bond with his prior fatherland can only be dissolved completely by granting Swiss citizenship. (BIGA 1964:158)

Obviously, the barriers to the gaining of citizenship are enormously high. Especially the demand of 'complete dissolving of the bonds with the fatherland' border on a severe form of self-denial and psychological and practical suppression. At the same time, the demands in terms of 'feeling and thinking Swiss' are extremely vague and open to bureaucratic discretion. They are also rather contradictory, in the sense that it is impossible to construct a truly representative and universal type of 'Swiss feeling and thinking' common to all classes, milieus, gender, age, religious background and so on, unless a bureaucrat arbitrarily imposes his or her subjective interpretation of Swissness. The report does not allow for any ethnic-pluralist difference of the *Ausländer* to be maintained. In its extreme assimilationist demands, it not only suppresses different cultural expression by migrants, but it also suppresses Swiss diversity. Thus, within the foreignisation process, Swiss

[47] For instance, the Swiss police plan to introduce biometric surveillance equipment at airports in order to detect *Ausländer* without travel documents (*sans papiers*). While the first draft of the new *Ausländer* Law confined the surveillance to *Ausländer*, the current revised draft allows the surveillance of all passengers, including the Swiss (Buchbinder 2002:4).
[48] In case of a war, foreigners who were not naturalised or had dual citizenship may be forced to return to their country, or they may become a dangerous 'fifth column' (BIGA 1964:158-159).

multiculturalism, as well as other types of diversity (various Swiss milieus) tend to be suppressed by invoking supposedly unified, common Swiss constants and characteristics.

Assimilation and naturalisation were conceived negatively as defensive means of managing the *Überfremdung* potential of foreign migrants who had become integral to the economy, rather than conceived positively as giving all residents who live and work within the territory a say in their destiny and empowering them. The idea that migrants' participation in direct-democratic decision-making processes may positively influence the framework of their existence in the country is not discussed in the report. Of course, this is not surprising as long as *Ausländer's* involvement in public debate and collective decision-making is constructed as a dangerous foreign interference that threatened national identity and the national way of life.

In the final analysis, the argument that the Swiss direct-democratic understanding of the state and politics is radically different to the traditions of the rest of the world, even of the surrounding countries, in spite of some cultural and linguistic similarities, fundamentally undermined all expectations and recommendations of assimilation:

> Towards the members of the immediately neighbouring areas there is indeed an assimilation capacity, because the cultural differences are not large, but we nevertheless approach them as citizens of large states with their different conceptualisation of the state (*Staatsauffassung*) with certain caution, because we know from experience that they — even when they are largely assimilated and hardly differ from the Swiss any more — easily adopt political ideas from their home countries which we reject. (BIGA 1964:152)

Moreover, if successful assimilation and naturalisation required such a radical self-denial, it is not surprising that only few people could qualify. Moreover, as the report could not spell out clearly what constituted 'Swiss thinking and feeling', the precise goal of assimilation remains unclear. The resulting low rates of naturalisation in turn appeared to confirm the original completely determinist expectation that most *Ausländer* could not really assimilate. Again, a kind of self-fulfilling prophecy operates.

Clearly, the promise of assimilation was, and still is, undercut by unreasonable, often impossible expectations. However, from the report's perspective the problem lies with the *Ausländer* themselves. The Federal government was content to leave naturalisation up to the discretion of local authorities and communes some of which may have a policy of 'not accepting new citizens in principle' or 'only candidates of a certain confession'. (BIGA 1964:161) Instead of condemning this approach as discriminatory, the report helped to legitimate such discrimination for it agreed with the 'skeptical view which is also rooted in the population about the complete adaptation (*restlose Anpassung*) of the foreigners, particularly about their capability to exercise the political rights and duties of a Swiss citizen.'(BIGA 1964:162).

The combined effect of the discourse of *Überfremdung* and related policies and laws has been the production of about a million permanent *Ausländer* who are perceived as a potential threat in terms of *Überfremdung*. However, at the same time, they are seen as necessary for the national economy Interestingly, in contrast to the question of political participation, the report did not see the 'adaption problems' at the work place and in relation to trade unions as insurmountable (BIGA 1964:147).[49]

The report's conceptualisation of the national culture as being threatened by unassimilable foreigners not only undermined its own discussion of assimilation and naturalisation, but also its exhortations to the public to change its prejudiced rejection of assimilation and naturalisation (BIGA 1964:168). The developments over the following three decades manifested precisely what the report wanted to avoid as stated in one of its most lucid and prescient passages:

> If we want to maintain healthy economic growth and a high living standard,

[49] However, the report was concerned that 'a considerable part of workers' was not close to the union movement., and was particularly concerned about foreign workers with 'extreme and undemocratic political views' (BIGA 1964:147). The trade union leadership incidentally shared some of these notions of a definite difference between Swiss workers and foreign workers: 'The foreign workers, regardless of their nationality, have as a rule a completely different conception of the task of a trade union.' (quoted in Zuppinger 1987:74). For the leadership of the trade unions the foreign workers were primarily a relatively passive 'manouvrable mass' which was manipulated and used by the employers, as well as by 'Italian communists'. If they were conceded some social agency, they were perceived as a threat to the Swiss way of trade unionism, which was characterised by the so-called labour peace treaty (*Arbeitsfrieden*) concluded between the 'social partners' in 1937 and since then renewed regularly (Widerspruch 1987).

> therefore being dependent on the labour contributions of a certain number of proven foreigners, than it is more sensible to treat them as people like ourselves and to receive them in our midst, as soon as their work and living situation has taken on a permanent character and they have assimilated, rather than perceive ourselves as being constantly threatened by a large foreign body in the population (BIGA 1964:168).

The report itself, however, confirmed and legitimated precisely these fears. In the final analysis, the report remained caught up in a series of numerous contradictions or tensions. The following list presents some of them very briefly:

TABLE 3
Contradictions and ambiguities contained in the BIGA report (1964):

1. On the one hand, foreigners are said to refuse to take up naturalisation (BIGA 1964:130); on the other hand, the state and communes refuse to grant citizenship because they fear it is too dangerous in terms of *Überfremdung*.

2. On the one hand, individual adult foreigners can not learn Swiss political consciousness ('it takes generations'); on the other hand, they are not allowed to become involved, even if they have been interested for some time.

3. On the one hand, it takes generations to assimilate, on the other hand children and exceptional individuals can assimilate.

3. On the one hand, foreigners are expected to completely assimilate to the Swiss way of thinking and feeling, before they can get citizenship and political rights; on the other hand, one can only gain the Swiss consciousness by being actively involved
and exposed to active political participation.

4. On the one hand, 'the degree of *Überfremdung* is primarily measured in terms of the proportion of foreigners in the total population' (BIGA 1964:129); on the other hand, 'the numerical proportion of the foreign population can not by itself be the measure of the degree of *Überfremdung*' (BIGA 1964:129).

5. On the one hand, the danger of *Überfremdung* is said to stem mostly from long-term, well-integrated, publicly influential foreigners; on the other hand, members of 'more distant' cultures are said to be hardly assimilable and therefore a danger in terms of *Überfremdung* (BIGA 1964:121).

6. On the one hand, there is no clearly visible or identifiable unitarian national life style; on the other hand, it is under threat from foreign influences.

7. On the one hand, there is no clearly visible or identifiable unitarian national life style; on the other hand, foreigners are expected to completely conform to it.

8. On the one hand, the masses abandon themselves uncritically to foreign influences; on the other hand, the masses need to be educated to be more tolerant.

9. On the one hand, assimilation depends on 'individual-psychological factors' (144); on the other hand general cultural differences appear to matter more. (Apart from the final reference to the individual exception, this argument about cultural distance contradicts the claim made elsewhere in the report that 'individual-psychological' factors are more important, that is, that in terms of assimilation 'the difference of nationality as such is less important' (BIGA 1964:144-145).)

10. On the one hand, there is a 'common Swiss language spirit' and a Swiss way of interacting, thinking and feeling; on the other hand, the Swiss Confederation is not founded on a common race or a common language, but on common political and cultural guiding principles and in a common state will (*Staatswillen*) (BIGA 1964:138).

11. On the one hand, the report advocates objectivity and rejects prejudice; on the other hand, it fails to give evidence for many of its assertions and perpetuates prejudice.

12. On the one hand, there is the argument that the Federalist structure of Switzerland is an obstacle to assimilation, because the large variety of languages, life styles and dialects make it difficult for foreigners to assimilate and settle, especially if they frequently move from one region to another (the report tends to side with this argument); on the other hand, Federalist and direct democratic practices are expected to offer the best way of integrating cultural difference (Heckmann et al.'s argument).

13. On the one hand, the report's advocacy of, and support for, assimilation and naturalisation in effect amounts to a policy of immigration; yet, on the other hand, it continues to speak of 'foreigners' and 'foreign workers', and only rarely of immigration (*Einwanderung*) and immigrants (BIGA 1964:121).

14. On the one hand, foreigners are said to trivialise (*verflachen*; literally 'to flatten/to make superficial) democracy; on the other hand they are said to radicalise it. (BIGA 1964:138-139)

15. On the one hand, it is professionals, who due to their influential positions, pose the greatest danger of *Überfremdung*; on the other hand, it is the 'less wealthy population with unsatisfactory school education' who are 'more susceptible to political slogans'(BIGA 1964:138).

Some of the contradictions may have been due to disagreements between the authors and bureaucracies involved in the writing which have not been ironed out in the final editing. Moreover, some of the contradictions or tensions, especially in relation to general statements about *Ausländer*, may be resolved simply by arguing that **some**

Ausländer do x, whereas **other** *Ausländer* do y. In fact, many statements in the report contain qualifications to that end ('most', 'as a rule', 'they tend' and so on).

However, I argue that these contradictions or tensions are not superficial or accidental. They in fact reflect an underlying tension between assimilationist and completely determinist representations of the nation and the *Ausländer*. The completely determinist argument tends to construct Swiss identity as unattainable for migrants and regards their presence, and especially their political activities as a threat to the nation in terms of *Überfremdung*. This argument essentialises cultural Swiss characteristics and life styles when discussing *Ausländer* from 'further distant cultural areas', and the democratic consciousness of the Swiss when discussing *Ausländer* from neighbouring, European countries. This argument can be placed in a long line of conservative discourses about the 'essence' of the Swiss characteristics and its threatened state due to *Ausländer*. It implicitly rejects the Radical's political definition of the nation (the *Willensnation*), as its discussion of democracy is an integral part of a completely determinist discourse.

Thus, the report reflects and confirms this conservative discourse of *Überfremdung*. On the other hand, the report also contains assimilationist arguments, expecting the assimilation and eventual naturalisation of at least some *Ausländer*. In these passages, the report is more in line with the Radicals' view of the nation and the desirability of assimilation, which was expressed more strongly before World War I. Thus, the core contradiction — or irony — that ensued was that precisely when the report started to consider assimilation and naturalisation of foreigners (a perfectly reasonable notion from the perspective of a civic-democratic nation), it (re-)produced the most elaborate and in a sense most subtle[50] essentialist and determinist model of the nation which managed to move Swiss citizenship beyond the reach of most people on this earth.

The report tries to combine these two contradictory perspectives, hoping to find both common political ground, as well as a workable model. The result is a re-statement

[50] Its relative 'subtlety' and uniqueness lay in what could be called a 'political-cultural' determinism, rather than an outmoded biological or cultural determinism.

of the foreignisation process. To the conservative forces (the completely determinist view), the report points out that it takes the danger of *Überfremdung* seriously. To the more liberal forces (the assimilationist view), the report points out that assimilation is to be encouraged, in view of eventual naturalisation. The foreignisation process tries to find the common political and policy ground: *Überfremdung*, as well as assimilation and naturalisation can be **managed by the state** by means of restrictive entry policies, separate laws for *Ausländer* and their supervision and control by the Foreigners' police. The result and effect of such a foreignisation process is, or course, the production of a large population of permanent *Ausländer*. They are an expression — as well as the victims — of a compromise between the call for temporary *Fremdarbeiter* and the call for naturalisation (new Swiss). The consequence — if not the intention — of these developments was the shift from a paradigm that produced *temporary foreign workers*, to a paradigm that produced *permanent foreigners* rather than migrants or new citizens in a multi-cultural nation.

Thus, the foreignisation process reflects an underlying insecurity or debate about how to define the Swiss nation in the modern world — an insecurity or debate about collective and individual identities which we have already traced in its pre-World War II forms in earlier chapters. The contradictions or tensions stemmed from the report's (unacknowledged and probably largely unconscious) attempts at finding a synthesis of two contradictory conceptualisations of the nation, a set of assimilationist ones and a set of completely determinist ones. A central part of this synthesis between a more political, voluntarist, assimilationist model and a more cultural, deterministic model was the essentialisation of a direct-democratic spirit. Different political factions in Switzerland can always find agreement that democracy, and especially direct democracy, is a central characteristic of Switzerland. However, their conceptualisation of democracy can be entirely different and serve very different interests.

In the final analysis, the discourse of *Überfremdung* reproduced specifically Swiss determinist and essentialist arguments about Swiss national characteristics and the

culture of the foreigners. Thus, it not only represented a Conservative undermining of the cherished civic-democratic model of the nation as a 'nation of the will', but it also subverted and undermined what at first sight appeared to be an emerging assimilationist discourse and policy of integration and naturalisation. Determinist arguments of essential and unbridgeable *cultural* difference served to exclude 'culturally distant' people from even entering the country. In addition, determinist arguments of essential and unbridgeable *political-cultural* difference served to exclude long-term, well-assimilated foreign residents from being thought of as part of the nation, thereby rendering naturalisation almost unattainable, i.e. an exception which confirms the rule of non-naturalisation.[51]

However, this synthesis within the foreignisation process remained contradictory and therefore unstable. As will be examined in the next section, this contradictory attempt at establishing a policy synthesis and compromise in fact marked the end of the public political consensus on the issue of foreigners. In the following years, a political and social movement began to challenge the state and the political consensus through the direct-democratic channel: the so-called *Überfremdung* movement. Its arguments and actions can be interpreted as an alternative attempt of overcoming the contradictory oscillation between an ethnic and a civic-democratic model of the nation. In a sense, the movement overcame the contradiction by fundamentally rejecting assimilation and naturalisation, and advocating a return to a modest temporary foreignisation process in an attempt to save the nation from *Überfremdung*. In other words, their challenge was not so much proposing new demands, but could portray itself as simply taking the state by its words.

THE DIRECT-DEMOCRATIC CHALLENGE BY THE *ÜBERFREMDUNG* PARTIES (1965-1980S)

The state's handling of foreign worker migration and its attempts at rethinking its policies regarding *Ausländer* (both in terms of entry policy and settlement policy), as outlined in the BIGA report, began to be challenged by two new parties. From

[51] On a personal level, there are some cruel twists to this discourse: even desperate attempts at assimilation to the degree of a denial of one's history and background do not guarantee membership

the mid-1960s, they launched a series of so-called *Überfremdung* initiatives which managed to attract substantial support and votes from the population. Public opinion had already began to question what was considered uncontrolled immigration driven by the labour needs of Swiss industries (Hoffmann-Nowotny 1985:230; Flüeler et al. 1975:316). As mentioned above, the presence of foreign workers first became a politically contested public issue following the signing of the agreement with Italy in 1964 which, even though only conceding minor legal improvements for Italian foreign workers, was interpreted as signalling the end of the assumption of temporary rotation (Hoffmann-Nowotny 1979:55; Schmitter Heisler 1988). For the anti-migration National Action, this signalled the transformation of Switzerland into an immigration country (Miller 1988:70). These reactions have often been analysed as a xenophobic response by a prejudiced section of the population to the state's liberal *laisser-faire* approach, as a kind of a 'pressure from below' against the 'political apparatus' (Hoffmann-Nowotny and Killias 1979; Hoffmann-Nowotny 1985). In Heckmann's terms, it could be seen as a xenophobic reaction 'from civil society' against the state (see chapter 1).

However, as the foregoing discussion of the BIGA report has shown, the populist challenge can not simply be seen as 'forcing' the issue of *Überfremdung* on a neutral, enlightened state. The discourse of *Überfremdung* had in fact been legitimised and confirmed by the state itself. Thus, the *Überfremdung* movement was not so much fundamentally challenging the state's philosophy and practice, but tried to get the state to act more in line with its own analyses and values. It is absolutely essential to understand the rise and the argumentation of the so-called xenophobic *Überfremdung* movement in relation to the long history of the state discourse of *Überfremdung*, rather than as simply an ignorant reactions by an intolerant section of the population or as a result of cultural conflicts (Tobler Müller 1992b).

Keeping in mind this long history of state discourse and policy inspired by, and thus, in turn, legitimising a concern about *Überfremdung*, I shall briefly examine the

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of the nation, but may in fact be looked at with suspicion as superficial assimilation. See my discussion below.

various challenges from civil society and new anti-immigration parties and the reaction by the state. The Swiss direct democratic tools of referendum and initiative provided a different opportunity structure for such sentiment to be voiced and be put on the political agenda compared to other countries (Kriesi 1991, 1992). It can be argued that the pre-existing state discourse of *Überfremdung* and this direct democratic opportunity structure have contributed to a relatively early curbing of post-war labour migration in Switzerland compared to other European countries.

In June 1965, the Democratic Party of Canton Zurich submitted the first constitutional popular initiative against *Überfremdung*, proposing that the number of foreigners with an annual permit (*Jahresaufenthalter*) and with a permanent residence permit (*Niedergelassene)* should not exceed 10 per cent of the total population. Obviously, this initiative aimed at curbing the shift towards a greater number of more permanent foreign residents, while not attacking the seasonal worker category which is at the core of the Temporary Foreignisation process. Thus, it was in line with large parts of the discourse of the BIGA report (1964), especially the concern about unassimilated foreigners permanently resident in Switzerland, and also the argument that *Überfremdung* was, despite some qualifications, basically linked to the number of *Ausländer*. While the BIGA report wanted to make distinctions between more or less assimilated *Ausländer* with more or less of a bearing on *Überfremdung*, it too eventually undercut this argument by ending up constructing virtually all *Ausländer* as a danger in terms of *Überfremdung*. The simple call for a 10% limit, of course, resembles the notion of a 'threshold of tolerance' which gained some popular currency and some legitimacy amongst town planners in France in the late 1960s (for instance Girard 1971; for a critique see MacMaster 1991).

This direct-democratic challenge by what became seen as a xenophobic (*fremdenfeindlich*) movement was countered by the state's assurance that immigration would be reduced, and subsequently the initiative was withdrawn in 1968 (Hoffmann-Nowotny and Killias 1979:55; Hoffmann-Nowotny 1985:230). Thus, in essence, the state acknowledged and legitimiated the principles of the movement, rather repudiating it. This was not so much a caving in to public

pressure, but also in line with at least parts of its own contradictory position. In fact, the government had already issued the *Federal Decree on the Limitation and Reduction of the number of foreign workers* in February 1965 (Dhima 1991:51).

Between 1965-1970, the state attempted to limit and reduce the number of foreign workers by means of introducing a ceiling on foreign workers employed on the level of individual companies (*Betriebliche Fremdarbeiterplafonierung*). However, as in the period of 1963-65, this did not lead to a stabilisation or even reduction of foreign workers due to the many exceptions (Dhima 1991:51). It is instructive to compare the different ways in which the Democratic Party of Zurich and the state attempted to limit the number of foreign workers. In other words, we could compare the populist and the bureaucratic imagination within the context of the foreignisation process. The Democratic Party of Zurich aimed at a blanket limitation of the total permanent foreign population in relation to the total resident population, thus making an immediate link with the Swiss nation, which after all was considered threatened according to the discourse of *Überfremdung*. In contrast, the state's restriction measures aimed at individual enterprises. It shows to what degree the state interpreted immigration as an issue of the recruitment and hiring of labour power.[52]

In spite of the state's assurances, the number of *Ausländer* did not decrease. In May 1969, the second *Überfremdung* initiative was submitted, this time going further in its demand, however still following the same logic: a reduction of the ratio of foreigners to the Swiss population (not just to the total population) to less than 10% in every canton except for Geneva (Hoffmann Nowotny 1985:230). It had been launched by an new organisation —later to become a political party — called 'National Action against the *Überfremdung* of People and Country', led by James Schwarzenbach who would become an important political figure in the battle against *Überfremdung* (Hoffman-Nowotny and Killias 1979:55; Schwarzenbach 1980). This campaign triggered intense national debates and put a lot of pressure on the state. While most public commentators, the government, the parties, the employers'

associations, the trade unions and churches opposed the so-called 'Schwarzenbach' initiative, popular discontent about the presence of foreigners and xenophobia were voiced increasingly, for instance in public meetings (Reck 1969:429-430).

Schwarzenbach's own position can be gleaned from his maiden speech to the national parliament during the parliamentary session on the first *Überfremdung* initiative in December 1967. He explicitly rejected the argument that the initiative was 'hostile to foreigners' (*fremdenfeindlich*) (Schwarzenbach 1980:47).[53] Apart from various economic arguments, as well as concerns about extra costs for local governments in relation to the integration of *Ausländer* (for instance, education of *Ausländer* children), and concerns about the loyalty of *Ausländer* during a potential war, Schwarzenbach takes aim at the permanent residents (*Niedergelassene*) and those who gained citizenship (*Neueingebürgerte*) as a particular danger:

> Our Federation (*Eidgenossenschaft*) is a work of generations and its harmonious co-existence (*ausgeglichenen Nebeneinander*) of different languages, cultures and confessions is far to subtle, so that a massive, regionally concentrated and economically driven mass migration (*Völkerwanderung*) would lead to serious disturbances. For this reason alone, we should reject the suggestion of the Federal Council, to reduce the number of foreigners (*der Fremdbestand*) by making it easier to assimilate and gain citizenship (Schwarzenbach 1980:50)

Schwarzenbach was concerned that the granting of citizenship was a bureaucratic trick of making *Ausländer* disappear from the statistics and thus to reduce the impression of *Überfremdung (1980:108:142)*. He was not opposed to granting citizenship, but expected significant assimilation:

> The granting of Swiss citizenship should remain a privilege, which should still be the entitlement of the municipalities (*Gemeinden*), not of the state.(Schwarzenbach 1980:108)

Consequently, the political initiative attempted to reduce the more permanent number of *Ausländer*, excluding seasonal workers and border commuters. One of Schwarzenbach's frequently used quote was:

> Every nation has the right, as far as it is in its power, to determine its future and its destiny. This is not racism, but simply common sense (*gesunder Menschenverstand*). (Schwarzenbach 1980:134)

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[52] It is also interesting to compare these failed attempts by the state to reduce the numbers of foreign workers, with the similarly unsuccessful attempt by the state to reduce the number of asylum seekers in the 1980s and 1990s.

Thus, for Schwarzenbach, it was clear that he was defending 'the uniqueness of Swissness' (1980:134). In fact, he stressed that

> Our popular initiative is primarily a solution to Swiss domestic problems and it only deals with the *Ausländer* in Switzerland as a secondary consideration. (Schwarzenbach 1980:134)

Schwarzenbach's populist campaign could easily target the state's actions, or rather lack of actions, as hypocritical, as the state itself had warned of the danger of *Überfremdung* for a decade. Schwarzenbach specifically referred to the BIGA report (1964) to make his arguments, for instance that a half a million of *Ausländer* was a preferred number (Schwarzenbach 1980: 135). The second strong argument was that the Swiss industries really determined the state's policies to the detriment of the common people *Volk*, who the populist Schwarzenbach was battling for against the Swiss elites (Schwarzenbach 1980:134-135).

On 7 June 1970, this initiative was only narrowly defeated at the ballot box (54% opposed it). As there were over a million *Ausländer* in Switzerland in 1970 (Straubhaar 1991:39), Hoffmann-Nowotny (1985:230) estimated that the number of *Ausländer* would have had to be reduced by 44 % if the initiative had been adopted. The opponents saw in the initiative a form of 'suicide'.

In fact, many analysts agree that this outcome was probably only prevented because of the introduction of more drastic state measures at limiting immigration and stabilising the number of *Ausländer* by the state immediately prior to the vote, which helped to "take the edge off the grassroots movement" (Hoffmann-Nowotny 1985:230). On 16 March 1970, a new decree by the Federal Council signalled a definite 'turn around in the policy towards foreigners literally in the last minute" (Dhima 1991:52), a kind of 'emergency brake' (Hoffmann-Nowotny 1985). The Federal Decree introduced a so-called 'national ceiling' (*Globalplafonierung*) on the number of foreigners (Straubhaar 1991:39) which effectively introduced a model that was initially developed in the recommendations of the BIGA 'Study Commission' in 1964 (BIGA 1964). The principle of a national ceiling demanded that an unspecified 'balanced relationship' had to be maintained between the size of

[53] Compare this disclaimer with Taguieff's discussion of heterophile forms of racism in chapter 3.

the Swiss population and the foreign population (Hoffmann 1985:230). 'Triggered by the failure of the Federal Council's stabilisation policy, from now on the annual maximum number (*Höchstzahlen*) of the new intake of foreigners was determined on the basis of the departures of the previous year (foreigners leaving the country, naturalisation, marriage with Swiss citizens, deaths)' (Straubhaar 1991:40; see also BIGA/BfA 1991:20-21).[54]

This direct-democratic challenge changed the framework and parameters of the corporatist decision-making process regarding foreigners' policies. Even though this and subsequent *Überfremdung* initiatives were defeated at the ballot box, their influence was nevertheless substantial, as it forced and ensured a marked policy shift as a sort of concession to its demands.[55] The employers' rather unencumbered access to a potentially large pool of foreign workers was curbed substantially by strong state intervention into the labour market. However, they nevertheless felt that this was the only option given the strong popular and populist pressure of the *Überfremdung* initiative (Straubhaar 1991:50). The Damocles-sword of new *Überfremdung* initiatives that may perhaps one day find a majority at the ballots led to a kind of self-imposed limitation on the parts of the main actors in the corporatist decision-making process regarding the intake and residence of foreigners.[56]

MORE INITIATIVES AND A NEW CONSENSUS IN *AUSLÄNDERPOLITIK*

In the decades after 1970, the policy regarding foreigners could be interpreted as 'primarily a reaction to the grassroots movement; the Federal Government formulated and proposed the policy and the administrative agencies executed the measures taken to prevent the passage of the over-foreignisation initiatives' (Hoffmann-Nowotny 1985:231).

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[54] The maximum number refers to new Annual Permit Holders (*Jahresaufenthalter*), seasonal workers (*Saisonarbeiter*) and Short Permit holders (*Kurzaufenthalter*) (Dhima 1991:63).

[55] Generally, the influence of initiatives and referendums CAN not simply be measured by their success at the ballot box. Even failed or retracted initiatives and referendums may have helped setting the political agenda and public discussion topics, or may have prompted concessions and counter-proposals by the government. Finally, the mere explicit or implicit threat of launching an initiative or referendum by any sufficiently organised group can be very influential and lead to their consultation by the policy and law makers (Kriesi 1991).

Nevertheless, Zuppinger (1987:77) argued that the new regime since 1973 was actually quite functional to the different needs of the capital-intensive, rationalising export industry and the labour-intensive domestic industries (building; hospitality, small trade, agriculture; mountain cantons): while there were radical quotas on new foreign labour, the system of seasonal permits with variable restrictions has continued to channel temporary labour into domestic industries that needed them. More restrictions on the conversion from seasonal permits to permanent residence permits helped to keep some of the temporary workers in these industries. Some categories, such as the border commuters, were excluded from the quotas all-together. The large industrial enterprises, predominantly capital-intensive and export-oriented, on the other hand, were lesser affected by the national ceiling as they could still attract foreign workers from smaller businesses due to better working conditions and higher wages (Hoffmann-Nowotny 1985:217). Moreover, Hoffmann-Nowotny remarked on a paradoxical effect of the *Überfremdung* initiatives which targetted the increased number of permanent residents: while a national ceiling on new migrants was introduced, the legal position of permanent residents in fact improved.

Thus, in the early 1970s, a new consensus was built on the promise and policy of a 'stabilisation' of the foreign population and increasingly since 1976 the maintenance of a 'balanced ratio' between the the Swiss and the foreign resident populations (BIGA/BfA 1991:22-23). It essentially constituted a somewhat uneasy consensus between the employers' demand for more labour power and the *Überfremdung* parties demands for a reduction of foreigners (Hoffmann-Nowotny 1985:217).

The trade unions too agreed with this approach (Hoffmann-Nowotny 1985:217; Zuppinger 1987:77). However, their position remained somewhat ambiguous as they struggled to distance themselves from the hard-line demands of the *Überfremdung* parties, while at the same time supporting the stabilisation policy and using the concept of *Überfremdung* (Zuppinger 1987:77). For them the issue of

[56] The new stabilisation measures in Switzerland predated similar efforts in France and Germany in 1973-74 (Miller 1988:70).

foreign workers remained problematic. While foreign workers were at times perceived as fellow workers, there were also tendencies to see them as potential competitors, and as a 'maneuverable mass' that could easily fall prey to the manipulation of capitalist interests or communist agitators (Zuppinger 1987).[57]

This consensus, of course, was still within the framework of the foreignisation process. Even though the assimilationist aspect became stronger, it continued to produce *Ausländer*. However, clearly the paradigm shifted to producing permanent *Ausländer*, and thus some changes occurred on the discursive level (with official references to *Überfremdung* becoming less frequent), the policy level, and also the institutional level.

In relation to institutional changes, the state established a new permanent Consultative Commission for the Problem of Foreigners (EKA) in 1970 to advise on how to better deal with the political and social challenges (BIGA/BfA 1991:23-24). In comparison with the temporary Study Commission of 1964, it is indicative how the perception of the problem changed from one concerning *Fremdarbeiter* (foreign workers), to one concerning *Ausländer* (foreigners). However, the objects of concern to this commission, namely the *Ausländer* themselves, were again excluded from this advisory committee until 1980.

In spite of these policy shifts towards a more restrictive entry policy and attempts at building a new consensus, another *Überfremdung* initiative (number 3) was launched by the National Action in 1970 demanding the number of *Ausländer* should not exceed 550000. This initiative was defeated on 20 October 1974, though still managing to attract about a third of the vote (34%).

A split occurred in the *Überfremdung* movement, when James Schwarzenbach left the National Action to found the Swiss Republican Movement (*Schweizerische*

[57] Even in the 1980s, as the trade unions supported the pro-integration *Mitenand* (Together) initiative and the referendum against the second revision of the asylum law (see chapter 7), trade union policy on the 'question of quota for foreigners' remained 'ambiguous' (Zuppinger 1987:79).

Republikanische Bewegung). This movement launched its own initiative in 1974 demanding the number of foreigners may not exceed 12.5% of the Swiss population, again excluding seasonal workers and border commuters from these restrictions. It was defeated on 13 March 1977, as 70.6% of the voters rejected it (Hoffmann-Nowotny 1985:231).

The National Action, for its part, had launched two more initiatives which were also defeated on the same day (13 March 1977). The first by a slightly closer margin (66.2 % vs. 33.8%). This initiative envisaged the limitation of naturalisations to 4000, thus attempting to prevent the reduction of the statistics of the foreign population by means of naturalisation. The second initiative demanded that international treaties, even already existing ones, had to be made subject to the referendum. While this may appear to be a different issue to do with an extension of direct-democratic rights, the initiative clearly targetted the 1964 treaty with Italy which was regarded as conceding to foreign workers further rights to more permanent residence.

Thus, the *Überfremdung* initiatives targetted the switch to an increased number of permanent residents and naturalisations. While this challenged the state's preference for the integration and naturalisation of *Ausländer*, which was already advocated in the BIGA report in 1964, it simultaneously echoed the specific fears of *Überfremdung* expressed by the same report, namely the fears and suspicions connected with more integrated and more permanent residents, who may be "adapted externally, but not internally".

While none of the *Überfremdung* initiatives were accepted by the voters, alternative initiatives aiming to improve the legal status of *Ausländer* shared the same fate. In the early 1980s, a pro-integration movement launched an initiative to improve the *Ausländer* position in relation to the choice of work, family reunion, social security coverage, and the renewal of permits. It also proposed to abolish the seasonal workers' category. However, the so-called *Mitenand* (Together) initiative which was supported by the Catholic and Protestant churches and the Social Democrats

(however, not by the trade unions) was rejected resoundingly in 1981 (84% vs. 16%) (Hoffmann-Nowotny 1985; Schmitter Heisler 1988:69).

Similarly, the Federal Council's attempt to revise Law Regarding Residence and Settlement of Foreigners (ANAG) was narrowly rejected by the voters in June 1982 (50.4% no). The revision envisaged slight improvements to the legal position of *Ausländer* and proposed measures to aid their social integration.[58] More importantly, the revision sought to systematise the range of decrees that had been adopted in an *ad hoc* fashion over the years and turn them into law (Dhima 1991:157). The revision had to be put to a vote because the National Action party launched a referendum.[59] Thus, regulations in relation for foreigners remained relatively unsystematic and on the level of decrees, rather than law.[60]

Dhima (following Linder 1989) located the reasons for this defeat partly in the specific perception of foreigner-policy issues by the voters:

> The motives of the supporters of a restrictive policy regarding foreigners are on the other hand based on the fear of '*Überfremdung*' and a loss of identity and of social status.[...] Interestingly, the fear of competition on the labour market, however, appears not significant. (Dhima 1991:160).

Another attempt at improving the situation of migrants failed in 1983, when a proposal for a constitutional revision to make naturalisation easier for refugees , stateless persons and second generation immigrants was decisively rejected (Schmitter Heisler 1988:695).

In the meantime, the so-called 'sixth *Überfremdung* initiative', again launched by the National Action, was rejected by 65.8% of the voters on 4 December 1988 (Dhima 1991:161). The initiative demanded that in the following 15 years the annual number of new foreign immigrants could only amount to two thirds of the

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[58] The clear rejection of the *Mitenand*-Initiative in 1981 had dampened the political will for more wide-ranging improvements. In the hearings regarding the draft for the revision, the seasonal worker category, as well as the regulation of the political activities of foreigners were particularly controversial issues (Dhima 1991:158).

[59] However, the pro-integration groups were also opposed to the revision, because it still maintained the discriminatory category of seasonal workers and other distinctions between various categories (Dhima 1991:159).

[60] Cattacin characterised the Swiss approach and policy regarding foreigners as a 'foreign worker regulation by decrees' (quoted in Straubhaar 1991:41).

departures as long as the total population in Switzerland was over 6.2 million people. It also demanded a limitation of seasonal workers to 100 000 and the number of border commuting permits to 90 000.[61] Moreover, for the first time, refugees were to be subject to the immigration limitation. It was estimated that the acceptance of the initiative would have forced a reduction of the foreign resident population by 300 000 people (Hug1988a;1988b:2).

In 1986, the Decree on the Limitation of Foreigners (*Verordnung über die Begrenzung der Ausländer*, BVO) formulated the aims and purposes of the state policy towards *Ausländer*: it restated the aim of achieving a 'balanced ratio between the size of the Swiss and of the resident *Ausländer* population' by means of annual quotas (*Kontingente*) for new annual permit holders, seasonal workers and short term permit holders.[62] A new additional explicit aim was the 'creation of suitable conditions for the integration [*Eingliederung*] of the *Ausländer* who live and work here'(BVO 1986).

The decree also served to establish the principle of 'traditional recruitment areas', which was to play an important role in the 1990s (see chapter 10). Article 8 stipulated that new permits would only be issued to foreign workers from 'traditional recruitment areas'. This exclusion or discrimination was explicitly linked to the notion of limiting immigration from countries with a considerable 'cultural distance' (Dhima 1991:65).[63] As the 'traditional recruitment areas' were regarded as mainly 'our neighbouring countries and countries with similar living conditions' (BIGA 1986, quoted in Dhima 1991:65), they included the countries of

[61] This was the first time that an initiative demanded a limitation of border commuters' permits. Apparently, representatives of the Swiss industries rejected the call for a limitation of border commuting permits, arguing that 'in terms of *Überfremdung*' such permit holders would not matter (Hug 1988:1). Of course, this sort of argument confirmed the logic of *Überfremdung*, and by implication legitimised fears of *Überfremdung*.

[62] For instance, for the period from 9 Nov. 1990 to 31 October 1991 the following quotas were decided: a quota of 12 006 for new annual permit holders, 163 750 for seasonal workers, and 15002 for short permit holders (BVO 1990). Each year, there are also quotas for each canton, i.e. the BVO stipulates the distribution among the cantons. cf. Dhima (1991:173ff) for an analysis of the various interests and political influence of the main actors (employers, trade unions, government) in the formulation of the BVO 1986.

[63] The BVO itself did not use the term *Überfremdung*, nor did it refer to any necessity to control or restrict 'foreign influences'. The seemingly more neutral notion of a 'balanced ratio' is being used instead, as well as the notion of 'traditional recruitment area' without reference to differences in terms of culture or living conditions.

the European Union and of the European Free Trade Association (EFTA) as well as Yugoslavia[64]. Interestingly, the Federal Council rejected the inclusion of Turkey among the 'traditional recruitment countries' in 1988, against the wishes of sectors of the Swiss industry (Dhima 1991:65).

Thus, the decree of 1986 represented a reworking, but essentially a continuation of the foreignisation process. The discourse on 'cultural distance' and different 'living conditions' spells out the fears of non-assimilability which have in the past been expressed in terms of *Überfremdung*. In this decree, the concerns of *Überfremdung* continued without the use of the actual term.

Not unlike the BIGA report of 1964, the decree's reference to aiding integration remained an isolated sentence that was not further elaborated upon. The aim of providing better integration conditions are obviously undermined by the continuation of the anti-integration prohibitions associated with the seasonal worker category, particularly the prohibition on family reunion.

The decree basically expressed the political consensus that crystallised by the mid-1980s. In 1988, Schmitter Heisler (1988:684) was under the impression that the relatively large number of foreign residents did 'no longer excite social and political actors'. A kind of political accommodation had been achieved. However, Schmitter Heisler also noted that

> [...] although the 'foreigners' question' has lost much of its bite, the majority of the Swiss people are not ready to embrace fundamental changes that would permit the legal recognition of immigration rather than prolonged labour migration (Schmitter Heisler 1988:694).

In other words, the foreignisation process continued. Moreover, as Schmitter Heisler acknowledged, while the so-called foreigners' question had 'largely been defused' (Schmitter Heisler 1988:697), the issue of refugees had become a contested political issue in the 1980s.

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[64] The inclusion of Yugoslavia in 1986 is important. In 1991, as Yugoslavia began to break up involving wars that created large numbers of asylum seekers, the new 'three circle' policy of the Federal Council explicitly excluded Yugoslavia from the first circle of European countries (cf. chapter 10).

For Schmitter Heisler (1988:697), this was however a 'somewhat different problematique' and had become a contested political issue.

As I show in the next chapter, the refugee issue in fact has been linked to the question of labour migration. Even though refugees and labour migrants have been regarded rather differently by the state and the public in the post-World War II era, they both have been constructed within the foreignisation process.

The state's increasingly more restrictive approach towards asylum seekers, as well as the rising violence and hostility towards them since the 1980s begin to make more sense, if one understands that the foreigners' question was not 'defused' and that asylum seeker migration was increasingly seen as part of the 'foreigners' question'. The 'accommodation' in the arena of *Ausländerpolitik* was built on the questionable foundations of the foreignisation process with its completely determinist representations of culturally different, non-traditional recruitment areas, and its pre-occupation with the ratio between *Ausländer* and Swiss. From this foreignisation perspective, asylum seeker migration was not simply a humanitarian issue, but a form of uncontrolled immigration from 'culturally distant' 'non-traditional recruitment areas', for which read: unassimilable or hard to assimilate *Ausländer*.

Chapter 8

THE CLASSIC ASYLUM COUNTRY AND REFUGEES DURING THE COLD WAR (1945-1980)

The far-reaching economic and political changes after World War II, which ushered in increased labour migration, also provided the framework for a radical re-orientation of Switzerland's official approach to refugees. The policies of deterring and deporting unwanted refugees, particularly 'unassimilable Jews', were replaced by more liberal policies and practices regarding the admission of refugees. The state tried to re-assert the image of the Swiss nation as a 'classic asylum country' and thus place the new liberal approach within the lineage of a long Swiss tradition of granting asylum to the persecuted. The inter-war and World War II era was to be seen as a temporary aberration from this glorious civic-democratic tradition. This re-imagining of the nation and the state within the global context of the Cold War was linked to the representation of post-War refugees as victims of Communist totalitarianism and as heroic liberation fighters. Thus, the accepting of Cold War refugees served an important role in the propping-up of the identification of the Swiss nation.

The realm of refugees was also regarded and treated as distinct from the realm of labour migration. On the political level, *Asylpolitik* (politics and policies in relation to political asylum) was considered a separate sphere to *Ausländerpolitik* (Interdepartmental Strategy Group 1989:74). This distinction culminated in the introduction of a separate Asylum Law in 1979. The dominant representations of refugees also differed from those of labour migrants: refugees were victims who required the charity and compassion of a generous nation, rather than temporary labourers whose increased number and permanency were taking on dangerous proportions in terms of *Überfremdung*. Refugees were not seen in terms of their possible contribution to *Überfremdung*, consequently they were not subject to the increased limitation applied to the numbers of labour migrants. In a departure from the 'transit country' doctrine, post-war refugees were expected to remain in the country

permanently and to assimilate. Legally speaking, they were 'fast-tracked' to the status of permanent residents (*Niederlassungsbewilligung*), without having to undergo the long path of constantly renewing short term permits. Therefore, it could be argued that refugees were excluded from at least some of the principles of the foreignisation process and its *Überfremdung* discourse.

This leads us to a central set of questions: did the dominant representation of refugees and their treatment by the Swiss state and civil society between 1945 and the early 1980s constitute an alternative model to the foreignisation process which operated in relation to labour migrants? Did the representation of *Flüchtlinge* (refugees) reflect the resurgence of a civic-democratic definition of the nation? Can we perhaps detect the operation of an alternative assimilationist model, expressing the readiness to accept assimilated refugees into the nation, or even a multicultural model, which managed to extend the multicultural imagining of the Swiss nation to new, culturally different refugee groups? In other words, did Heckmann's proposition about the effects of the ethnic-plural concept of the Swiss nation apply to the refugees in the immediate post-War decades?

In this section, I shall argue that the liberal approach to accepting and integrating refugees was still caught within the foreignisation process and the associated culturalisation of Swiss national identity and citizenship. The representation of the Swiss nation as a classic refugee country and refugees as victims turns out to be a discursive variation within the foreignisation process. While refugees were generally not constituted by and within the defensive discourse of *Überfremdung*, they were still constituted as permanent *Ausländer*. *Flüchtlinge* (refugees) were included in what I shall call the discourse of the 'good foreigner', akin to the well-integrated, socially conforming and politically acquiescent permanent residents who had migrated decades earlier from a neighbouring country. Nevertheless, when it came to naturalisation, it became clear that refugees were still within the ambit of the foreignisation process, albeit as exceptional cases. Thus, perhaps somewhat surprisingly, the assertion that Switzerland was a classic asylum country did not affect the underlying assumption that

Switzerland was not an immigration country. This latent tension in the self-constitution of Switzerland was to become manifest and politically explosive when increased globalisation, civil wars and the end of the Cold War led to an increased number of asylum seekers from various parts of the world seeking refugee status in Switzerland from the 1980s (see chapter 10).

FROM TEMPORARY TO PERMANENT ASYLUM

In the wake of World War II, the Swiss state reformulated the legal principles and policies regarding refugees in a series of decrees, laws and reports.[1]

On 7 March 1947, a Federal Council Decree introduced the possibility of 'permanent asylum' (*Dauerasyl*) which directly countered the 1933 principle that Switzerland could, at best, act as a 'transit country' for refugees (Haug 1984:155; Ludwig 1957:340-346). The hope was expressed that by allowing some war refugees to stay in the country Switzerland could make a 'constructive and permanent contribution to the solution of an international problem *within Switzerland*' (Dr. Meyer, quoted in Ludwig 1957:341; italics in the original). The notion of 'permanent asylum' had been promoted by the Federal Central Office for Refugee Aid (*Eidgenössische Zentralstelle für Flüchtlingshilfe*) in opposition to the Police Departments' insistence on the obligation of refugees to eventually leave the country again (*Wiederausreisepflicht*) (Ludwig 1957:340). The Central Office for Refugee Aid also advocated giving refugees the same legal status as the most privileged *Ausländer*, namely a permanent residency permit, or at least a special permanent certificate. However, the Justice and Police Department rejected the suggestion of issuing special certificates as this would be proof that the state would always be prepared to accept the bearer of such a certificate

[1] A range of external and internal factors contributed to this change. External factors included: the presence of an estimated 60 million war refugees in Europe as well as refugees from Eastern Europe as the new Cold War constellation crystallised; neutral Switzerland being economically integrated into the Western capitalist sphere and surrounded by relatively stable democracies; economic growth in Europe; the UN resolutions and the international refugee convention. Internal factors included: a critical re-assessment of Switzerland's role in deterring or even deporting Jewish refugees during WWII; the development of labour shortages and sustained economic growth.

(Ludwig 1957:341). Clearly, the Justice and Police Department was reluctant to deviate from the 'transit country' doctrine regarding refugees, which at that time was also echoed in the principle of 'rotation' in relation to newly recruited, temporary migrant labour.[2] The revision of the Law Regarding Abode and Settlement of Foreigners (ANAG) on 8 October 1948 eventually created the possibility of granting refugees an improved legal status, namely an annual permit (*Aufenthaltsbewilligung*) or a permanent residence permit (*Niederlassungsbewilligung*), instead of the more precarious 'tolerance permits' which had left refugees in an inferior position in comparison with other *Ausländer* in the period from 1933-1948 (Ludwig 1957:347-352; Haug 1984:156-158).

However, it is important to note that even the 'permanent asylum' notion was still caught up in the foreignisation process. While it acknowledged the importance of security of permanent residence and rights of employment and social security, it stopped short of advocating political rights and citizenship rights. Refugees too were regarded as permanent foreigners subject to the Law Regarding the Residence and Settlement of Foreigners (ANAG), rather than as new citizens. The 'classic asylum country' stopped short of constituting itself as an immigration country. Refugees were turned into permanent foreigners who were not allowed to be politically active. The cruel irony of not allowing refugees, who had fled authoritarian, undemocratic regimes, to participate in the political process, thus echoing at least one aspect of the authoritarian regimes, was not lost on many of the refugees. From the foreignisation perspective, this irony or contradiction did not register. The nation was imagined as generous towards the needy and homeless of the world. However, instead of seeing

[2] As argued above, the doctrine of 'transit country' (1933-1947) found its post-World War II expression in the notion of 'rotation', that is it was transferred from the realm of refugee migration to the realm of labour migration. In the realm of refugee migration, however, the principle of permanent residence gained ground in the 1950s, and in the 1960s the principle of permanent residence was also increasingly extended to labour migration (without replacing the temporary categories of seasonal workers and annual permit holders). In chapter 10, I shall describe and analyse the resurgence of temporary categories in the realm of refugee migration in the 1980s and 1990s: asylum seeker applicants, humanitarian permit holders, and more recently the new category of 'refugees of violence'.

refugees as new Swiss, let alone as culturally different Swiss, they were constructed as, and restricted in, their status as *Ausländer*.

Nevertheless, the introduction of the permanent asylum status (*Dauerasyl*) was an improvement for refugees, as suggested in this quote by Sutro (quoted in Ludwig 1957:346):

> If one considers that this permanent asylum also concerned emigrants who again and again had been submitting applications for an extension of their stay every three, or maximum six months, perhaps since 1933, thus having stood as a supplicant before an official of the Cantonal Foreigners' Police perhaps fifty or sixty times during these years, then this final 'you may stay here with us as long as you work; you may work as long as you can and we, the state, the Canton and your refugee aid organisation will care for you when you can not work anymore' must have been like a miracle.

POLITICAL ASYLUM AS POLITICAL MAXIM AND AS PART OF THE *VOLKSGEIST*

The improvement of the legal situation of refugees within the country was also paralleled by the adoption of a broader definition of what constituted a refugee and a more liberal practice of recognising refugees. These shifts were partly prompted by a critical evaluation of the Swiss authorities' handling of refugee issues during World War II which culminated in the official formulation of *Principles for the Application of the Asylum Law in times of increased international tensions and a war* in 1957 (Federal Council 1957). The *Principles* represented the government's reaction to the official report by Carl Ludwig which was rather critical of the 'refugee politics in Switzerland in the years 1933-1955' (Ludwig 1957). The Federal Council's *Principles* stated that

> after the experiences of the last World War, there can be no doubt that the large majority of the Swiss people expects that the authorities grant at least temporary admission to foreign refugees as far as it is somehow possible.

This was a radical departure from the dominant state discourse during World War II which tried to justify the restrictive practices towards refugees as necessary in order to

prevent an outbreak of latent popular anti-Semitism. By the mid-1950s, the *Principles* regarded the Swiss *Volk* (people) as prepared to make sacrifices to enable the admission of deserving refugees. The *Principles* make no reference to dangers of *Überfremdung* or cultural difference of particular groups such as Jews. According to the *Principles*, the only valid reasons for severely restricting or completely preventing refugee movements into the country were food supply shortages and specific military considerations.

For the *Principles*, granting asylum to the persecuted of the world was more than just part of an international obligation or expectation. Rather, it was declared to be a 'political maxim' of the Swiss state :

> The Swiss 'asylum right' is not merely a tradition, but a political maxim [*staatspolitische Maxime*]; it is an expression of the Swiss view of liberty and independence.[...] In view of the duty to maintain an asylum practice which is in keeping with the Swiss tradition, a free, generous admission of refugees needs to be considered (Federal Council 1957).

In other words, in this document, as in many subsequent discourses, granting asylum to persecuted refugees was an integral part of the way in which the nation was represented. The Federal Council stressed that national military defense needed to go beyond the mere defense of territory to include the defense of the very principles the state and the nation was based on. One of the central principles was the duty and capacity to grant asylum to persecuted human beings (Federal Council 1957:404). This implied that the army's priority should not be the defense *against* refugees, but rather the defense of Switzerland's capacity to grant asylum to refugees. This characterisation of the nation appeared to signify a re-assertion of the liberal civic-democratic construction of the nation. The formulation suggested a radical break with the Conservative cultural-determinist construction of the nation and its obsession with *Überfremdung* of the Swiss character by increased numbers of culturally different and therefore dangerous foreigners.

However, the way in which granting asylum was elevated to a political maxim was not unproblematic, nor did it break with the foreignisation process. I shall list a few

limitations and critical issues contained in the *Principles*. This is important because the notion of granting asylum as a political maxim continues to be reiterated in state discourses until today, and some of the *Principles* analyses and prescriptions had a bearing on future approaches.

First, there is the potential that the characterisation of Switzerland as the classic asylum country is used to imply a moral superiority over other nations, and by extension even over refugees. A recent example for the potential of a moral superiorisation or glorification of the Swiss nation can be gleaned from the official magazine of the Department of Foreign Affairs (EDA):

> Solidarity with refugees is a tradition in Switzerland. Therefore it is only logical that the UN organisation that cares for the outcasts world wide [the UNHCR] resides in Geneva. (Blatter 1998:28).

This sort of argument suggests that Switzerland is either the only country with such a 'solidarity with refugees' or at least the world leader, whilst other countries lack a similarly impressive tradition of 'solidarity with refugees'.[3]

Second, the civic-democratic concept of the nation as a refuge to any persecuted refugees, regardless of their cultural or national background, can be linked to — and eventually undermined by — essentialist, cultural-determinist formulations which are more open to exclusivist interpretations. Thus, the political maxim can be reformulated in cultural-determinist and historical-determinist terms by claiming that the tradition of granting asylum is 'deeply anchored in the people's consciousness [*Volksbewusstsein]* ' (quoted in Fisch and Knoepfel 1984:349; cf. Mächler 1988:58). This is a typical example of the Swiss tendency or temptation to supply the purely political and liberal definitions of the nation with a grounding in 'tradition', 'history' and 'culture'. References to history, tradition and culture are not necessarily problematic. . However, if contemporary behaviour and attitudes are characterised as being 'deeply anchored' or 'rooted' in the 'consciousness of the people', we come close to the a-historical,

[3] The contemporary fact that by far the majority of refugees are being accommodated in non-European 'Third World' countries severely undermines this claim.

essentialist and determinist constructions of the nation and foreigners which are typical of conservative *Volksgeist* thought (Finkielkraut 1988). The *Principles* in fact assume an unchanging Swiss majority opinion regarding granting asylum to refugees ('the Swiss people expect and demand'; 'it is deeply anchored in the people's consciousness'). The inherent tendency of such determinist discourses is precisely the exclusion of migrants from the national *Volksgeist*. Migrants are either completely excluded from the nation-state territory, or at least excluded from becoming citizens thereby turning them into permanent *Ausländer*.

Third, in several passages, the *Principles* assumed that only a minority of refugees would end up staying permanently, and that most could return to their home countries or to 'immigration-countries' after a temporary stay. Thus, the notion of Switzerland as a temporary transit country for refugee is in fact maintained.

Fourth, there are some thoughts on the future use of the army in refugee situations. In situations of a general mobilisation within Switzerland, the use of troops was envisaged to aid the custom police to restrict or temporarily stop the influx of refugees. In times of larger influx of refugees, troops may also be used to run refugee camps. The consideration of the role of the army is not surprising considering the *Principles* were explicitly formulated for times of 'international tensions and a war'. Nevertheless, these passages reproduce the link between the army and the managing of refugee movements in the post-war era. In the 1980s, the populist call to use the army to enforce border controls against asylum seeker migration reappeared, and in the 1990s the army began to be used to operate asylum seeker reception centers.

Fifth, implicitly, the *Principles* only expected large refugee migration in times of 'international tensions' or 'a war' which threaten to implicate Switzerland in spite of its neutrality. There is no reference to the possibility that inter-continental refugee migration to Switzerland may be triggered by civil wars in distant countries.

THE REPRESENTATION OF *FLÜCHTLINGE* (REFUGEES)

I shall now turn to the actual representation and treatment of refugees in the period from the end of World War II until 1982. Refugees were generally not deterred and demonised as a danger to the very survival of the nation in terms of *Überfremdung*.. They were welcomed by the state and civil society, and in some cases they were even selected and transported over considerable distance by the Swiss state. Refugees tended to be represented as victims of oppressive Communist regimes and as freedom fighters. I shall briefly discuss the cases of Hungarian (1956), Tibetan (1960), Czechoslovakian (1968), Chilean (1973) and Vietnamese (late 1970s) refugees.

The case of the Hungarian refugees in 1956: the people vs. the regime

The case of the Hungarian refugees illustrated clearly the state's new policy and practice in relation to refugees. Between November 1956 and January 1957, Switzerland followed an international appeal by the High Commissioner of the United Nations and admitted over 11 000 Hungarian refugees who had fled to Austria in the wake of the crushing of the Hungarian uprising against Soviet domination (Mächler 1988; Federal Justice and Police Department 1957). The reaction by the Swiss state was in direct contrast to the restrictive, defensive approach during World War II. Instead of trying to deter refugees, the government and the Red Cross were directly involved in organising the transport of thousands of refugees by train (*Flüchtlingszüge*) from Austria to Switzerland. Ignoring the common practice and international expectations at that time, the Swiss authorities decided not to assess refugees individually nor to stipulate any 'conditions' or 'criteria' for the acceptance of refugees. 'Whoever wished to come to Switzerland, was considered' (Federal Justice and Police Department 1957:411; see also Banki and Späti 1994:377).

A report by the Federal Justice and Police Department (1957) expressed some pride that the pioneering 'Swiss example' of collectively accepting large numbers of refugees without individual assessments was subsequently followed by other states. The Hungarian people qualified as refugees simply on the basis that they fled due to 'the

clash of the Hungarian people with the political regime' (Federal Justice and Police Department 1957:415).

The refugees were first housed in collective accommodation, such as army barracks. Initially, a distinction was made between the first 4000 refugees who were to be integrated into the 'Swiss community life' as soon as possible and a second group of 6000 refugees who were only expected to remain in the country temporarily and then travel on to an 'immigration country' such as the USA.[4] However, by 10 December 1956, the Federal Council decided to integrate the second group in the same way as the first 'for the time being', as there was no immediate prospect of them travelling on to a third country. By the end of January 1957, all refugees had left the army barracks and with the help of Cantonal and Communal authorities, the refugee aid organisations and individuals, they found accommodation, work, apprenticeships or in the case of students even study places at Swiss universities. The government stipulated that the

> recognised Hungarian refugees can stay in Switzerland as long as they wished, as long as they behaved correctly. There ought to be no pressure on them to travel further or to return to their home country' (Federal Justice and Police Department 1957:415).

Those who wanted to return could rely on some organisational and financial support from the Police Department. Finally, while the Swiss state authorities conceded that there were 'difficulties' when the 'two worlds' of Hungarian refugees and the 'Swiss community collided', the Federal Council stated it was

> convinced, that the Swiss people was willing to show the necessary patience and consideration, and that it will not let itself be influenced by exaggerated stories about unpleasant events and rumours. In relation to the systematic attempts from certain quarters to create difficulties, to blacken the name of refugees or to defame persons who look after them, the Swiss people and its authorities will know how to react. [...] The Federal Council trusts that the Swiss people will not tire to help and to be patient even beyond the first enthusiasm in sober recognition of its mission (Justice and Police Department 1957:415-416).

This attitude and approach reflected a strong optimism about the prospect of integration, both in view of the assimilability of the refugees, as well as of the willingness and

[4] See the next chapter for a discussion of the tendency of the Swiss state to create new categories and distinctions of *Ausländer*, particulary the general distinction between temporary and permanent *Ausländer*.

capacity of the Swiss population. It also allowed refugees considerable autonomy in deciding if and how long they wanted to remain in the country.

Obviously, this case was in stark contrast to the foreignisation process with its obsession with *Überfremdung*, its constant attempts to fend off foreigners and — in the cases in which foreigners needed to be tolerated in the country for economic or humanitarian reasons — to control, separate and restrict foreigners, thereby keeping them in a precarious state of temporariness and lack of integration. The state constructed an image of refugees who were fleeing 'the tragic events in Hungary' which were regarded as a 'clash between the Hungarian people and the political regime, as it existed in Hungary since 1948' (Justice and Police Department 1957:415). Obviously, the charitable reactions by the state and civil society need to be understood in the context of the over-arching Cold War tensions. The situation of the Hungarian refugees was represented as one that required solidarity and charity with victims of a political regime and an ideology which was also threatening Switzerland as part of the Western non-communist world.

The discursive constitution of *Flüchtlinge* (refugees) differed from that of the *Fremdarbeiter* (foreign workers), in that the discourse of *Überfremdung* and the vulnerable nation was replaced by a discourse about needy victims and a charitable, generous nation. The refugees were represented as deserving victims, who then became the target of an impressive, well organised charitable effort by various state departments, refugee aid organisations including the Red Cross, the army, individuals, Cantonal and Communal governments - all with a 'large degree of patience and consideration'. Like the *Überfremdung* discourse, the discourse of the needy victim also perceives a situation of emergency and urgency requiring extraordinary and exceptional efforts. However, in place of deterrence and defense, it expects and demands charity and self-sacrifice. State institutions and non-governmental organisations are seen as crucial, not to deter and control, but to help, guide and integrate refugees efficiently. For instance, the role of the army is not to fend off the floods of migrants at the borders, but to run refugee camps.

Military defense of the nation is not directed against refugees, but it includes the defense of the very capacity to grant asylum. Within the *Überfremdung* discourse, the Swiss are the victims. In the discourse of the needy refugees and the 'asylum country', migrants are the victims. The Swiss people are not regarded as threatened by *Überfremdung*, but as a generous people in solidarity with the victims of the world. The nation is on a secular mission. The state also advocated tolerance and condemned anti-refugee agitation. This contrasted with the 'preventative anti-Semitism before the war that indirectly justified anti-Semitism by removing the targets of anti-Semitism, namely the Jews.

The integration of Hungarian refugees appeared as desirable and possible, and it in fact succeeded largely (Banki and Späti 1994) . Thus, one could be tempted to argue that a sort of assimilation paradigm was operating, rather than a foreignisation process. However, the basic assumptions of the foreignisation process, namely the construction and reproduction of permanent foreigners, remained untouched. In a sense, it could be argued that the introduction of the permanent residence status for refugees in the 1950s in fact anticipated the more permanent status of the supposedly temporary labour migrants in the 1960s.

The integration and assimilation of refugees promoted by the victim discourse appear to be limited in some important respects. First, refugees tend to be represented as passive, inferior victims, who were expected to gratefully and gracefully accept the generosity and charity of the Swiss state and civil society. Second, the state and civil society see it as their mission to assimilate and integrate them on Swiss terms. Integration is defined in economistic terms as 'economically independent, capable of competing and consuming' in the existing market place (Oester, in Banki and Späti 1994:380). It therefore is not concerned with political or social integration. Third, the victim discourse is limited in that it regards the admission and integration of refugees as an occasional, special effort in times of emergency. As such, it may be regarded as an exception which confirms the rule. Accepting a limited number of persecuted refugees in exceptional emergency occasions does not challenge the dominant imagining of

Switzerland, namely that it is 'not an immigration country' and that its multiculturalism is clearly defined and curtailed by the existing languages and religions. Fourth, in spite of the practical integration efforts and processes in the areas of employment, education and accommodation, refugees are not defined as 'new Swiss', but are still legally and statistically constructed and restricted as *Ausländer*, albeit with permanent residence status. While granting asylum to the victims of persecution is presented as an integral part of the nation and the state, it falls short of imagining migrants or even cultural diversity as part of the nation. The victim discourse and the continued applicaton of the foreignisation process does not provide a basis for transcultural democracy. [5]

The case of the Tibetan refugees: multiculturalism and fellow mountain people

Switzerland accepted approximately 1700 Tibetans refugees who had initially fled to India following the 1959 crackdown by Chinese authorities. As in the case of the Hungarian refugees, the Tibetan refugees were represented as victims of Communism. However, their case was rather unusual in several respects.

First, non-governmental organisations played a more important role than usual. The refugees were accepted by the Swiss authorities in response to the initiative and applications by non-governmental aid organisations which were aware of their poor living situation in India. It was also non-governmental organisations which selected the refugees (initially groups of children) and organised accommodation for them in close cooperation with Swiss authorities. In 1960, the Association of Tibetan Home Places (*Verein Tibeter Heimstätten*) was founded with the aim of helping Tibetan refugees to settle in Switzerland.[6]

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[5] An empirical or historical study into the attitudes of those who supported the efforts of integrating Hungarian refugees in the 1950s is beyond the scope of this thesis. Closer study of the period may furnish more contradictory attitudes towards refugees within civil society and within the state bureaucracy. However, my focus is on the identification of over-arching and dominant discourses and paradigms in the history of representations of migrants and the nation.

[6] There are interesting parallels between the employers' direct recruitment of labour migrants and the Tibetan support organisations direct initiative in bringing Tibetan refugees into the country. In both instances, the state took a more passive role.

Second, the Tibetans were the first group of non-European refugees from 'Third World' conditions. Their poverty triggered strong charitable emotions, and their selection by the Swiss state was part of a development aid project. From a Swiss perspective, they were not just distinguished in terms of culture, but also in terms of their physical appearance and their clothing (Banki and Späti 1994).

Third, and most interestingly, the aim was to 'maintain the Tibetan culture, language and religion' (Banki and Späti 1994:383), thus a multi-cultural or pluralist integration rather than an assimilationist integration was pursued. For this reason, care was taken to settle the Tibetans together in groups, rather than to disperse them. 'From the beginning, it was not expected of an ethnically and culturally completely different individual to assimilate as in the case of European refugees' (Banki and Späti 1996:388).

While some observers, such as the *Neue Zürcher Zeitung*, expressed concerns that the Tibetans came from a 'theocratic feudal state of early medieval character' and were mostly analphabets, others welcomed the opportunity to 'import something exotic and extra-European culture' (Banki and Späti 1994:386) in what can be called primitivist fascination (Thomas 1994).

Interestingly, they were not always represented as culturally different and incompatible due to their 'medieval' origin. Instead, some regarded them as being akin to the Swiss, as they too came from a small, mountainous country and were involved in a struggle for independence against the threat of an oppressive regime. For instance, the Federal parliamentarian Willy Sauser described Tibetans 'in terms of their character as a people who are well suited to live together with us Swiss' (quoted in Banki and Späti 1996:386). There were hopes that they would be able to work in the alpine regions. However, not surprisingly this did not materialise.

In effect, the case of the Tibetan refugees has been an interesting multicultural experiment run by private organisations and relatively separate from state and civil-

society. Tibetans adapted to public life in Switzerland as much as necessary, but at the same time attempted to maintain their own life styles and culture in the privacy of family, religious institutions and Tibetan associations, including the Tibet-Institute in Rikon near Zürich (Banki and Späti 1996:389). Moreover, the alternative Tibetan government in exile is based in Geneva.

However, their case did not influence state policy, thinking or practice. It was probably seen as an interesting, but exceptional and marginal experiment, rather than as a model for future multicultural integration. Indeed, the attempts to 'maintain Tibetan culture' were motivated by the hope of an eventual return to Tibet, rather than by the search for an alternative, multicultural path of integration within a broader multicultural society. Maintaining Tibetan culture was a reminder that their stay was meant to be temporary and a strategy to make a return successful, as soon as the political conditions in Tibet allowed this to occur. Therefore, it was not surprising that the case of the Tibetans did not trigger a multi-cultural re-thinking of the nation which could imagine and celebrate a Swiss person with an 'Asian culture'.

Nevertheless, as so often, what was envisaged as a temporary stay turned into a rather more permanent one. Ironically, 40 years later, the case of the Tibetan refugees was celebrated by various organisations and politicians, including Jean-Daniel Gerber, director of the Federal Office of Refugees, as both a successful case of integration of people from 'distant cultures' and at the same time as an 'enrichment of the country' (C. W., *Neue Zürcher Zeitung*, 27. August 2001).[7] Approximately a quarter of the 2000-2500 Tibetans residents in Switzerland in 2001 had attained Swiss citizenship (C.W. '*Asyl für tibetische Eigenständigkeit*', *Neue Zürcher Zeitung, Online*, 27.8.2001). However, as the first part of this chapter has shown, this fascinating case has not had any effect on the official thinking about 'distant cultures' and their supposed impact in terms of *Überfremdung*. The tolerant attitude in relation to the maintenance of Tibetan culture has not yet signalled a broader paradigm change towards multiculturalism.

The Case of the Czechs and Slovaks (1968-1970)

The case of 12000 Czechs and Slovaks who fled to Switzerland between August 1968 and late 1970 (Banki and Späti 1994:392) followed the pattern of the classic East Bloc refugees during the Cold War. Following the highly publicised crack-down on the Prague Spring movement, the relatively spontaneous escape by the refugees from the then Czechoslovakia was greeted with open arms by the Swiss authorities and civil society. The refugees were represented — even glorified — as heroes, freedom fighters and martyrs (Banki and Späti 1994:396). In addition, they too were seen as similar to the Swiss in that they tried to defend their freedom against over-powering external forces.

Again, the refugees were not assessed individually, but admitted collectively in a situation of urgency and emergency. In 1968, the Federal Council decided 'to allow all Czechs and Slovaks to enter the country without closer examination' (Banki and Späti 1994:394). The refugee criterion of a 'situation of psychological pressure due to the political regime' (*regimebedingte innere Zwangslage*) was interpreted very liberally and broadly. Banki and Späti (1994:397) argued that

> in order to get asylum in Switzerland, *de facto* it was sufficient in 1970 for somebody to have managed to get out of Eastern Europe and enter Switzerland, because the origin alone led - at least in doubtful cases - to the assumption of an internal situation of coercion due to the political regime.[8]

As most of the refugees were highly qualified and their labour power in demand in Switzerland, most of them were able to find employment immediately. As refugee numbers were not subject to the newly introduced limitations of numbers of foreigners on company level (discussed above), they were not just welcome for humanitarian or ideological reasons, but also for economic reasons. Their social integration was also

[7] For recent reports and overviews on the Tibetans in Switzerland, see. Lindegger 2002; Kuhn 2001.
[8] Banki and Späti (1994) report that some research suggested that most refugees from the then Czechoslovakia were not directly endangered in terms of life and limb, but feared a fall-back into communist totalitarianism and preferred a freer life.

promoted by welfare agencies and keenly sought by the refugees themselves (Banki and Späti 1994:395).

The initial enthusiastic support by the population gave way to more indifferent attitudes and sometimes even critique and suspicions about the refugees. Some feared that they could be spies, economic refugees, or liberal communists and their presence could also be interpreted from an *Überfremdung* perspective (see Banki and Späti 1994 for examples). Moreover, the limits of the fast-track integration of refugees was particularly felt by the Czech and Slovak refugees when it came to the question of naturalisation. Banki and Späti (1994) report:

> Regarding the Czechoslovakian refugees it can be stated that the wish to be accepted by the majority was primarily expressed by the wish to have the same rights as the Swiss citizen. The long period of naturalisation, the high cost of naturalisation and the questioning of neighbours was felt to be an obstacle or even humiliating. Moreover, the prohibition on political activities appeared as tragically paradoxical, even though the practice of the authorities was lenient.

Again, the notion of integration and the promise of naturalisation dangled a tempting carrot in front of the applicant, but it dangled out of reach of practically any human effort. Refugees could become well-integrated *Ausländer*, but hardly Swiss.

> The origin of the refugee remains always evident due to his accent, his educational gaps and false reactions (Banki and Späti 1994).

And therefore, he/she was unlikely to qualify as the expectations of assimilation were so high as to virtually demand the complete wipe-out of an applicants memory, attachment to his or her biography and his or her relations to the culture of origin. In addition, this act of virtual biographical silencing also required the complete adoption of a 'Swiss way' of thinking and feeling.

In a sense, we can argue that the English term 'naturalisation' perfectly expressed the virtual impossibility of becoming part of the Swiss nation. How can human intervention or an act of will change what is 'natural'? From this perspective, by definition, humans can not 'naturalise' anything or anybody. Naturalisation is a contradiction in terms.

Again, ultimately *Flüchtlinge* remained *Ausländer*.

The Case of the Chilean refugees (1973)

The case of the Chilean refugees fleeing persecution under Pinochet's dictatorship does not just exhibit the limits of the Swiss concept of integration and assimilation, but also the limits to the generosity (and the inherent political bias) of Switzerland's acceptance and recognition of refugees during the Cold War. In the case of the Chilean refugees, the logic of deterrence began to operate again, including the familiar discursive attempts to exclude certain culturally and politically defined people outright from being considered as refugees at all. As in the realm of labour migration, a basic distnciton between Europeans and non-Europeans was made in an attempt to exclude non-Europeans from the 'political maxim' and mission of Switzerland.

The Federal Council was very reluctant to accept any refugees from Chile and initially only granted a quota of 200 refugees in October 1973 (Mächler 1988:53). In contrast to the case of the collective acceptance of thousands of Hungarian and Czech and Slovak refugees, the Federal Council insisted that 'it had to be determined carefully if somebody is a refugee or simply an amiable foreigner who would prefer to live with us instead of in his own country' (quoted in Mächler 1988:53). One of the official justifications for such reluctance was the reference to the 'geographic situation of Switzerland': 'As a part of Europe [Switzerland] is primarily predestined to accept refugees from European countries' (quoted in Mächler 1988:53). This contradicted the plea of the UN High Commissioner for Refugees to European governments to accept more refugees (Mächler 1988:55), as well as the ready acceptance of Tibetan refugees a decade earlier.

However, the Federal Council refused to increase the quota and in February 1974. the Federal Council decided in an emergency session to introduce visa obligations for Chileans. The reluctance and the deterrence approach led to strong public criticism, including protests by the well-known author Max Frisch, and also to the first mobilisation in civil society. A priest, Koch, initiated a network of local groups,

churches and individuals who offered to accommodate refugees and lobbied the government to increase the quotas (the so-called *Freiplatzaktion*, Action for Free Places) (Mächler 1988). The Gertrud Kurz Foundation was founded in February 1974 and got active on behalf of the Chilean refugees. Some of the refugee aid organisations (cfd, SAH) cooperated in this campaign which was openly directed against the reluctant state. This campaign on behalf of the Chilean refugees can be considered the beginning of the Swiss asylum seeker support movement (*Asylbewegung*) (Mächler 1988).

The case of Vietnamese refugees (late 1970s)

Media reporting of the plight of Vietnamese 'boat people' again triggered a wave of solidarity which led to the acceptance of approximately 8000 refugees in Switzerland by 1982 (Mächler 1988:54). Mächler described tensions as many of these refugees did not appear be the 'poor refugees' envisaged by the victim discourse, but people who wanted to take part in a Western consumer society. Mächler argued that the refugees were integrated 'in a decentralised way thus increasing enormous assimilation pressure, isolation, loneliness, and the destruction of ethnic identity' (Mächler 1988: 57).

During the Cold war, the notion of *Flüchtling* (refugee) clearly evoked different images to the notion of *Fremdarbeiter* (foreign worker). Refugees were generally associated with the image of either waves of desperate refugees fleeing particular incidences of oppression and persecution (for instance, Hungary 1956) or of individual, politically active, 'anti-Communist liberation heroes' from the Eastern bloc — an intellectual, professional, middle-class male, who is oppressed and persecuted by a Communist state apparatus (Banki and Späti 1994: 371). Their number was small, partly because the Iron Curtain prevented emigration or escape. The Swiss state could easily control the granting of refugee status to the few applicants without great costs and without an elaborate bureaucracy. In the case of larger groups, the Swiss state still remained in control of the numbers and the actual transport of refugees it was willing to accept from a relative distance, as in the cases of Hungary in 1956, Tibet in 1959 and Czechoslovakia 1969. Nevertheless, the acceptance of these large groups of refugees was and still is considered as generous (Banki and Späti 1994:369).

Finally, in comparison with the 'rotation approach' to labour migration, refugees were given permanent resident status and were expected to stay permanently (with the exception of the Tibetans). Integration was expected and encouraged. The refugees were included in the overall statistic of 'permanent resident foreign population'. Thus, while refugees hardly figure in the *Überfremdung* discourse of the 1960s and 1970s, their small number did contribute to the statistics of total numbers of *Ausländer* which the *Überfremdung* discourse was obsessed with. Of course, as refugees also took up work in Switzerland, they were in effect also part of labour migration. This often overlooked aspect was welcomed by employers, as refugees were not restricted by any quotas. Indeed, the positive economic situation and the need for labour power partly explains why it was relatively easy for the Swiss state to adhere to the principles of an open and generous approach to granting asylum (Banki and Späti 1994:372).

Up until the early 1970s, granting refugee status to individual applicants, or to groups numbering several thousand in historically significant instances, appeared as relatively uncontroversial acts of generosity and humanity. *Flüchtlingspolitik* was structured by the representations of refugees as victims, rather than as potential sources of *Überfremdung*.[9] The Federal Council deliberately interpreted the 'refugee' definition in a broad, generous way, for instance including 'unbearable psychological pressure', as it was often difficult for asylum seekers to 'prove' a danger to life and limb (Banki and Späti 1994:370). Granting refugee status did not just express the values of the Western world in the face of the Communist threat, but was explicitly linked to a liberal civic-democratic definition of the Swiss nation and the idea of Swiss neutrality (Banki and Späti 1994:371). The post-war practice of granting refugee status was eventually institutionalised in a separate Asylum Law in 1979.

Nevertheless, as the Czech and Slovak refugees experienced in a painful fashion, refugees were still part of the foreignisation process, in the sense that they were excluded from naturalisation and thus considered permanently different. There were

definite limits to how far the civic-democratic definition of the Swiss nation was extended to include refugees. While refugees were on a fast-track to integration and to the rights associated with permanent residence permits, they were still *Ausländer* with little chance of naturalisation or being thought of as part of the nation.

Rather than constituting a fundamental challenge to the foreignisation process, granting permanent asylum to refugees represented a kind of fast-track path towards the permanent foreigner status (*Niederlassungsbewilligung*). Economic and social integration was promoted and largely successful during the post-war boom years. However this was accompanied by legal and political exclusion as only few refugees qualified to become citizens . In a particularly ironic twist and contradiction, migrants who obtained refugee status ostensibly because their political aspirations for democracy and freedom were crushed by totalitarian regimes were expected to remain permanently apolitical *Ausländer* in Switzerland. This contradicts not just their representation as freedom fighters and defenders of democracy, but more importantly the basic principles of Swiss nationality, namely its civic and direct-democratic concept of the nation and the citizen. The contradiction has become even more pronounced as the number of such apolitical migrants increased and the time of their residence extended.

CONCLUSION

In the last two chapters on the post-World War II situation in Switzerland, my argument focussed on important discursive, legal and institutional continuities in the construction of the *Ausländer* and *Flüchtlinge* which have been neglected in the common versions of narrating post-WWII *Ausländerpolitik*. The foreignisation process, which has constantly been adapted and reworked by the state, provided the framework for both contestation and consensus in *Ausländerpolitik* and *Flüchtlingspolitik*. Moreover, it also provided the discursive realm for the elaboration of completely deterministic representations of the Swiss nation at variance with the celebrated self-representation of a diverse, democratic and open *Willensnation*..

[9] The case of Chilean refugees after Pinochet's coup (1973) is a significant exception (Mächler 1988).

Following this examination of the historical emergence of the foreignisation process, I shall spend the next chapter analysing the remarkable permanence of the Swiss foreignisation process in the 20th century. Its permanence, or reproduction, is not just remarkable in the face of the rapid and dramatic global and domestic changes, but also given its internal contradictions. In other words, chapter 9 explores the paradox of the foreignisation process.

In the final chapter 10, I shall analyse the effects and reworkings of the foreignisation process in relation to asylum seeker migration and the issue of European integration in the early 1990s.

Chapter 9

THE PARADOX OF THE FOREIGNISATION PROCESS: PERMANENCE AND CONTRADICTIONS

In this chapter, I wish to pull together and extend the main arguments in relation to the Swiss foreignisation process, as it operated throughout much of the 20th century.

Heckmann was not wrong in pointing out that the Swiss nation had frequently been constructed in civic-democratic and multicultural terms. However, this Swiss concept of the nation was not associated with any multicultural sort of incorporation of migrant minorities, as Heckmann optimistically assumed. Rather, a large number of *Ausländer* have been permanently excluded from becoming part of the nation. This points to a completely deterministic conceptualisation of the nation-*Ausländer* relation. Those few who did gain citizenship have been under strong assimilationist pressure, rather than encouraged to maintain their culture.

Following Heckmann's argument that in the Swiss case 'aversion towards foreigners' would come from 'civil society', it could be argued that it was the *Überfremdung* movement of the 1960s and 1970s that forced the otherwise more liberal state to adopt a restrictive approach to the influx, the assimilation and naturalisation of migrant workers. However, the last two chapters clearly show that the *Überfremdung* discourse, and the associated legislation and institutions, have already been reproduced and pre-formulated by the state for a much longer period.

The process of turning migrants into temporary or permanent *Ausländer* has such a remarkably long history, and has been so entrenched in Switzerland's politics and culture, that I argue we can speak of a hegemonic foreignisation process. The beginnings of the foreignisation process crystallised during and after World War I, but its ideological and discursive patterns can be traced back to 19th century anti-Semitism in Switzerland.

The foreignisation process entered its most 'productive' phase, in terms of producing large numbers of *Ausländer*, in the second half of the 20th century.

In spite of all the changes and the high degree of contestation over migrants and the nation, I argue that there are ideological and discursive patterns, as well as particular institutions and laws, that have remained relatively constant and dominant throughout most of the 20th century. These patterns I call the foreignisation process. This is a new concept with no equivalent in Swiss academic, political or public discourse. This chapter will clarify the meaning I intend for this concept. The concept has become necessary in my analysis in order to identify a particular, far-reaching societal consensus, a hegemony underlying the many debates and the political polarisation. As even academic work has been implicated in this process, the use of this concept also serves to distance my analysis from its assumptions.

I hasten to add that I do not propose a new essentialist definition of the nation, nor do I claim to have found extra-historical or a-historical 'constants', which then appear as determining factors of Swiss public opinion and policy. Rather, the observation of such continuities, of such a hegemony, requires specific attention and explanation. As Comaroff and Comaroff (1991:17) ask

> How is it that – if all meaning were potentially open to contest, all power potentially unfixed – history keeps generating hegemonies that, for long periods, seem able to impose a degree of order and stability on the world?

The persistence of the foreignisation process is particularly puzzling from a social constructionist perspective that stresses the constant contestation over meanings, which points to ruptures in the meaning of discourses. Incidentally, from a nationalist perspective, or from a positivist perspective, this would be less of a problem, as it could be regarded as part and parcel of an objectively given national identity. However, I do agree with the social constructionist view of the nation and of *Ausländer*, and I am sensitive to contestation and changes of meanings of discourses. This epistemological stance, and the post-modern opposition to 'grand narratives', however, does not preclude the empirical possibility of important discursive and ideological continuities

which enjoy a large degree of support or at least tacit consensus. In other words, hegemony is still possible, but its emergence and reproduction requires explanation, rather than simply treating it as an *explanans* with its own, independent dynamic. Hegemony is never total, never finished, never free of contradictions and thus requires reproduction and maintenance efforts (Burton 1991:2).

In this chapter, I sketch the major features of the foreignisation process, in particular the discourse on *Ausländer* and *Überfremdung*. It is central to my argument that the foreignisation process did not just constitute *Ausländer*, but also the nation. Thus, like Heckmann, I link the representation and treatment of *Ausländer* with Swiss concepts of the nation. However, unlike Heckmann, I do not propose that there is only one concept of the nation. The concepts of the nation expressed within the foreignisation process have challenged and undermined the civic-democratic, as well as the multicultural imagining of the nation. The foreignisation process has contained an ambivalent combination of two alternative nation/*Ausländer* dialectics: assimilationist ones and completely determinist ones. This suggests that while the foreignisation process contradicts the supposedly dominant civic-democratic concept of the nation, it is itself not free of contradictions. While the foreignisation process has provided the basis of a relative political accommodation and policy consensus in relation to *Ausländerpolitik* by the 1980s (Heisler Schmitt 1988), these contradictions ensure a latent instability. Thus, over time, the precarious consensus is likely to be replaced by new challenges and political polarisation (see chapter 10).

In the second part of this chapter, I suggest some answers to the question of why and how such a foreignisation process has been continuously reproduced. Such continuity is particularly puzzling given that the process contradicts another dominant view of the nation (the civic-democratic and ethnic-pluralist) and is racked by internal contradictions (assimilationism vs. complete determinism). Moreover, there has been re-occurring contestation over *Ausländerpolitik* and *Asylpolitik* (politics and policy in relation to asylum seekers), as well as dramatic social changes, including changes to migration

patterns, throughout the 20th century. Surely, one would expect continuous discursive and policy changes rather than something as static as a continuous hegemonic process.

Part of the answer to this question is based on my argument that the foreignisation process has as much, if not more, to do with the Swiss debates about how to define the nation, as with the issue of migration and the presence of migrants in Switzerland. Ironically, the foreignisation process has partially been so persistent because it provides an answer to the troubling questions and insecurities generated by a democratic and multicultural understanding of the Swiss nation.

THE ELEMENTS OF THE FOREIGNISATION PROCESS

In its broadest sense, the concept of the foreignisation process refers to the totality of processes which have constituted migrants and their off-spring as *Ausländer* (foreigners), rather than as 'migrants' or as 'new Swiss'.

The concept of the foreignisation process challenges the common interpretation of the post-War years as an era of mass recruitment of foreigners. Instead, it argues that the period was characterised by the mass production of *Ausländer* by the Swiss state and Swiss society. *Ausländer* did not exist as such as a category before they came to Switzerland, but became *Ausländer* when they entered and settled in Switzerland. Human beings were imported as labour power or accepted as refugees, but then they were systematically turned into *Ausländer*. Thus, *Ausländer* are not an import, but in fact a Swiss product. The very use of a German (*Ausländer*) or French (*étrangers*) word already suggests that *Ausländer* are a Swiss creation.[1] Ironically, *Ausländer* are a Swiss product, whereas many of the products (goods and services), which are sold as 'Swiss products', are in fact made by foreign workers in Switzerland.[2] As that author Martin

[1] This contrasts with the recent use of the term *secondos* in German texts to refer to the second generation of migrants (Haerle 1998:6).
[2] Of course, it would be incorrect, but tempting, to make the provocative argument that *Ausländer* are one of the few genuinely Swiss products.

Dean (1992:42) put it 'Switzerland is a gigantic *Fremdenmachereianstalt* (literally 'Foreigner Making Institution').

The production and reproduction of *Ausländer* is a complex process. It draws upon virtually every aspect and level of Swiss society. The foreignisation process involves various discourses, institutions, laws, regulations, but also structures of feelings and desires. Apart from the state and intellectual elites, it also involves the media, employers' associations, trade unions, clubs, associations, and individuals in everyday life situations. Moreover, those considered *Ausländer* themselves play a part in representing themselves, albeit from a less powerful position.[3] Of course, neither this thesis, nor any other piece of research, can hope to cover all these aspects and manifestations of the foreignisation process, because it involves such a wide range of actors and processes over several decades. Instead, I focus on one important aspect: namely the role of state discourses, as revealed in strategy reports, policy recommendations, decrees and laws, as well as discursive challenges and contributions by social movements and parties. It focusses on some dominant actors, such as the state, experts and political and social movements, in order to show that foreignisation is not an incidental and unsystematic process involving marginal groups or individuals with limited oppositional power, but rather a considered project at the core of the state and civil society.

In relation to the state, the foreignisation process involves at least three mutually reinforcing levels: the level of discourse (debates, reports, policies), the level of law and regulations (*Ausländer* law (ANAG), various decrees, the asylum law, Lex Friedrich[4]), and the level of institutions (for instance, the Foreigners' police, the Office for Refugee

[3] Self-constitution of *Ausländer* may accept, challenge or partially rework the dominant Swiss interpretations within the foreignisation process. However, their attempts at self-constitution are circumscribed and restricted by unequal power relations and the given foreignisation process. Even though an exploration of these self-constitution processes by a minority would be interesting in itself, as well as in terms of an underrepresented discourse within and beyond Switzerland, this thesis does not focus on the imagining of Swissness and Foreignness by those who the dominant Swiss discourse constructs as *Ausländer* (see Nigg 1999 for interviews with migrants in Switzerland; Wicki and Lanz 1997 for stories of war refugees from the former Yugoslavia; Haerle 1998)

[4] The law entitled *Lex Friedrich* limits the purchase of real estate by *Ausländer* by means of quotas and permits. By 1992, 2.5% of the Swiss residential area was owned by *Ausländer (Schenk 1992)*.

Affairs, the Federal Commission for *Ausländer* issues (EKA), the Central Registration of *Ausländer* compiled by the Federal Justice and Police Department[5]). These levels, discourse, laws and institutions, express, and are based on, the general expectation of having to live with and manage a large permanent population of *Ausländer*. They also express and confirm the hegemonic view that there are no real alternatives to this situation, apart from minor adjustments to policy and some fluctuations to actual numbers of *Ausländer*.

While the foreignisation discourse constantly stresses or invents supposedly inherent differences of *Ausländer*, it is precisely state policies, laws and institutions which impose and maintain difference. In the foreignisation process, the results of discrimination and exclusion are interpreted, and thus legitimised, as an inherent characteristics of the *Ausländer*. Ironically, as the foreignisation process discursively differentiates and legally discriminates, it constructs the very large number of *Ausländer* who the *Überfremdung* discourse insists are a threat. Thus, there is an aspect of a self-fulfilling prophecy about the foreignisation process.

Ausländer are produced or constituted in at least three distinct, but related senses: the imagined *Ausländer*, being an *Ausländer* as part of the migrant experience and the *Ausländer* as a legal category. First, the foreignisation process constitutes *Ausländer* as distinct from the Swiss, and as an object of control, surveillance and research. They are imagined in contradistinction to the imagined community of the nation (Anderson 1991). Thus, *Ausländer* are a product of the national imagination. In this context, the foreignisation process, especially in its discursive parts, constitutes *Ausländer* in opposition to the nation, not dissimilar to the way in which Orientalism constitutes the

[5] The work place and work times of all *Ausländer* who have worked in Switzerland since 1973 are being registered in the Central Registration of *Ausländer* (ZAR). Every time an *Ausländer* applies for a new permit, the computerised system automatically searches whether he or she is on the wanted persons' list (Wespe 1992). There are similar data banks for asylum seekers, for instance, Wespe reported in 1992, that there were finger prints of over 100 000 asylum seekers in one data bank (AFIS) and over 250 000 files on individual asylum seekers and whole families in the automated person register (AUPER) (Wespe 1992).

Orient in opposition to the Occident (Said 1979). This discourse constituting *Ausländer* hardly reflects the actual varied experiences of the people who are considered *Ausländer*. Instead, rather than being guided by empirical research on migrants or by the participation of migrants, it follows its own logic, purposes, interests and desires. Sometimes, public discourse on *Ausländer* introduce distinctions between different kinds of *Ausländer*, for instance between bad and good *Ausländer*, between radically unalterably different, perhaps inferior *Ausländer* and compatible, assimilable, welcome *Ausländer* (Parin 1987:73). The latter has included for instance German deserters during WWII, internationally acclaimed intellectuals (*Kulturträger*, carriers of culture), sporting champions who succeed 'for the country'[6]. Recently, national differentiation has played an important part in the rejection of citizenship applicants from particular nationalities in communal votes. However, it is important to note that the separation between good and bad *Ausländer* can shift easily, and is often contested. Moreover, there is a tendency to ignore these distinctions in general debates about *Ausländer*.

Second, the foreignisation process also directly produces, or at least influences, the experience, existence, opportunities, hopes and achievements of those who are constituted as *Ausländer*. Thus, the process of foreignisation has material effects on migrants. Being an *Ausländer* is not just a discursive construct, but also a lived reality. It is important to note that there is a wide variety of individual experiences as *Ausländer*, and these experiences are influenced by many other factors apart from the foreignisation process. Nevertheless, *Ausländer's* common subjection to the foreignisation process means that their existence involves a lack of political rights, strong assimilation and conformation pressures, and a tendency to be employed in certain, less attractive sectors of the economy. At the very least, *Ausländer* have to live with a latent sense of not quite belonging, of still being alien or foreign, even if they are part of the second, third or even fourth generation of immigrants (Haerle 1998). As Guglielmo Grossi, the then president of the *Federazione delle Colonie libere italiane* put it:

[6] The examples of the tennis champion Martina Hinggis, of Czech origin and of the Olympic medal winner Donghua Le from China are particularly prominent.

> If you have lived here as long as most of us, you would like to be able to feel at home here.(quoted in Hug 1988e:16)

Frequently, the operation of the foreignisation process is ignored in debates about *Ausländer*'s behaviours and characteristics. Consequently, various statistics in relation to *Ausländer*, such as crime statistics, tend to be interpreted as an expression of inherent cultural characteristics of *Ausländer*, rather than as partially a result of the way they have been incorporated into, and partially excluded, from Swiss society.[7]

Third, the *Ausländer* Law (ANAG) ensures that *Ausländer* is also a legal and bureaucratic category. Interestingly, the essentialist and generalising tendency of the *Ausländer* discourse is to some degree contradicted by the bureaucracy's proliferation of more and more distinctions between different categories of *Ausländer*. The basic distinctions between permanent and temporary residents, as well as between labour migrants and asylum seekers, have been extended by various sub-distinctions within these categories. This, of course, means more administrative work for various bureaucracies, even the creation of new bureaucracies (for instance, the Office for Refugee Affairs). It also means *Ausländer* are confronted with a greater, potentially confusing variety of categories and permits. This is partially due to the dynamics of bureaucratic classifications. Any classificatory scheme produces exceptions. If the number of exceptions become large enough, new classifications are introduced, which in turn provoke further exceptions. It is also a reflection of political pressures and political compromises, as for instance in relation to the recent introduction of a new status as temporary refugees of violence (*Gewaltflüchlinge*). As such new categories may also reflect new migration phenomena.

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[7] This does not mean that migrants are completely determined by the foreignisation process, as they are not completely determined by their 'culture of origin', but they have to be conceptualised as actors within various constraining structures. Indeed, the degree to which migrants have in fact integrated in Swiss society (Hoffmann-Nowotny 1992) in spite of the Foreignisation process is an indication of their competence and ingenuity as social actors. My point is that the operation of the foreignisation process is usually ignored in the culturalist discussions about integration, assimilation and multiculturalism, except for the occasional acknowledgement of 'some' xenophobic tendencies within the general population.

These analytic distinctions between the imagined *Ausländer*, the lived *Ausländer* experience and *Ausländer* as a legal and statistical category (including all the various sub-categories), tend to be collapsed in public discourse in Switzerland. In the final analysis, the various bureaucratic, political or public distinctions between different types of *Ausländer* still end up reproducing the general category of *Ausländer*. A large part of media, public and political discussions focuses on the total number of *Ausländer* (as revealed in official statistics) and makes generalisations in relation to this number. There is a peculiar pre-occupation with absolute numbers and with ratios between *Ausländer* and the Swiss population. The media regularly publishes the latest statistics on *Ausländer* in the way of regular up-dates of employment rates, stock market prices or the daily weather temperatures.[8] The general statistics regarding *Ausländer* and asylum seekers are seen as vital national statistics. While it could be argued that the total number of *Ausländer* says more about the functioning of the foreignisation process, than about the real varied experience or impact of those considered as *Ausländer*, the serious reporting of such general statistics suggests some sort of general meaning behind these figures, and appears like an objective basis for generalisations. Not surprisingly, there have been many political initiatives which simply try to put a limit to the absolute or relative number of *Ausländer*. As discussed in chapter 5, these initiatives began in the 1960s, however they continued in the 1990s.[9]

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[8] In the last two decades, the papers have published regular monthly up-dates on the number of new asylum applications. See for instance, *Tages Anzeiger* 29 September 1987, 'Rate of *Ausländer* increased again', or *Tages Anzeiger*, 4 June 1991 'Never before so many *Ausländer* in Switzerland'; *Neue Zürcher Zeitung*, 2 August 2002, 'Strong rise in the number of asylum applications in July'. Typically, apart from the monthly number (2456), these up-dates compare the current month with the previous month (increase by 629) and the same month of the previous year (increase by 504). The major countries of origin are often mentioned as well, for instance Federal Republic of Yugoslavia (15.4%), Bosnia-Herzegovina (6.2%) and Turkey (6.1%).

[9] see Leutwyler (1994) on a new popular initiative 'for a regulation of immigration' which aimed to limit the percentage of *Ausländer* to 18%; and Hug (1995) on a second similar initiative by the Swiss Democrats (SD) which also tried to ensure that the limit on the number of *Ausländer* was not 'circumvented by means of mass naturalisation'.

As such, the publication and discussion of these statistics are an important part of the foreignisation process. They regularly re-establish and confirm the nation/*Ausländer* distinction.[10]

This thesis concentrates on the first aspect, the creative constitution or representation of *Ausländer*. In other words, it deals with the construction of *Ausländer* within Swiss discourses about the Swiss nation, rather than with the actual experience of migrants.

THE DISCOURSE OF *ÜBERFREMDUNG*: CONSTITUTING THE *AUSLÄNDER* AND THE NATION

A central aspect of the foreignisation process is the discourse of *Überfremdung* (over-foreignisation/over-alienation). The discourse of *Überfremdung* has constituted most *Ausländer* (foreigners) as inherently and permanently different to the Swiss and potentially a dangerous foreign influence capable of undermining national characteristics (*Eigenart*) and sovereignty.

The foreignisation process does not just stress or invent the differences of *Ausländer*, it also evaluates characteristics and behaviours of *Ausländer* differently. Normally positively evaluated characteristics tend to be negatively evaluated if they are exhibited by *Ausländer*. In extreme cases, this can even lead to a negative evaluation of what are otherwise considered core characteristics of the Swiss. Thus, solidarity with one's family is interpreted as 'sticking with one's own kind', not interacting with one's family is a lack of family solidarity. Participation in local politics is a source of *Überfremdung*, whilst not participating in local politics is a sign of insufficient assimilation. The list of such re-evaluations is potentially limitless. If an asylum seeker is employed, he/she is a competitor, if he/she does not work, he/she is a parasite (Strategy Group 1989:55; Inglin 1991). As I explain below, these examples point to the tendency of the foreignisation

[10] Another important example of the foreignisation discourse in the media is the routine indication of a person's national background (Swiss or otherwise) in police reports about accidents and crime. For instance, the headline 'Three Months prison for 34 year old Turk', *Bote der Urschweiz*, 17 July 1992, or 'Asylum seeker apprehended after break-ins', *Tages-Anzeiger*, 5 August 1992.

process to differentiate and a strong desire to constitute and maintain radical difference, especially in the cases where the differences between Swissness and foreignness becomes negligible or trivial.

The sheer presence of a certain percentage of *Ausländer* is not just seen as a threat, but often portrayed as 'inevitably' leading to tensions. This popular and populist 'common sense' view is also shared by some academics and official state discourse. For instance, a professor in political science wrote 'with a proportion of 16 per cent *Ausländer* among the resident population, social tensions and problems are inevitable' (Linder 1994:107). A 'Strategy group' consisting of members of several Federal Departments (Ministries) wrote that 'the attitude of the population regarding foreigners' questions is based on the totality of the foreigners resident in Switzerland'(Strategy Group 1989:74).

The discourse of *Überfremdung* does not just link *Ausländer* and the Swiss nation in a particular way, it actually simultaneously constitutes the *Ausländer* (as a threat) and the Swiss nation (as vulnerable). In important respects, most discussions about *Ausländer* reflect and express the Swiss pre-occupation with the definition of the Swiss nation. Of course, discussions about *Ausländer* have also to do with economics, labour markets, employment, crime, housing, education and a myriad of seemingly more trivial, practical, everyday issues (will the new Turkish guy play in the local soccer club?). However, even the most practical, material consideration in relation to *Ausländer* has to be understood within the framework of the foreignisation process, and in particular in relation to the various representations of the nation.

The exclusion of those considered *Ausländer* from the political process ensures that the discourse about *Ausländer* largely remains a Swiss conversation about Swissness. The exclusion of women from the Federal political process also ensured that for most of the 20th century, the foreignisation discourse was mainly a male Swiss discourse. Thus, despite contrary appearances, discourses on the *Ausländer* have been part of a broader

debate mainly by male Swiss about the Swiss.[11] Of course, this thesis itself is a further contribution to this conversation among the Swiss. However, this contribution, by yet another Swiss male, tries to distance itself from the foreignisaton process.

How precisely have *Ausländer* and the nation been imagined or constituted in the *Überfremdung* discourse? The *Überfremdung* discourse oscillates between assimilationist and completely determinist representations of the nation and the *Ausländer*. This tension or contradiction is at the heart of the foreignisation process. It does not just impose contradictory demands on *Ausländer*, but it also supports and encourages contradictory expectations in the Swiss public. As we shall see below, this contradiction is the main reason for the inherent instability of the foreignisation process. Any accommodation or consensus built on this process inherits this contradiction. It may be able to smooth over it for some time, but it does not transcend it.

One way this contradiction between assimilationism and complete determinism could be overcome is to make a distinction between permanent and temporary *Ausländer*, and in fact the BIGA (1964) report pointed into that direction. In short, temporary *Ausländer* are subject to the completely determinist, that is separatist, logic. They either should not, or are considered unable to, assimilate. Permanent *Ausländer*, on the other hand, are subject to the assimilationist logic. However, as we shall see below, in effect both temporary and permanent *Ausländer* are caught within the contradiction of both assimilationist and completely determinist logics.

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[11] As a result of this male bias, *Ausländer* have usually been represented as male. The recruitment of labour power in the post-War years centered on individual young males, and indeed the seasonal worker category still does not allow for the family to follow the usually male migrant. Nevertheless, many female migrants have migrated and worked in Switzerland. Similarly, the asylum seeker migration tends to be represented as a male phenomenon, thus not just ignoring the reality of women refugees, but also of women-specific reasons to flee (Hausammann 1992). Unfortunately, the gendering of the discourses on the Swiss nation and *Ausländer* goes beyond the confines of this thesis. In particular, the links between the exclusion of Swiss women from voting rights until 1971 and the exclusion of *Ausländer* from voting rights and citizenship deserves an in-depth study in its own right.

Ausländer on temporary permits, such as seasonal permits or asylum seekers awaiting the outcome of their refugee application, are not seen as part of the assimilation process. Non-assimilation is in fact expected and encouraged by various restrictive policies, for instance, the prevention of family reunion, employment prohibitions for some asylum seekers, separate housing arrangements (foreign worker barracks, asylum seeker camps).

In such cases, the foreignisation process produces temporary *Ausländer*. However, after a certain period of residence within Switzerland, during which assimilation was discouraged or seen as unimportant, the supposedly temporary stay of foreign migrants or asylum seekers has often become far more permanent. As they gain more permanent status (as permanent resident or as refugee), they are expected to assimilate. Thus, the neat distinction between temporary migrants who do not assimilate and permanent migrants who are expected to assimilate becomes blurred. The first few years of temporary status and its restrictions appear as a lost opportunity in terms of assimilation and integration. The blurring becomes particularly problematic when the reality of a more permanent stay is not accompanied by an improvement of one's legal status, as for instance, in the case of asylum seekers who end up staying in Switzerland for years on temporary visa. Various restrictions complicate daily life, and a deep sense of legal insecurity (will I get a permanent residence or citizenship? Will I be forced to leave the country?) makes it almost impossible to plan for the future.

Ausländer with a permanent status appear to be in a more comfortable, less ambiguous situation. For them, the state discourse and state laws envisage the possibility of assimilation and even eventual naturalisation. A different set of expectations, a different logic applies. While supposedly temporary *Ausländer* were discouraged from assimilating, a lack of assimilation was considered problematic once they become permanent *Ausländer*. While the stay of temporary *Ausländer* is characterised by the logic of separation (restricted to certain jobs, certain kinds of accommodation, certain geographic areas), the stay of permanent *Ausländer* is conceived in terms of assimilation and integration.

It needs to be stressed, contrary to Heckmann's expectation, that the assimilation of *Ausländer* has not been conceived in terms of multicultural assimilation. *Ausländer* have not been expected or encouraged to maintain their culture as part of their integration into Swiss society and eventually into the Swiss nation. Ironically, in the cases in which the maintenance of one's culture of origin was approved of (temporary foreign workers, Tibetan refugees), the reproduction of one's culture was not seen as a means of integrating into a multicultural nation, but as a way of avoiding assimilation. Conversely, in the case of permanent residents, attachment to one's culture of origin was regarded as a definite obstacle. Thus, assimilation did not involve any re-assessing or re-imagining of the Swiss nation in more broadly multicultural terms. Instead, assimilation was considered as a one-sided process involving a radical change of identity of the individual *Ausländer*, without any changes required by the Swiss society and its self-identification.

The assimilationist path towards naturalisation was constructed as a long arduous process of simultaneously renouncing or distancing one's own culture of origin and the learning of the Swiss culture. Thus, the discourse of assimilation demanded complete assimilation to *the* Swiss culture or way of life conceived in homogenous terms. This expectation can lead to bizarre results in terms of self-denial and over-assimilation:

> Due to the legendary demands of the Swiss naturalisation authorities, many migrants have imposed on themselves such an undignified pressure, that if such behaviour was demanded of them in their dictatorial home country, they would feel that their human rights were violated and they would emigrate again. (Brezna 1993:9)

In the discourse of assimilation, the Swiss nation stops being multicultural and fulfills the nationalist dream of homogeneity and unity. Thus, in important ways, the discourse of assimilation confirms a particular homogenous, essentialist view of the nation. In this sense, it is about 'making' Switzerland, at the same time as it is obsessed with assessing the *Ausländer* applicants' level and degree of assimilation.

As *Ausländer* progress to more permanent permits, and as they embark on the evolutionary path of assimilation, they effectively enter a constant state of 'probation'

(see Hoffmann-Nowotny 1985:228)[12]. Even though their status is permanent and they are treated like Swiss citizens in most respects, they are still statistically counted as *Ausländer*, do not have the right to vote or be elected, are excluded from certain occupations and their permit can be revoked if the holder commits a serious crime (Hoffmann-Nowotny 1985:220). Therefore, they are still subject to separate laws and the control by the foreigners' police.

There are several major obstacles on this assimilationist path to naturalisation, as could be expected, given the low number of naturalisations and the consequent large number of permanent *Ausländer* in Switzerland. First, as it is impossible to clearly spell out this 'Swiss culture' or a 'Swiss way of life', it is also impossible to precisely spell out the aim or goal of assimilation. In effect, it depends on rather subjective interpretations by authorities or the voters on the communal level. This puts enormous strain on applicants for citizenship who are trying to work out the precise meaning of 'complete assimilation'.

Second, the hard-line demand to give up one's culture of origin, which is often implicit, but in the case of the BIGA report (1964) also explicit, theoretically demands a strong degree of self-denial, or at least a denial of one's personal past. Certain aspects, such as one's accent, are impossible to drop for many migrants. More recently, the demands of having to 'give up his [sic] cultural characteristic' have been explicitly removed in official reports (BIGA/BfA 1991:23). This does not mean that the state has adopted a formal multicultural policy, nor that the whole Swiss population, who, after all has a say on the granting of citizenship on the local level, has necessarily soften the demands in relation to the *Ausländer's* culture of origin.

However, these practical difficulties are compounded by the tendency of the discourse of *Überfremdung* to undermine the assimilationist path to naturalisation by completely determinist representations of the nation and the *Ausländer*. In many versions of the

[12] While Hoffmann-Nowotny reserves the label 'person on probation' only for 'foreigners' without a permanent residence (Hofmann-Nowotny 1985:228), to a lesser degree the same label applies to

Überfremdung discourse, there is the assumption that fundamentally *Ausländer*, or at least a large number of them, can not assimilate and therefore can not gain citizenship. Thus, like the temporary *Ausländer*, the permanent *Ausländer* is also caught within a contradictory tension between assimilationism and complete determinism.

The discourse of *Überfremdung* introduces at least two completely determinist arguments, which make assimilation virtually inconceivable, except for the usual allowance made for exceptional cases. The first is an argument about a 'cultural distance' that is too difficult to be bridged. According to this argument, migrants from 'further distant' cultures, typically conceived as extra-European and non-Western cultures, find it practically impossible to completely assimilate to the Swiss way of life. They will always be foreign to the Swiss culture and the Swiss nation. As such, it is their radical cultural difference that may start to influence and 'swamp' the Swiss way of life, especially if there are a large number of such unassimilated and unassimilable migrants. For this reason, migration from outside the 'traditional recruitment area' should be restricted to a minimum. As will become clear in the next chapter, the official, as well as social 'scientific' assertion of the problems associated with unbridgeable 'cultural distance' between Swiss and non-European migrants, especially Muslim migrants, has played an important role in recent debates about asylum seekers. Thus, it is important to note that the conflictual representation of such migration does not simply rely on the reporting of actual conflicts between Swiss and asylum seekers, but is based on earlier, highly legitimised representations of the problematic nature of migration from 'further distant cultures'.

The second completely determinist discourse even more fundamentally undercuts the assimilationist view of the nation and *Ausländer*. In this discourse, a Swiss sense of responsible political participation in direct-democratic decision-making is constructed as a quasi inherent characteristic of the Swiss. 'As a rule, it takes generations' to acquire this sense, this 'thinking and feeling' for such a democratic spirit. Obviously, this rules

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permanent residents as well.

out most individuals from acquiring Swiss citizenship. Importantly, this also rules out, or seriously inhibits, *Ausländer* from neighbouring countries who linguistically and culturally have few problems in assimilating. In fact, their very similarity, their very social competence in Switzerland can be regarded as particularly dangerous in terms of *Überfremdung*: they may have adapted 'externally' in terms of social and linguistic competence, however, 'internally' they may still lack the true Swiss direct-democratic spirit.

Therefore, both groups, the culturally distant, as well as the culturally similar ones, needed to be kept under tight control, not just for labour market reason, but also for reasons of *Überfremdung*. Essentially, there are serious doubts about any *Ausländer's* capability of truly becoming part of the Swiss nation. If this democratic spirit can only be learned over generations and only if one grows up in such a participatory community, then *Ausländer* are logically incapable of acquiring this spirit.

The above analysis of the *Überfremdung* discourse can help us to understand why Swiss voters have time and again rejected participation by foreigners in decision-making, let alone making it easier for *Ausländer* to attain Swiss citizenship. Regularly, Swiss voters in communes reject citizenship applications by apparently thoroughly assimilated *Ausländer* (Bolli 2001), and attempts of at least introducing local voting rights for *Ausländer* on communal or Cantonal level also fail invariably (for one of countless examples see Cortesi 1993)[13]. From the point of view of the *Überfremdung* discourse, granting political rights or even citizenship appears down-right dangerous, as a kind of infection, or a sort of Trojan horse which would lead to the destruction of the Swiss characteristics.[14] And this in a double sense, ideologically as well as materially.

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[13] According to a survey in 1992, only 34% of Swiss would be prepared to give resident *Ausländer* voting rights (Hug 1992c). From the perspective of the foreignisation process, '*Ausländer*' and 'voting rights' are almost contradiction in terms.

[14] In turns, it also helps to explain why a majority of Swiss voters have rejected joining the UN (in 1987) or the European Economic Area (1992). Here is the analysis of the BIGA (1964) report:

> The controversies in the Swiss public have uncovered with great clarity the fundamental differences between our strongly rooted liberal and democratic institutions and a centrally administrated supranational community whose fate can not be co-decided directly by the

Ideologically, if it was easy to gain voting rights, the distinctiveness of the Swiss nation would be undermined yet again. Making citizenship a very limited resource, increases its value. It remains a privilege, regardless of its actual content.[15]

Moreover, if *Ausländer*, all of whom have been officially and popularly perceived as potential sources of *Überfremdung*, did gain voting rights, their voting was likely to change the Swiss characteristics and prevent the possibility of an 'organic development in a Swiss sense'. The discourse of *Überfremdung* renders any influence by Ausländer problematic. By definition, any changes in Switzerland as a result of *Ausländer's* involvement in decision-making is a form of *Überfremdung*. This makes it very difficult to conceive of a multicultural reorientation of the nation which could benefit both the migrants and the Swiss nation.

The obsessive fear against granting voting rights or even citizenship to foreigners thus expressed a deep sense of insecurity about both Swiss collective identity, as well as the Swiss democratic institutions. The Swiss discourse implied that most foreigners — in spite of all the apparent assimilation and integration — are at the core so different that allowing them 'active participation in public life' would lead to the destruction of Switzerland as we know it. This view is the central reason why the blatant contradiction of excluding a fifth of the population from democratic rights in a country that bases its

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individual citizen anymore. As we do not want to give up our sovereignty within a European integration, we do not want to endanger it from within by *Überfremdung*. The battle against *Überfremdung* is therefore a task of national significance for Switzerland even today (BIGA 1964:175).

A clear link is being drawn between the issue of European integration and *Überfremdung* by foreign workers. The distinction is being based on the level of 'democratic institutions which are deeply anchored' in the population. This reflected and set the isolationist tone of much of the post-War era and was to haunt the Swiss government in 1992, when it attempted to convince the population to vote to join membership of the European Economic Area (see chapter 10).

[15] In 2001, the Swiss People's Party (SVP) entitled its 'position paper' on the revision of citizenship laws 'Take good care of the Swiss citizen's rights'. The party suggested tight conditions for applicants, for instance good language knowledge 'to be able to read the regulations regarding rubbish collections and the official documentation for votations'. If access to citizenship was too easy, it would undermine (*unterwandern*) the democratic system (see article 'Sorge tragen zum Bürgerrecht', *Neue Zürcher Zeitung*, 31 July 2001).

very identity on its democratic spirit and institutions is hardly ever noticed or discussed publicly.

Thus, the foreignisation process contains a central contradiction between assimilationism and complete determinism. Frequently, judging by the low rate of naturalisation and judging by the analysis of the BIGA report (1964), complete determinism often gains the upper hand in this contradiction. On the one hand, permanent resident *Ausländer* are expected to conform and assimilate in daily life in order to eventually gain citizenship. On the other hand, they are regarded as fundamentally different and potentially unassimilable, and also treated differently in the fundamental aspect of political decision-making.

This view is reinforced by the official insistence that Switzerland is not an immigration country.[16] Fundamentally, *Ausländer*, even those on permanent residence, are still seen as an anomaly, a foreign element in the organic body of the society, a necessary evil. In the final analysis, they may still be asked to leave, either due to their behaviour, or due to the economic situation. From this perspective, *Ausländer* are tolerated. They are expected to be grateful for having the privilege of residing and working in Switzerland, and even more grateful, if they are given the privilege of citizenship. This establishes an unequal relationship of moral indebtedness. Within this perspective, any public critique or suggestion by an *Ausländer* is likely to be interpreted as an ungrateful, arrogant and dangerous abuse of Switzerland's generosity and tolerance. In fact, rather than exhibiting the Swiss virtue of political and public participation, it is likely to be seen as a dangerous sign of foreign influence, of *Überfremdung*.

The effect of these completely determinist representations of the nation and the *Ausländer*, only slightly tempered by the assimilationist option in exceptional cases, has been to create a large number of permanent *Ausländer*, in fact constantly numbering about 1 million people. A more liberal regime of naturalisations, especially one along a

[16] This stipulation echoes earlier doctrines of Switzerland as a 'transit country' for refugees.

multicultural model, would have significantly reduced this number, as a large part of that population has lived in Switzerland for decades or has even been born in Switzerland.[17] The way migrants have been restricted in their choice of employment has resulted in them being over-represented in the jobs which were considered less attractive by the Swiss population. In particular, they have been prevented from self-employment. Thus, the foreignisation process resulted in a large part of the working class not having the vote (Allenbach 1991). Of course, we can only speculate whether voting rights for *Ausländer* would have automatically translated into a greater vote for the political Left, and whether this was one of the main reasons for the conservative and right wing parties' strong support for the political exclusion of *Ausländer* (Mühle 1984:53). For Marxists, such as Mühle (1984), this exclusion from political rights and the removal of 'politically undesirable' *Ausländer* were part and parcel of the bourgeois suppression of the working class and of Communists.

Ironically, the country that has often been regarded as one of the most democratic in terms of popular participation in initiatives and referenda has also been one of the most successful in terms of disenfrachising a large part of its resident population from the vote. However, instead of seeing this exclusion of a large number of *Ausländer* as a blatant negation of basic democratic principles, or even as undermining a core national value, it is seen as the protection of the nation from the threat of *Überfremdung*. From the perspective of the foreignisation process, the rarity of naturalisation is not a reflection of unreasonable and often contradictory expectations placed upon the applicants by the Swiss state. Rather, it tends to be regarded as a confirmation of the cultural difference and distance between the *Ausländer's* culture of origin and Swiss culture. Thus, again, it helps to imagine a unique, distinct Swiss culture. It appears that the discourse and process of assimilation are much more successful in representing a sense of homogenous, national characteristics, than in allowing *Ausländer* to become

[17] Of course, there are a range of factors, apart from the rules and regulations of the Swiss state, why migrants would not take out citizenship. The loss of citizenship of one's original nationality in cases when dual citizenship is not permitted is an important deterrent, (for instance for Spanish citizens (Tosato and Sancho 1996).

Swiss. Given this effect, regardless of the actual intention of a series of law makers and bureaucratic judges, it is plausible to argue that a major function of these assimilationist and completely determinist discourses is the confirmation of a supposedly unique and homogenous national identity. I shall return to this provocative point again below.

THE FALSE PROMISE OF THE FOREIGNISATION PROCESS: FUNCTIONALITY, CONSENSUS AND CONTRADICTIONS

The foreignisation process can be regarded as a compromise between various interests and various social actors. It can be seen as a compromise between the economy's need for migrant workers, humanitarian concerns for refugees and the xenophobic and nationalist insistence to limit migration. These three principles have been enshrined in the *Ausländer* Law (ANAG) and have been guiding principles of the Swiss *Ausländerpolitik*. The striking of the right balance (how many new Seasonal workers, how many asylum seekers, how many *Ausländer* in general, how many cases of citizenship and so on?) between these principles has regularly been contested and debated. Considerable political and lobbying energy goes into adjusting the balance according to economic and political interests (Dhima 1991). However, this contestation does not amount to a fundamental questioning of the foreignisation process. The production and control of *Ausländer* as such has not been questioned. In fact, Schmitter Heisler (1988) argued that in the 1980s a kind of accommodation was reached in *Ausländerpolitik*.

Thus, to some degree, it may be argued that the foreignisation process is functional to Swiss interests and has served most Swiss social actors rather well. The Swiss industry could access migrant workers, often for low skill jobs or to provide the functional flexibility provided by temporary and seasonal employment. Swiss workers could climb the job hierarchy into white collar and managerial jobs. Xenophobic or racist groups could be placated by reference to tight control and regulation of *Ausländer* and to the considerable obstacles to the gaining of citizenship. International humanitarian obligations in relation to refugees were also fulfilled. Finally, even *Ausländer* themselves

may have benefited from their residence in Switzerland, at least economically. Research has shown that long-term 'foreign' residents in Switzerland appear to be better integrated and more satisfied than their counterparts in Germany (Hoffmann-Nowotny and Hondrich 1982).

The discourse of *Überfremdung* and the related legal and institutional state apparatus may appear to be a successful and typically Swiss consensus based on a pragmatic assessment of 'sociological facts', 'economic necessities' and 'political possibilities'. The foreignisation process appears to be a successful way of appeasing sections of the xenophobic population, while still being able to supply sections of the industry with tightly restricted and therefore dirigible, flexible migrant labour and other sections of the industry with permanent migrant labour.

However, there are limits to the harmonious view of functionality and consensus. The foreignisation process has some fundamental flaws and inherent contradictions. Several aspects of Swiss policy towards 'foreigners' — especially the restrictions placed on the seasonal worker statute — have been accused of being discriminatory, of causing psychological and social hardship, and of contradicting human rights (BIGA/BfA 1992:63-66).

There are also problems for the Swiss, even though they may appear to be the beneficiaries of the foreignisation process, both in terms of economic advantage, and in terms of a perception of a protection against swamping by unwanted foreign influences (*Überfremdung*). While the foreignisation process appeared to be the underlying basis for a consensus in the 1980s involving the state, the economy and civil society, the foreignisation process contains some dangerous seeds. In fact, it has been inherently unstable and contradictory.[18] Its consideration of assimilation and

[18] This unstable and contradictory character of the foreignisation process may also be a reason for the constant proliferation of new categories of *Ausländer*. Instead of attending to its underlying contradictions, bureaucrats and politicians operating within the process attempt to solve the problems by means of new *ad hoc* categorisations.

naturalisation has been undercut and undermined by completely determinist representations of the nation and *Ausländer*. As explained in chapter 4, completely determinist discourses can function like racist discourses conceived in a narrow biological sense. In fact, such discourses can easily slide into, or give legitimacy to, biologically racist or cultural-racist arguments.

This completely determinist discourse of *Überfremdung*, which has its historical roots in religious and secular anti-Semitism, has been embedded in the core ideologies of the state. It has found expression in powerful state laws, policies and institutions that draw their legitimacy from their sheer length of existence since the inter-war years and from direct-democratic confirmation. In other words, while many commentators appear to fear right-wing extremists, main-stream nationalist populists, such as Blocher, or the people's prejudices, the Trojan Horse of racism, or more broadly, of complete determinism, is already within the realm of state discourses and institutions. While not necessarily racist in its narrow biological sense, elements of the foreignisation discourse are of the completely deterministic variety, even when they appear to be discussing and celebrating Swiss democracy.

In this context, it may be wise to remember Castoriadis' (1990) observation and warning that racism does not want conversion, but death. Therefore, a separatist system such as the foreignisation process in Switzerland which promises and establishes a system of second and third class people who are excluded from political rights and citizenship and declared as a potential threat to Swiss culture is likely to remain a precarious one. The complete determinism inherent in the foreignisation process may give legitimacy and support to other, outright racist and more violent forms of complete determinism. Appeals to the nation can legitimately appeal to complete determinism.

Finally, there is another danger for the Swiss themselves. The various laws, decrees and institutions in relation to *Ausländer* constitute a regime of control and surveillance that could also be turned against Swiss citizens themselves. The danger of the foreignisation

process lies not just in what 'it does to migrants' or how it undermines the possibility of a more egalitarian, transcultural democracy, but that it provides a mental and institutional model which can be extended and directed against the 'native' population as well. The foreignisation process has legitimated the notion and reality of the de-socialisation, de-politicisation and deprivation of rights for significant parts of society. Its technology[19] and its energy may be unleashed in new directions.

THE PERSISTENCE OF THE FOREIGNISATION PROCESS: ANALYSING ALIENATION AND ANCHORING THE NATION

The 20th century saw dramatic social, political, economic and ideological changes, both internationally and within Switzerland. Migration patterns to Switzerland have gone through different phases. Policy in relation to migration has also undergone a wide range of changes, most effected through decrees by the Federal Council, or by administrative means. The state's and society's attitudes towards different migrants have varied at different times. These changes have often been accompanied by fierce and emotional debates and controversies.

Given such dramatic changes, as well as the conflicts over representation and policy, what could account for the longevity of the foreignisation process, a longevity which almost suggests the terms foreignisation paradigm or foreignisation regime?

The inertia or self-dynamic of institutions could be part of the answer. Institutions such as the Foreigners' Police may develop their own dynamic, and actors within these institutions may actively defend its operation and future by various means, such as acquiring new functions and developing new purposes. Moreover, many Swiss people have invested a lot of time and energy in acquiring many types of expertise (legal, psychological, sociological, state policy, taxation and so on) in relation to *Ausländer*.

[19] For instance, sophisticated surveillance equipment at airports, ostensibly to monitor illegal immigrants, can also be used against the Swiss population (Buchbinder 2001).

They may have a vested interest in the continuation of the foreignisation process, or their analysis and perspectives may simply be restricted by the foreignisation process.

Similarly, the legislative embodiment of the *Überfremdung* discourse in the Ausländer law (ANAG) has also been subject to some inertia. Attempts at revision have been thwarted. Moreover, most state regulations of *Ausländer* issues have been made by decrees, rather than on the level of laws. In Switzerland, the direct-democratic decision-making process, with its mechanisms of hearings and strategic threats of referenda, can slow down legislative change, as it needs to be based on a far wider consensus than in more adversarial systems where a government with a large majority can claim a mandate for sweeping changes (Kriesi 1991).

Another reason for the longevity of the foreignisation process has also been the fact that the discourse on *Ausländer*, as well as the *Ausländer* themselves have been instrumentalised by many social and political actors for other political and personal purposes. For instance, the discourse of *Ausländer* plays an important role in the rise of populist, xenophobic, anti-establishment parties and politicians. *Ausländer* are used by the state and the economy in various industries as cheap, docile labour, and as an economic 'buffer' during economic down-turns. Multiculturalists appreciate exotic *Ausländer* and their culture to spice up their existence. Left-wing, anarchist groups get involved politically on behalf of asylum seekers as part of their struggle against the state. Finally, the rise of asylum seeker migration has provided employment for bureaucrats, social workers, police, journalists and so on. Involvement for or against *Ausländer* may provide a new focus and purpose for groups, as well as in an individuals' life. In all of these cases, it is not migration or migrants per se, but their social construction and legal restriction as *Ausländer* that matters and is instrumentalised for other reasons.

However, in this chapter, I shall highlight two additional reasons for the longevity of the foreignisation process. The key idea of this argument is the observation that the foreignisation process has less to do with *Ausländer* themselves, in spite of its constant

obsession with *Ausländer* as a threat that requires careful state control. Instead the foreignisation process has more to do with, first, particular Swiss analyses and critiques of modernity (especially the issues of individualism and alienation) and, second, particular Swiss imaginings of the nation. Both, the nature of modernity and the nature of the nation, are broad and over-arching, rather than daily, seasonal or cyclical issues. While they may be debated more in times of crises, they are, in a sense, perennial concerns of individual and collective identification in the modern era.[20] They are concerns that are relatively independent of the issues of *Ausländer* and migration, however, in the Swiss case and elsewhere these concerns are often expressed in terms of, or in relation to, *Ausländer* and migration.

First, the foreignisation process, in particular the completely deterministic arguments expressed by the *Überfremdung* discourse, contains a social theory about, and a social critique of, modernity. While traditional Marxist critics would regard this social theory as a form of 'false consciousness'(Schiesser 1994:81), I am not concerned with the accuracy or falsity of this theory and this critique. Similarly, while it is obvious that on one level, *Ausländer* have been turned into 'scapegoats' for all sorts of modern evils, for instance, to detract attention from the failure of state policy (Miller 1988) or from personal and collective failures (Erdheim 1991, I am less concerned here with a critique of such scapegoating, however necessary this may be in particular discursive situations. Rather, I am more interested in how this social theory and this social critique has acquired such a strong and enduring claim to legitimacy and plausibility. Rather than seeing completely deterministic theories, including racism in the narrow sense, as a form of ignorance, I regard them as an expression of a 'will to know' (Balibar 1992:24) and also as an attempt to find solutions to perceived problems. As Wieviorka (1995:18) argued in relation to racism:

[20] Unlike other analysts, my focus is less on the link between the occurrence of a 'crisis' linked to rapid modernisation (economic, political or in terms of national 'identity') (Romano 1996; Dhima 1991:161-162) and the rise in racism or xenophobia, but on the long-term reproduction of the foreignisation process which operates during the less spectacular consensus periods, but in important ways provides the framework for the way in which crisis situations are analysed, criticised and linked with the presence of 'foreigners'.

> Racism is not just an instrumental rationalization of a domination, but it becomes rather a mode of resolving problems and tensions which have their origins elsewhere than in contact between races: namely in the lived experience of the members of the racializing group, who find in the racialized group an outlet for their social and psychological difficulties.

In a nutshell, the social theory of *Überfremdung* (overalienation) expresses the sociological notion of *Entfremdung* (alienation). As the notion of alienation has had a powerful, enduring influence in sociological theory (both Marxist and non-Marxist), the notion of over-alienation has enjoyed similarly powerful and enduring influence in Swiss society. It has helped to make sense of modernity and it has been reproduced by the state and in civil society. As the sociological concept of alienation has generally been associated with people's feelings of powerlessness, isolation and self-estrangement (Bilton et al. 1996:654) or depersonalisation in bureaucratic society (Bell 1990:22), the popular concept of overalienation has referred to, and evoked, a sense of estrangement from, and changes to, one's traditional way of life.

However, in contrast to theories of alienation, which locate the sources of the sense of estrangement in the nature of capitalist society or modern bureaucracy, overalienation (*Überfremdung)*, points to the crucial influence of unassimilated or insufficiently assimilated foreigners within the country as the major source of estrangement. While theories of alienation point to structural features inherent in modern society, theories of overalienation point to personal features of culturally distinct people from outside the national society. Here lies an important reason for the attraction of the concept of overalienation. Localising the sense of estrangement and powerlessness in anonymous structural forces or features, as most theories of alienation do, in a sense confirms modern individuals' worst fears. The changes are felt in depersonalising ways, because they are brought about by anonymous, depersonalised forces. The theory of *Überfremdung*, on the other hand, personalises the sources of estrangement. It is able to name those responsible for the acute sense of estrangement in a rapidly changing world. It introduces responsible actors, and in doing so, also suggests directions for action.

Thus, the theory of *Überfremdung* captures the sense of hard-to-describe, anonymous changes in modern society in its vague evocation of 'foreign influences' and 'infections', but then it manages to pin it down to a particular, quantifiable group of people, the *Ausländer*. As Schiesser has argued *Ausländer* do not really have to be the cause of fear (as the term xenophobia suggests), but in a sense their presence takes away the fear that we are powerless (Schiesser 1994:79). This discussion again shows important parallels to the way in which anti-Semitism has historically been a response to modernity and has served as a theory, a critique and a recipe for action. Before the end of World War II, the Swiss discourse of *Überfremdung* was intertwined with anti-Semitism in that it was not just directed against Jews, but also reproduced many of the discursive patterns of anti-Semitism, in particular anti-Semitic arguments about unassimilability. After World War II, the discourse of *Überfremdung* by *Ausländer* enabled the reproduction of anti-Semitic discursive patterns, without referring to Jews.[21]

Second, the remarkable continuity and persistence of the foreignisation is related to the way in which it helps to imagine the Swiss nation in a particular way. In the previous chapters, I have discussed many occasions in the history of the modern Swiss nation state, when the question about the unity, coherence, 'constants' and essence of the Swiss nation has been posed.

Recent sociological and anthropological theories of nationalism and 'nation-ness' have rejected the notion that nations are supra-subjective wholes with particular essences (Wicker 1997), and instead stressed the social construction or the imagining of the nation (Gellner 1983; Anderson 1991). Moreover, these social constructions are always contested and never complete. Stratton and Ang (1998) argue that the idea of a unified national imagined community is in fact impossible, always a fiction. Thus, it is a futile,

[21] Of course, this does not mean that anti-foreigner discourses and practices have replaced anti-Semitic discourses and practices. Rather, both have reproduced the completely deterministic representation of the nation and the Other, and both have also been reproduced by elites. This is the context of the brutal realisation of Ignatz Bubis' that the Jews in Germany 'have remained foreign' (*Wir sind fremd geblieben*) (Obermüller 1999:6). In Switzerland, anti-Semitism was expressed more openly in the years

and often violent act to try and find objective nationalist essences for any nation. Thus, from this perspective, it is not surprising that the various searches for nationalist essences have been rather disappointing.

However, from the Swiss perspective, the difficulties encountered with the search for national essences have not been attributed to this general impossibility of finding nationalist essences for any nation. Rather, it has been seen as a specific problem of Switzerland. It has thus fuelled the reoccurring fear that Switzerland's linguistic, religious and regional diversity may threaten its coherence, unity and, in the final analysis, its very survival. This existentialist fear has often been expressed by Conservative thinkers, who were critical of the Radicals' civic-democratic definition of the nation as a nation-of-the-will (*Willensnation)*. Repeatedly, they felt that the civic-democratic concept was not a sufficient basis for the nation's coherence and thus they searched for a more essentialist, or, to put it differently, more deterministic definition of the nation. Most, if not all of these definitions proved useless, or even dangerous to the coherence of the nation, as neither racial, nor linguistic, nor religious, nor geological, nor historical foundations could be found which united all parts of Switzerland, and clearly distinguished the Swiss nation from all surrounding nation-states. It was historically difficult to find a satisfying fiction or narrative for the Swiss nation. The search for a plausible completely deterministic definition of the nation proved very problematic. This has regularly been perceived as a particularly dangerous position to be in, as Switzerland was a rather small nation-state surrounded by powerful, and at times hostile nation-states.

It is in relation to this perceived difficulty of ascertaining the 'characteristics' (*Eigenart*) or the 'constants' (*Konstanten*) of the Swiss nation that the self-identification in relation to the Other has taken on particular significance. The representation of *Ausländer*, of the foreigner resident within the country, has played an important role in this national

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1996-1998 during the heated national and international debates about Switzerland's role during World War I (Stutz 1999:11).

identification *ab negativo*. The constitution of the *Ausländer* has helped to constitute a relatively secure sense of the Swiss nation. On the surface, this appears contradictory. Indeed, the *Überfremdung* discourse expresses deep concern about the vulnerability of the nation and the particular threat posed by *Ausländer* in undermining the national way of life. This is not reassuring. However, the very insistence on a threat to the national way of life in fact presumes and reasserts the notion that there is such a thing as a national way of life, regardless of how difficult it is to define. Thus, the foreignisation process, for instance the regular statistical reminders of the large number of *Ausländer* resident in the country, does not just reproduce the issue of *Ausländer* as a threat, but simultaneously reproduces the notion of a unitary Swiss characteristics, albeit under threat. We are threatened, therefore we are. Our identity is threatened, therefore we have one.

Of course, there are a range of alternative 'Others' which could act as a mirror to define the nation, for example peoples and cultures from neighbouring countries or real or imagined people and cultures that are located at some distance. Nevertheless, the reference to *Ausländer* as a stabilising counter-point has been particularly attractive because *Ausländer* are the Other who can be directly controlled by the Swiss state. Or, at least, there is the regularly repeated promise and expectation of significant control of the numbers and the behaviour of *Ausländer* by the state. This control of the Swiss state does not extend to alternative Others, say Austrians in Austria. Similarly, the Swiss state's control over the influx and repatriation of asylum seekers has been limited, which partially accounts for the irritations and hostile reactions in relation to asylum seekers (see chapter 10).

Both the assimilationist and completely deterministic components of the foreignisation process can operate to affirm a sense of Swissness. As seen above, the discourse on assimilation confirms the existence of national characteristics, because it assumes at the outset a clear cultural difference or distance between the *Ausländer's* culture and the Swiss national culture. *Ausländer* are expected to assimilate to this Swiss national way of life. Thus, not just the discourse on assimilation, but the *Ausländer's* strenuous

efforts to assimilate and appear assimilated confirm the existence of national characteristics, even if they are hard to 'describe in words' (Biga 1964). The fact that only a small minority of about 1% of the *Ausländer* population gains Swiss citizenship appears to confirm, again from the perspective of the foreignisation process, that the cultural distance must indeed be great and hard to overcome.

For these reasons, it is the discourse of *Überfremdung*, combined with a large number of actual residents categorised as *Ausländer* courtesy of the foreignisation process, which helps to create a sense of national characteristics and national difference and distinction. From such a perspective, assimilation efforts are welcome, as they imply a culturally distinct starting point and a movement towards something like the Swiss national characteristics. Yet, ultimately complete assimilation and naturalisation are perceived as threatening, precisely because they blur or even erase the distinctiveness of the nation.

Ironically, the discourse of *Überfremdung* is perhaps less concerned about *Ausländer's* difference, but their similarity. The fear may not so much be that strangeness and difference are too taxing and conflictual ('culture clash', 'culture conflict'), but that the relatively safe distinction, and distinctiveness, of difference and strangeness is lost. This appears to echo the common racist fear of mixing 'races' and 'blood': the terror does not arise from the 'races' of human beings being too different, but from being similar enough to allow miscegenation. The foreignisation process is not so much characterised by a fear of *Ausländer's* difference which would clash with and perhaps 'swamp' Swissness. Instead, what is feared more is the deep suspicion that *Ausländer* may not be that different at all, and, by implication, the distinctiveness of the Swiss nation is also undermined. This helps to explain the foreignisation process' urge to differentiate, to discursively constitute and legally impose a radical or at least difficult-to-bridge difference. The foreignisation differentiates and defers an Other that can be controlled, thus evoking a sense of being in control of one's own destiny and identity.

I do not argue that there is a conspiracy to restrict migrants and their children to a status of *Ausländer*. Migrants are not recruited and given the status of *Ausländer* in order to remedy ontological insecurities. However, the way they were constituted and treated reflects the way in which ontological securities produced by modernity are dealt with in Switzerland. Neither do I wish to argue that the foreignisation process can be *explained* solely in functionalist terms, for instance by its psychological or ontological function as propping up a vulnerable sense of national identity. What I am arguing is that the foreignisation process has continued to be reproduced since World War I because it has provided a mechanism to make sense of modern processes and contributed to the indirect definition of the nation.

This kind of interpretation of the foreignisation process must appear strange from the perspective of more conventional political and economic analysis of *Ausländerpolitik*. Of course, migration has allowed the economy access to a greater pool of labour. However, the persistence of the foreignisation process and its multi-facetted discursive, emotional, institutional and legal elaboration can not fully be grasped in terms of economics or the politics alone.

Lest we overstate the functionality of the foreignisation process in stabilising an inherently unstable sense of national identity, it is important to remind ourselves that the foreignisation process has been internally contradictory, unstable and thus far from being functional to the economy, to capital (Wallerstein 1988), to the state or to the Swiss sense of nationhood in a straight-forward, stable way. The completely deterministic discourse contains the possibility of subtle discrimination as well as violent separation and ultimately death. The combination of completely deterministic and assimilationist approaches further adds tensions and contradictions. As will be seen in the next chapter, the instability of the foreignisation process came to the fore again in the late 1980s and in the 1990s. Regardless of its instability and contradictions, the foreignisation process has again and again provided a particularly attractive vehicle for a completely deterministic nation vs. Other construction. The attraction of *Ausländer* as Others has precisely been

the fact that they could be controlled, restricted and held under constant surveillance by the Swiss state. In other words, the Other which may stabilise the meaning of the nation could be stabilised by the state in a way it could not stabilise its own citizens or people outside its territory.

While the foreignisation process has not been totally hegemonic and unchallenged, this thesis shows how pervasive and persuasive the process has been and continues to be in public and state discourses and actions. Most social actors and observers in Switzerland have been caught within this particular perception of migrants and migration, and, by implication, of the Swiss nation. As the next chapter shows, the foreignisation process continued to influence important national debates about asylum seekers and European integration in the 1980s and early 1990s.[22]

CONCLUSION

My discussion of the way in which the Swiss state has discursively constructed and legally restricted migrants has uncovered two apparent paradoxes. The first one is the paradox of continuity and hegemony in a world of rapidly changing and contested meanings. It is the paradox of the simultaneity of consensus and contradiction. It is the paradox between the dominance and persistence of the foreignisation process and the much commented-upon public and political polarisation in relation to *Ausländerpolitik* and *Asylpolitik*. It is the paradox of a consensus based on contradictions.

The second paradox is the paradox between the inclusiveness of Swiss multicultural democracy and the exclusion of *Ausländer*, in other words: the foreignisation of migrants. This exclusion of *Ausländer* in turn is also somewhat contradictory: there is a contradiction or at least a certain ambivalence between assimilationism, suggesting a

[22] It can be argued that the debate is not limited to 'nationals' or to 'national publications'. Yet in spite of the claims of globalisation and in spite of the global arena of social and political science and inquiry, the debate has been fundamentally a national one. Indeed, one of the most important purposes and effects of the foreignisation process has been to exclude non-nationals from meaningful participation in debates about the nation and 'its foreigners', let alone from involvement in decision making.

degree of inclusiveness, and complete determinism, suggesting complete exclusion from the nation. This is the paradox between the official promise of naturalisation for assimilated *Ausländer* and the reality of extremely low figures of naturalisation and a large number of disenfranchised, but rather assimilated *Ausländer*.

Thus, while the discourse and institutions contained in the foreignisation process have been a tempting resource to deal with migration, as well as to help in the attempt to define a national essence and coherence, its inherent contradictions have rendered both policies in relation to *Ausländer* and the representations of the Swiss nation profoundly unstable. The regular, almost cyclical and ritualistic public scrambling for new policies, laws, reports, briefings, measures, categorisations, technologies and institutions in relation to *Ausländer* express this instability and the contradictions inherent in the foreignisation process.

In the following chapter, I examine how aspects of the foreignisation process have continued to affect political debates and policy directions in relation to increased asylum seeker migration and to the problematic positioning of Switzerland in relation to the EC (and subsequently the EU). The concepts of the foreignisation process, of complete determinism and assimilationism help us to understand the specific directions these debates and issues, shared by all European countries, have taken in Switzerland.

Chapter 10

THE CHALLENGE OF ASYLUM SEEKERS AND EUROPEAN INTEGRATION: WHO IS AN *AUSLÄNDER* NOW?

This chapter explores the ways in which the foreignisation process has continued to influence the dominant debates and state policies in relation to *Ausländer* in the 1980s and 1990s. Increased asylum seeker migration and Switzerland's *Ausländerpolitik* in view of closer integration into the European Union have been major political and policy issues. In relation to these issues, the 'accommodation' which Schmitt Heisler (1988) observed in the realm of *Ausländerpolitik* in the mid 1980s was quickly replaced by political polarisation, both on the level of party politics, as well as on the level of extra-parliamentary social movement politics. Moreover, the violent incidences against asylum seekers and the growth of extreme new-right, racist groups (the 'New Fronts') in the late 1980s added another dimension of alarm.

This sense of urgency and emergency, which – as indicated in previous chapters – has been a re-occurring feature in debates and policies about migration and *Ausländer*, led to two types of responses, which can be characterised as typical, almost ritualistic responses in Swiss society. First, the state commissions reports, either from within its own bureaucracy, or from independent experts (or a combination of the two), in order to provide an 'objective' analysis and make a range of workable suggestions. 'Workable' in this context refers to three senses: the solutions have to be within the given terms of reference (in particular, take into account the somewhat contradictory over-arching principles of *Ausländerpolitik*), the solutions have to work in practice and, most importantly, have to enjoy broad political support. In other words, these state reports and policy suggestions attempt to find new common ground, a new consensus. In this chapter, I analyse the key reports in the late 1980s and early 1990s which proved influential in the last decade.

Second, another common response to perceived political crises in Switzerland is the launching of an initiative or a referendum by already established groups, including

political parties, or by new groups or committees formed for this specific purpose. As seen in previous chapters, such popular initiatives and referenda have been used by both sides of the political spectrum in relation to *Ausländer* issues, those for a more restrictive approach, as well as those for a more liberal approach. In this chapter, I also analyse the debates surrounding these popular initiatives and referenda in the 1980s.

State discourse and policy can not be examined in isolation from these extra-parliamentary direct-democratic pressures from civil society, and vice versa. State discourse and policy proposals react to, and anticipate, such direct-democratic pressure. Direct-democratic pressure in turn develops in relation to parliamentary politics and state policy directions. Thus, while the distinction between the state and civil society is generally not as clear-cut as some theorists would have it, this blurring and constant interchange is even more marked in the Swiss case. These observation also undermine Heckmann's clear-cut distinction between 'dominant state concepts of the nation' and 'aversions from civil society'.

This chapter can not provide an exhaustive analysis of the state reports (or state commissioned reports) and of the debates surrounding popular initiatives and referenda in relation to the *Ausländer* issues of the 1980s and 1990s.[1] Rather, my analysis pursues a particular question: to what degree and in what ways has the foreignisation process continued to operate during this period? In other words, to what degree have assimilationist and complete determinist nation/*Ausländer* representations been dominant and have thus undermined Heckmann's optimistic expectation of a civic-democratic and multicultural incorporation of *Ausländer* in the Swiss nation?

I argue that the foreignisation process was reworked in this period. Some discursive parts disappeared, emphases shifted (for instance, from *Überfremdung* to 'stabilisation'), new discourses and policies were formulated. However, as the notion of 'reworking' suggests, important aspects of the foreignisation process continued. In

[1] Media discourses and everyday discourses are also important in this context as they feed into, and reflect, political and state discourse. However, an analysis of these and other discourses goes beyond the scope of this thesis.

fact, these continuities are best highlighted in terms of the analytic concepts of assimilationism and complete determinism. Indeed, the foreignisation process's reach was even extended more clearly and decisively into the realm of *Asylpolitik* (policy and politics in relation to asylum seekers and refugees). Moreover, abrupt changes in official representations and policy in relation to *Ausländer*, that still maintained the logic of the foreignisation process, but sought to redraw the boundaries between 'us' and '*Ausländer*', were not necessarily accepted by the broader public, as the voters' rejection of membership in the European Economic Area in 1992 attested. The foreignisation process has taken a strong hold on the public and will take considerable time and effort to dislodge. This is especially the case as long as its central logic, with some new labels, continues to be reproduced in state discourses.

Thus, the Swiss debates about topical issues such as racism, multiculturalism, asylum seeker migration, European integration, integration of *Ausländer* and so on, have to be understood and interpreted in relation to their location within the hegemonic framework provided by the foreignisation process. In fact, theories that ignore the pervasive influence of the foreignisation process fail to properly account for the events and discourses in Switzerland during the 1980s and 1990s. Similarly, critiques of Swiss discourses and policy which ignore the influence of the foreignisation process remain caught within its contradiction and ultimately end up reproducing it. Thus, both the explanation of its persistence as well as the formulation of a fundamental critique (in the hope of formulating better policies) require an understanding of a key aspect of the foreignisation process, namely the important and complex links between the discourse and policy on *Ausländer* and the discourse on the nation. Fundamental policy changes from foreignisation to a multicultural incorporation of migrants and their off-spring requires a difficult re-imagining of Switzerland as multicultural in a broader sense than has been the case historically. This also requires a re-thinking of direct-democracy within the narrative of the nation, rather than a curtailment of direct-democratic decision-making.[2]

[2] Some Swiss academics and politicians have recently questioned the utility of direct democracy in the contemporary world (Borner and Rentsch 1997). In relation to migrant minorities, some critics have expressed the fear that a direct democratic system is more likely to lead to xenophobic or racist

I first discuss the representation of asylum seeker migration and the ensuing polarised debates in the 1980s, before I analyse important reworkings of the foreignisation process by the Swiss state in relation to the twin challenge of asylum seeker migration and Switzerland's integration into Europe.

NEW ASYLUM SEEKER MIGRATION AND THE CRISIS OF THE SWISS NATION-STATE

In chapter 8, I noted that refugees were represented rather differently to migrant workers in the decades after World War II. Refugees were not discussed in terms of *Überfremdung*, nor in terms of their impact on the labour market or the economy in general. They were accepted on the basis of humanitarian principles, although broader political and ideological considerations during the Cold War also played a part.[3] Their representation as victims and even as anti-Communist freedom fighters enabled the representation of the Swiss nation as a generous 'classic asylum country', and as the cradle of freedom and democracy. In other words, the civic-democratic, but not the multicultural concept of the nation came to the fore in relation to the representation of *Flüchtlinge* (refugees). While the *Überfremdung* discourse saw Switzerland as the victim, the discourse on *Flüchtlinge* saw refugees as the victims. Moreover, it was clear from the outset that refugees were accepted as permanent, rather than as temporary residents. While refugees were not given citizenship status, they nevertheless immediately enjoyed permanent resident status. Thus, they were in effect fast tracked on the evolutionary path of improved legal status regardless of their level of assimilation. It was only in relation to political rights and full citizenship, that is the final step of assimilation and naturalisation, that refugees were still located within the foreignisation process.

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legislation. See Gross (1995) for a critique of this simplistic view and for a defense of the direct democratic system.

[3] Compare, for instance, the Swiss state's ready collective acceptance of Hungarian and Czech and Slovak refugees with the more negative attitude towards the left-wing refugees from Chile in 1973.

On the level of policy and politics too, *Flüchtlingspolitik* (refugee politics) was clearly distinguished from *Ausländerpolitik* (foreigner politics). The number of refugees were not included in the quota rules (*Kontingente*) that were introduced in relation to new, mainly seasonal and temporary labour migrants in the early 1970s. The different representation and treatment of refugees was also linked to their rather small number in comparison with the number of labour migrants. The distinction between *Flüchtlingspolitik* and *Ausländerpolitik* culminated in the adoption of a specific Asylum Law in 1979. Unusually, as far as policy and law making in relation to migration and the presence of *Ausländer* is concerned, the Asylum Law was not conceived and introduced in a context of domestic political conflict, nor was it accompanied by the all too common sense of urgency and emergency.

With hindsight, this proved to be the proverbial calm before the storm. *Asylpolitik* (Politics in relation to asylum seekers) was to become one of the most controversial political and public topics. A strong sense of a national emergency and of a crisis of the state was apparent by the late 1980s: a crisis of policy, as well as a crisis of legitimacy. The widening bureaucratic 'asylum crisis' of the state was paralleled by a public problematisation of the asylum seeker issue (Schmid 1984:371). This led to the urgent demand and subsequent hurried implementation of changes to state policies, laws and administrative processes in relation to asylum seekers. There was not just a polarisation of public and political opinions, but also strong mobilisation by extra-parliamentary social movements, for instance, the *Asylbewegung* (asylum seekers support movement) and the diametrically opposed radical right-wing, racist groupings. Academics and intellectuals began to analyse these issues from a broader, global perspective, as well as from a more micro-level viewpoint. Some saw their work as providing 'objective' sociological facts and analysis to inform public discussion and state policy making (Hoffmann-Nowtony 1992). Others saw their work as taking a stance in support of particular collectivities, such as, asylum seekers, *Ausländer*, or the Swiss, or in support of principles, such as human rights, international solidarity, charity, national sovereignty. Media coverage of the issues of asylum seeker migration and the various

Swiss reactions have also been intense, ranging from sensationalist tabloid treatment[4] to the more in-depth treatment by the broad-sheets. Of course, both academics, as well as the media were not simply describing and commenting on the unfolding events, but active discursive participants who shaped the perception of asylum seeker migration.

What were the reasons for this crisis of the nation and of the state, the political polarisation in relation to asylum seekers, the intense expression of physical and verbal violence towards asylum seekers? These reactions indicate that the asylum seeker issue touched a raw nerve and was not simply an administrative, organisational and financial problem for the state.

A common answer is to argue that the unexpected increase, as well as the greater national and cultural diversity of asylum seeker migration created unforeseen problems for the state and for society, in terms of the processing of their applications and in terms of their temporary integration . In other words, changes to migration patterns *per se* are often made to account for the crisis and political activism.

Indeed, asylum seeker migration of the 1980s and 1990s exhibited rather different characteristics and patterns compared to refugee migration at the height of the Cold War (see chapter 8). First, the number of asylum seeker applications did indeed increase in Switzerland in the 1980s and 19990s (see Table 4).

[4] The tabloid media predictably focussed on asylum seekers who 'abused the system' and engaged in crime, especially drug dealings. For instance, the title story of the tabloid *Blick* (28 August 1992) was headlined 'The luxury life of an *Asylanten*'. *Asylant* had become a derogatory word for *Asylbewerber* (asylum seeker) which evokes words such as *Simulant* (a 'simulator' in the sense of a 'pretender'). The story was about 'this 39 year old Albanian': 'He is a drug dealer – He buys yank tanks (American cars) – He accepts unemployment benefit – He has Fr. 100 000 under the mattress'. The tabloid media was also clearly fascinated by the new Fronts and their aggressive gestures and actions.

Table 4
Applications for Political Asylum in Switzerland 1980-1997
(Source: Federal Office for Refugees (BFF), *Asylon*, 1998, No. 9)

1980	3'010
1981	5'200
1982	7'200
1983	7'900
1984	7'500
1985	9'700
1986	8'546
1987	10'913
1988	16'726
1989	24'425
1990	35'836
1991	41'629
1992	17'960
1993	24'739
1994	16'134
1995	17'021
1996	18'001
1997	23'982

This increase in numbers led to administrative problems and higher costs as the bureaucracy expanded. By the late 1980s, the administrative and logistical problems reached crisis point, giving rise to the new term *Asylnotstand* (Asylum emergency situation) (Strategy Group 1989).

Second, the countries of origin of the asylum seekers did indeed differ. Most asylum seekers did not fit the ideal typical image of the dissident fleeing Communist oppression. In the 1980s, even before the collapse of the Soviet Union, Kurds from Turkey, Tamils from Sri Lanka and people from various African countries began to outnumber the refugees from Eastern Europe (see Table 5).

Table 5
Countries/continents of origins of asylum seeker applications in 1979 and 1987:
(Percentage of total numbers of applications)
(Source: Strategy Group 1989:52)

1979		1987	
Eastern Europe	59.4%	Turkey	53 %
Asia	16 %	Asia	32 %
Latin-America	14 %	Africa	7 %
Africa	11 %	Eastern Europe	5 %
Turkey	0.6 %	Latin America	3 %

The 'Asian' category consisted mainly of asylum seekers from Sri Lanka. While the statistical breakdown according to 'continent' still suggests some kind of spread, the individual country statistics make it clearer that the majority of asylum seekers tended to come from a relatively small number of countries. Throughout the 1980s, the two largest groups were consistently from Turkey and Sri Lanka. In the 1990s, asylum seekers from Bosnia Herzegovina and the Federal Republic of Yugoslavia constituted the larger groups, but even then there has been a consistent influx of applications from Turkey and Sri Lanka (see Table 6).

Table 6
The four most important countries of origin of asylum seekers for each year (number of asylum seekers)
(Source for 1987-1990, BFF Statistics of 29/1/1991; in *Asyl*, 1991/1)
(Source for 1979-1983, BAP (Federal Office for Police Affairs), in Däpp 1984)

1990	1989	1988	1987	1983	1982	1981	1980	1979
Turkey 7 262	Turkey 9395	Turkey 9673	Turkey 5817	Turkey 1972	Turkey 1341	Poland 929	CSS 742	CSSR 546
Yugoslavia 5 645	Sri Lanka 4809	Sri Lanka 1516	Sri Lanka 895	Chile 1224	Chile 1244	CSSR 720	Turkey 627	Hung 238
Lebanon 5 533	Lebanon 2477	Yugoslavia 818	Pakistan 518	Zaire 1005	CSSR 751	Hungary 500	Hung 426	Rum 183
Sri Lanka 4 774	Yugoslavia 1365	India 730	Iran 513	Sri Lanka 845	Rumania 632	Chile 395	Rum 245	Chile 170

The changed background of asylum seekers began to raise concerns about their capacity to integrate into Swiss society (Hoffmann-Nowotny 1992).

However, I argue that the sense of crisis and the strong reactions were not simply due to the changed patterns of asylum seeker migration *per se*, but also due to the way in which asylum seeker migration began to be perceived from the perspective of the foreignisation process. The reactions by the state throughout the 1980s and 1990s similarly can be interpreted as a gradual extension of more and more aspects of the foreignisation process to asylum seekers. I do not wish to argue that international asylum seeker and refugee migration does not pose serious problem, for the migrants themselves, as well as for the countries they seek out for protection or/and a new home. However, my argument is that the reactions and ways of dealing with these issues is not simply guided by a 'neutral', objective assessment of the logistical problems of dealing with large numbers of asylum seekers or with particular acculturation problems. Rather, the issue has to be understood in relation to the deeply entrenched foreignisation process, including its discourses, institutions and ensembles of policies, laws and decrees. Gradually, the thinking, assumptions and legal and institutional 'solutions' developed in relation to *Ausländer* were extended to include *Asylbewerber* (Asylum seekers). This in spite of the repeated insistence that *Ausländerpolitik* and *Asylpolitik* were a separate issue. Implicitly, the debates of the last two decades have also been a debate about whether to treat these realms as separate, or whether (and how) to link them.

EXTENDING THE FOREIGNISATION PROCESS TO ASYLUM SEEKERS IN THE 1980S

With hindsight, it is difficult to imagine (especially for most people who lived in Switzerland during this period) why the rise of asylum seeker applications should <u>not</u> have given rise to alarm. However, it could be argued that if the asylum seekers had been represented in some specific way as particularly deserving victims of particularly difficult circumstances, as occurred several times in the 1950s and 1960s, it seems reasonable to suggest that Switzerland could have easily accepted and integrated the

few thousand asylum seekers that arrived at its door steps every year. After all, Switzerland was one of the richest countries in the world, with one of the lowest unemployment rate, with considerable experience incorporating a large number of foreign workers into the economy and society, and one that took pride in its historical generosity towards refugees (notwithstanding the rejection of Jews during the Nazi era) and even declared granting asylum as a 'state political maxim'. Even the common argument that, unlike the Eastern European refugees, a lot, or even most of the new asylum seekers were not 'real' refugees, but 'economic refugees', who were abusing the Swiss generosity and attempted to stay in the country as long as possible, does not by itself explain the political salience of the asylum seeker issue, let alone justify the sense of outrage and hostility felt by many Swiss. For a start, in the general euphoria and solidarity towards refugees from Eastern Europe, nobody asked individual refugees whether they were real political refugees, or simply 'economic' refugees. The general representations of refugees or asylum seekers is precisely at stake here. It is precisely the emerging discourse of asylum seekers as 'economic refugees' and as abusers of the asylum provisions, rather than as, for instance, deserving poor or vulnerable oppressed people, which played a part in the demand and implementation of a more restrictive *Asylpolitik* by the state.[5]

The intense political debates and the sense of national crisis can not be reduced simply to the increase of asylum seeker applications, their different countries of origin and the associated organisational and logistical problems for the state. Just as important has

[5] My point is not to try and assess whether all or some asylum seekers were 'economic refugees' or whether they deserved to gain refugee status. In fact, it may be rather difficult to clearly distinguish 'economic' from other reasons (political oppression, starvation, oppression due to religious or ethnic background and so on) for people to leave their country and seek refugee status elsewhere. My point refers to the demonisation of asylum seekers as economic refugees. In Western, meritocratic and capitalist societies, the readiness to travel long distances and settle elsewhere to improve one's (and one's family's) economic opportunities and life chances are usually celebrated as an exemplary proof of initiative, responsibility and courage — as long as the movement is restricted within a nation-state, or occurs as part of the highly skilled global workforce. This is yet another example of how characteristics that are commonly valued can be turned into their opposite when exhibited by a foreignised group or individual (see chapter 9). My argument is that particular negative representations of asylum seekers, whether correct or not, whether appropriate or not, gain currency and begin to influence popular reaction and state policy.

been the perception of the issue, and in particular the way asylum seeker migration was increasingly viewed, and treated, from the perspective of the foreignisation process. New discourses on asylum seekers began to develop within the framework and the assumptions of the foreignisation process, and gradually institutional, legal and administrative mechanisms developed. From the perspective of the foreignisation paradim, the asylum seeker migration in the 1980s and 1990s invariably had to be problematic. I shall briefly sketch how this was played out, without wanting to give an exhaustive account of asylum seeker movements or *Asylpolitik* of that period.

A core assumption reiterated within the foreignisation process, repeatedly set out in policy documents and speeches, is the expectation and promise that the state was to be in control of the entry and residence of non-nationals in the interest of the labour market, and in the interest of protecting the national characteristics, long expressed as a protection against *Überfremdung*, more recently expressed as a concern for a 'balanced ratio' between the *Ausländer* and the Swiss population. The new entry of *Ausländer* are controlled by annually decided quotas (*Kontingente*) for seasonal workers and annual permit holders. Especially in the first years of residence, an *Ausländer* is usually tightly restricted and controlled by the seasonal or annual permit status. Thus, the state's sovereignty in relation to the entry and residence of *Ausländer* is contradicted by asylum seekers entering the country on their own accord, and usually illegally in order to avoid being turned back at the borders (Strategy Group 1989:56), as well as having certain rights to be assessed properly while staying in the country for that assessment process. In relation to asylum seeker migration, the asylum seekers own agency, as well as international humanitarian obligations counter the expectation of state control over who enters the country and for how long. In addition, various groups and individuals began to support asylum seekers in their dealings with the state, giving them legal advice or hiding them from the authorities (Zuber 1993).

This sense of the state struggling to be in control was reinforced by the characterisation of the new asylum seeker migration as being a 'migration from the Third World'(Kälin and Moser 1991). Several independent studies, as well as state bureaucracy reports

anticipated even greater 'migration pressure' from underdeveloped countries and areas of conflict (Strategy Group 1988; Hoffmann-Nowotny 1989). In popular and media representation, the equation of asylum seeker migration with 'Third World' migration was reinforced by the greater visibility, or rather visible difference, of darker skinned Zairean and Sri Lankan asylum seekers, who were often commented upon in the 1980s (Müller et al 1988). The Interdepartmental Strategy Group (1989:55) also conceded that for many Swiss 'in reality the skin colour of asylum seekers plays a role that should not be underestimated'.

While the actual shifts in asylum seeker migration patterns are more complex and more specific than simply a shift from East (former Communist countries) to South (Third World countries)[6], the representation of asylum seeker migration as 'Third World' migration had two major effects. First, it suggested a virtually limitless increase in 'migration pressure'. If the new asylum seeker migration was indeed from the Third World and linked to global inequalities, then it seemed reasonable to assume that the future numbers of asylum seekers could rise exponentially. The 'South' thus could become the new enemy (*Feindbild*), replacing the Communist threat of the Cold War (Gerster 1993). In fact, the collapse of the former Soviet Union, Russia and other parts of Eastern Europe further increased the fear of such asylum seeker migration, as the Second World increasingly began to be seen as akin to the 'Third World'.[7] In addition, the notion of a new *Völkerwanderung* (people's migration) from the East (Ramspeck 1990; Strauhaar 1992) could resonate with the constantly reproduced memory of historical threats of masses from the East (Huns, Turks, Ottomans, Soviet Union).[8]

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[6] In spite of the discourse about the general 'migration pressure' from Third World to industrialised countries, the 1980s were in fact characterised by the shift from Eastern European countries to a small number of specific countries which dominated the asylum seeker numbers over a particular period: Turkey, Sri Lanka, Chile and Zaire, Lebanon. The conflicts surrounding the break-up of Yugoslavia began to generate the major groups of asylum seekers in the 1990s. While Sri Lanka and Zaire could perhaps be labelled 'Third World' or lesser developed, Turkey, Yugoslavia, Chile and Lebanon are much more ambiguous cases. Moreover, the majority came from specific countries, it is misleading to speak of a general 'Third World' migration.

[7] On 10 December 1990, the title story of the influential German magazine *Der Spiegel* read 'Collapse of the Soviet Union: Mass escape to the West?'.

[8] The historian Hans Ulrich provocatively argued 'Those who today attempts to evoke the spectre of a people's migration (*Völkerwanderung*), is already building the ghettoes of tomorrow'. (quoted in Hug 1993:4).

Second, it also meant that asylum seekers would be coming from 'non-traditional recruitment areas', thus from areas with a vastly different, non-European and potentially unbridgeable cultural difference.[9] As these completely determinist notions were part and parcel of the official foreignisation process, not just part of the ideology of xenophobic groups, it would be surprising if sooner or later, given the increased numbers involved, this would not become problematised (see below the discussion of the 3 circle model).[10]

As a consequence of this increase of asylum seeker applications, the state bureaucracy's assessment resources were severely stretched.[11] This meant that many asylum seekers ended up staying in the country for years occupying a temporary status until the assessment and appeals were concluded. What was considered to be a brief assessment period resulting in a clear decision of either refugee status (and thus permanent residence) or deportation, could become a long assessment period. This phase was described by asylum seekers as a rather difficult period of being in a state of limbo and insecurity about the future.

Whether intended by the asylum seeker or not, *de facto* the relatively long stay in the country as an asylum seeker constituted in many cases a form of labour migration, as many asylum seekers managed to find work due to the labour shortages in the 1980s. At the end of the formal assessment period, the asylum seekers' status may still not be decided in a clear-cut fashion resulting in an even longer stay. Some were given humanitarian residence permits as they had integrated to such a degree that a deportation was not feasible. Others could not be deported due to *international non-*

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[9] In this context, it is important to note an important development in relation to labour migration. On 6 October 1986, the Federal Council ratified the 'Decree on the limitation of the number of foreign workers' (BVO). According to this decree, new work permits would only be given to persons who came from 'traditional recruitment areas'. This excluded Turkey.

[10] We can only speculate about the negative long-term effects of a popular and populist equation of 'Black people' with 'Third World poverty' and with 'asylum abusers'.

[11] Of course, the costs to the state also increased in the realm of asylum seeker assessment and management, for instance in relation to rental costs and wage costs of administration, courts, reception centers, transit centers, and of social workers.

refoulement obligations. Finally, it could be assumed that a number of rejected asylum seekers simply stayed on illegally or applied for asylum in another European country.

As the stay of asylum seekers extended for years, interesting parallels with the expectations and assumptions surrounding the hiring of temporary foreign labour can be drawn. In both instances, their stay in the country was expected to be temporary, but ended up being a lot more permanent than any of the actors may have anticipated. Asylum seekers were not seen as part of the permanent *Ausländer* population, which may and should assimilate. As the state's approach to the entry and assessment of asylum seekers grew more restrictive and defensive, various restrictions were introduced in order to prevent assimilation by asylum seekers. In both cases, social and political problems arose when the legal, organisational and ideological structures failed to adapt to the new realities of relative permanence.

The state was caught within a field of tensions (Kälin 1991). The older tension between the needs of the economy for more migrant workers and the aim to stabilise the foreign population in Switzerland was complicated by humanitarian considerations and international obligations in relation to asylum seekers.

With the increasing crisis of the assessment procedures and the increasing political pressure on the state to reduce asylum seeker migration and process their application more efficiently, the state was forced to take some actions. As Werenfels, a former public servant in the refugee field, put it in 1987: 'High numbers of applications forced a more careful examination of the applications and the use of all possibilities of rejection of applications within the scope of the Asylum law' (quoted in Stöckli 1989:217).

In order to reduce both the numbers of asylum seekers within the country, as well as the numbers of new applicants, the approach of the asylum seeker assessment authorities became more restrictive and began to exhibit explicit strategies of deterrence and repulsion. As critics put it, the actual state policy and practice began to 'hollow out' the

potentially liberal asylum law of 1979 (Referendum Committee Against the Asylum Law Revision 1987).

'A restrictive application of the refugee definition, the removal of procedural rights, integration barriers during the time of the assessment procedure and a ruthless deportation practice signal this path [of the repulsion of further asylum seekers]' (Schmid 1984:373) Stöckli (1989:220) characterised this approach as a 'combination of a gradually more restrictive practice with revisions of the law, which subsequently legitimise the change of practice.' (Stöckli 1989: 220). This has been described as an increasing politicisation of the asylum assessment process (Fisch and Knopfel 1984). In other words, the realm of asylum seeker migration was not guided simply by generous and liberal humanitarian principles, but increasingly by the logic of differentiation, deterrence and even expulsion inherent in the foreignisation process. Thus, while populist politicians could always use the xenophobic or racist fears in the population for their own political purposes, such a 'playing of the asylum seeker card' could always find legitimacy within the foreignisation process.

The following list presents some of the narrow interpretations of the refugee definition, restrictive measures and approaches that were introduced by the state in the 1980s:

- for an asylum applicant to qualify as a refugee, he/she had to prove that the persecution and violence was directly perpetrated by a state. If the applicant was persecuted by a group (for instance, a militia) that is not directly related to the state, even if the state appears to tacitly tolerate the persecution, he/she is unlikely to get refugee status.(Graf-Metghalchi 1986:3)
- an applicant must have fled immediately after the acts of persecution had occurred. Any delays undermine the claim for asylum, even if there are good reasons for such a delay.(Graf-Metghalchi 1986:3; Stöckli 1989:218).
- an applicant must prove that the persecution was directed against him/her individually. According to the practice of the Swiss authorities, it is not sufficient to be a member of a persecuted race, religion, nationality or specific social group (Graf-Metghalchi 1986:4). Thus, the concept of 'collective persecution' is deliberately

not applied to avoid having to accept large numbers of refugees (Fisch and Knopfel 1984:347)

In fact, if a particular group is known to be discriminated against by the state, membership of such a group can be turned into an argument against the granting of refugee status, 'because the concerned individual has not experienced more than his/her fellow citizens' (Graf-Metghalchi 1986:4). This approach has tended to work against Tamils from Sri Lanka and Kurds from Turkey (Fisch and Knoepfel 1984).[12] For critics, this practice echoed the Swiss state's dictum during the Nazi era that refugees 'for racial reasons' were not political refugees.

- on the other hand, an applicant's direct and individual troubles with authorities in his/her country may be turned against him/her, as there are cases in which the Swiss authorities uncritically agreed with the claims of the applicant's state of origin that applicants had committed a political offence (Graf-Methalchi 1986:5; Parin 1987) .
- 'Psychological pressure' exerted by the state can be a reason for granting refugee status. This stipulation was conceived and applied in relation to asylum seekers from Eastern Europe, but hardly to asylum seekers from other countries (Graf-Metghalchi

  1986:6; Fisch and Knoepfel 1984).
- 'Reasonable fear' tends to be down-played by the asylum assessment authorities (Graf-Metghalchi 1986:6).
- The assessment authorities made extensive use of Art. 6 of the asylum law: if the applicant was staying or arriving via a 'third country' to which he/she can return, he/she is unlikely to be granted refugee status (Stöckli 1989:218).
- Frequently, applications were rejected supposedly because the applicant did not cooperate enough or his/her case was not plausible or convincing enough (Art. 12). However, for people from non-Western contexts, it is often difficult to tell their story in the chronology and causality expected by the Western assessment authorities (Schmid 1984:376). The very interview situation in which authorities interview an individual applicant reflected a Western individualist norm (Calame

[12] This is borne out by the interesting comparison between the Baha'i (few in number!) from Iran, whose collective religious persecution is acknowledged, and the Tamils from Sri Lanka (large number) (Fisch and Knoepfel 1984:347).

1989:80), thus to a degree already 'de-socialising' the applicant. The biography of the applicant is cut off from its context and inserted into a legal-police discourse in which it can easily appear contradictory and therefore unconvincing as a claim (Calame 1989). Monnier (1995) argued that the formal interviews, rather than establishing the 'truth', in fact were rituals which legitimated the rejection of asylum seeker applications. Moreover, according to a study of the Federal Office for the Equality of Woman and Man, women's specific persecution are often not acknowledged as a basis for refugee status.[13]

Graf-Metghalchi (1986:6) concluded in the mid-1980s 'that a large part of the applicants of some extra-European population groups would qualify as political refugees according to today's definition. Nevertheless, only a few are being recognised as refugees.'

The decreasing rate of acceptance of asylum seekers in turn was regularly referred to in populist commentaries as proof that asylum seekers were 'abusing the system' by pretending to be refugees.

TIGHTENING THE ASYLUM LAW AND THE RISE OF THE ASYLUM MOVEMENT

Apart from the restrictive interpretation of the 'refugee' definition and a tougher approach by the assessment authorities, several Asylum law revisions were introduced, partially to give legal backing to the evolving practice and partially to path the legal justification for a more restrictive practice.

The first asylum law revision was already adopted by parliament on 16.12.1983 and came in force on 1.6.1984. The revision was meant to deal more quickly and efficiently with the large number of pending applications (*Pendenzenberg*) as the average processing time was estimated to take about four to six years (Schilter 1987:7). The Federal Council was of the opinion that organisational changes and staff increases

[13] See article 'Weibliche Flüchtlinge werden oft vorschnell abgewiesen', in *Tages- Anzeiger*, 24 August, 1992.

by themselves would not be sufficient in dealing with this back-log. For some parliamentarians, these legal revisions were also necessary to 'solve the refugee problem in particular among the people', that is, to send a signal to the public that the state was willing and capable in curbing the immigration by asylum seekers (Zbinden, quoted in Schilter 1987:7).

The revision included the abolishing of a second appeal to the Federal Council, as well as the introduction of the possibility to decide 'obviously unfounded' cases on the basis of the Cantonal interview documents only. Since 1979, every applicant had to be interviewed personally by the assessment authority. The revision also introduced restrictions to employment. Already on 20.6.84, the parliamentary motion of the parliamentarian Lüchinger demanded a further revision of the asylum law as the first revisions were not considered effective enough by some.

In October 1984, the Federal Council decided to deport (*ausschaffen*[14]) the Tamil asylum seekers whose applications had been rejected. This resulted in public resistance and criticism in solidarity with the Tamil asylum seekers. Various solidarity groups were founded, marking the beginning of the mobilisation of the *Asylbewegung* (asylum movement) [15](Mächler 1988). The issue of the Tamils threatened to become an 'issue of the conscience' for the nation (Schmid 1984:376). In December of the same year, the Federal Council revoked its decision to deport. This marked the beginning of the precarious state of rejected Tamil asylum seekers who were temporarily tolerated under the non-*refoulement* principle until the Federal government could eventually implement the repatriation or deportation procedures (Mächler 1988:60).

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[14] The term '*ausschaffen*' - and the related term '*rückschaffen*' - incidentally does not appear in the Collins German-English Dictionary (1991; second edition). It appears that this is a 'Swiss' term not used in Germany, where '*abschieben*' or '*ausweisen*' is used to describe the concept of 'deportation' or removal from the country. The term '*schaffen*' means 'to manage to do' or 'to create', however, in South German (including Swiss German) '*schaffen*' also means 'to work'. '*Ausschaffen*' therefore also evokes the notion of a considerable effort, while '*abschieben*' tends to evoke a shunting off (for example of responsibility). '*Ausweisen*' evokes more a bureaucratic process of expulsion.

[15] See the 'portrait of the Swiss asylum movement' in the movements' paper *Fluchtpunkt* (Zürich, August 1987) for an account of the beginnings of various groups..

Thus, within the asylum seeker realm, new ca[illegible] of temporary *Ausländer* were created. *Asylbewerber* (asylum seekers) who were still in the assessment process, as well as rejected *Asylbewerber* who were given a temporary tolerance permit until they could be safely repatriated. The temporarisation and insecurity of these temporarily accepted asylum seekers did not just pose particular problems for the asylum seekers themselves in terms of the impossibility of planning their lives, but it also established them as a politicial target for populist politicians, as well as physical targets for extremist groups.

Still faced with increasing numbers of asylum seekers, and long refugee assessment periods, the parliament debated and adopted a second revision of the Asylum Law and a related revision of the ANAG on 20 June 1986. The explicit purpose of this revision was for the state to 'regain the ability to act in asylum politics' and give the Federal Council 'greater flexibility to master the extraordinary situation' (quoted in Schilter 1987:8). This could be interpreted as an attempt to 'repoliticise' the asylum assessment process (Schilter 1987:8). The National Councillor Bonny asserted in 1985 that 'Asylum politics was part of *Ausländer* politics' (quoted in Mächler 1988:60). In other words, the realm of asylum seeker migration was to be subsumed under the foreignisation process.

The asylum law revisions stipulated that the Federal Office of Refugees[16] could decide on all asylum seeker applications without having to directly interview asylum seekers, simply by referring to the interview documents prepared by the Cantonal authorities (Schilter 1987).[17] According to the new revisions, every asylum seeker could be housed in a reception center (*Aufnahmezentrum*). Work restrictions were introduced by giving Cantons the right to prohibit any employment in the first three months. Another

[16] On 1. March 1986, Peter Arbenz began his job as the first Delegate of Refugee Affairs.
[17] Normally, asylum seekers were briefly interviewed at the 'reception office' on arrival. An in depth interview would then be conducted by the Cantonal authorities, usually the Foreigners' Police, in the Canton to which the applicant was directed (Stöckli 1989:216). A representative of a recognised non-governmental 'Refugee Organisation' would observe the interviews.

important innovation was the concept of the border gates (*Grenztore*). Asylum seekers had to lodge their applications at four stipulated border crossing points.
A new passage was introduced in Article 9 stipulating that 'in cases of an extraordinary large influx of applicants during peace time' Switzerland only grants temporary asylum depending on circumstances. This rather general and vague formulation was criticised because it opened the possibility for rather flexible interpretations. The referendum committee against the Asylum Law revision labelled this the 'Boat is full' clause, thus drawing parallels to the state policies during World War II (Referendum Committee against the Asylum Law Revision 1987:12)

The related revision of the ANAG (1987) stipulated in Article14 that if there was a suspicion that foreigners or rejected refugees may avoid deportation, they can be imprisoned for 30 days (deportation arrest) (Schilter 1987:8)

However, this time the asylum seeker movement managed to force a referendum against these revisions by depositing the required signatures on 29.9.1986. The Referendum Committee (1987) and other critics (Jürgmeier 1987) were not just concerned about what they regarded as a 'racist reflex' in the population, but also

> about 'racism' becoming part of the state doctrine regarding asylum seeker policy: In the latest asylum decrees the interests of the powerful, who act supra-nationalistically or nationalistically depending on the economic climate, and anti-foreigner populism appear to combine to a state racism doctrine (Jürgmeier 1987:51).

Thus, the accusation of an emerging racist doctrine of the state was voiced in the context of the debates surrounding the asylum law revisions. The concept of racism was not defined more closely. It needs to be remembered that in the Swiss context the accusation of 'racism' has particularly powerful connotations.

The referendum was eventually rejected by 67.4% of the voters on 5 April 1987. The revised Asylum Law and the revised *Ausländer* law (ANAG) came into force on 1 January 1988.

It appeared that the key novelties introduced by the asylum law revisions had little effect on the increasing number of new asylum seekers, nor on the number of present asylum seekers. In the first four months of 1988, only 53 refugees applied at the stipulated 'border gates' which included the three international airports; 13 street crossings; 12 railway stations (Stöckli 1989:214), while 3572 entered the country illegally and applied for refugee status within the country (Mächler 1988). In 1989, the Strategy Group Report (1989:56) estimated that 90% of all new asylum seekers entered illegally and avoided the 'border gates'. The controversial, and ultimately unworkable border gate policy was abandoned in 1990 (Kälin and Stöckli 1990:3). However, while it was not successful as a policy, the term and concept of 'border gates' gives an interesting indication of the bureaucratic imagination. The focus is on the physical border or boundary of the nation. The border is conceived as a kind of wall or fence, which is only occasionally interrupted by a 'gate'. The 'influx' of asylum seekers could then be channeled and controlled by special gatekeepers.

JUSTIFICATION OF THE RESTRICTIVE ATTITUDE

It is important to note that in spite of the restrictive tendencies regarding asylum seekers, the official Swiss view was, and continues to be, that the humanitarian tradition of granting asylum to deserving refugees was being maintained and that international obligations were not violated. The 'classic country of refuge' was determined to balance the demands of humanitarianism with the demand to stabilise the incoming 'stream' of asylum seekers.

The authorities and many politicians pointed to the fact that the refugee definition in the asylum law in fact was not changed. However, they also argued that the influx of already substantial - potentially massive - numbers of 'economic' refugees from the Third World, and from European civil wars, were clogging up the asylum application and assessment process which led to great costs and logistic difficulties to the state and the Cantons. Moreover, this meant that many asylum seekers stayed in the country for years before they could be expelled at the end of appeal processes if at all. Some of the

applicants were, in addition, accused of using their stay in Switzerland for criminal activities, such as drug dealings and robbery. This general 'abuse of the asylum' - so the argument went - also prevented the speedy determination of refugee status for the 'genuine' political refugees, taxed the patience of an already rather xenophobic part of the population. On top of all this, the removal of rejected applicants became more difficult as they were often integrated in society to the degree that employers, friends and political activists began to solidarise with them. Furthermore, if Switzerland generously granted refugee status, or at least allowed several years residence in the country until all avenues of appeal were exhausted (while other European countries were getting tougher on asylum seekers), it was feared that the country would become an attractive magnet to millions of potential asylum seekers ('Burden Passing' in the 1980s instead of 'Burden Sharing' in the 1960s, Schmid 1984:383). Finally, according to this argument, it was in the interest of the nation not to send out the wrong signals to the world, as neither Switzerland, nor Europe could accept all the potential refugees of the world.

For all of these reasons, it was decided that some of the loop-holes in the regulations and in the assessment process had to be closed to enable a more efficient and faster assessments, and that this is also explicitly done in a demonstrative way to deter further asylum seeker movements . The tightening occurred on various levels and at various points of the process and was designed to:

- send signals of deterrence to potential migrants overseas, either in discourse[18] , or in terms of the treatment of the asylum seekers who make it to the country.
- try and stop them at the border and turn them back (or 'near the border' see for example Kälin and Stöckli 1990:3).
- try and assess the cases more quickly, reduce appeal options, and develop an effective repatriation system. The rate of recognised refugees consequently

[18] In 1985, Federal Councillor Kopp had to 'make it perfectly clear again'[...] '[t]hat our Switzerland is not an immigration country, that we can not open the floodgates in an unlimited way to all of those, who want to come to us for other than asylum reasons' (quoted in Mächler 1988:59).
One of the major Swiss parties repeated this statement in 1988 in a press statement 'Our country can and must not be an immigration country' (quoted in Hug 1988d).

dropped from 81% in 1979 to 3.5% in 1990 (Federal Office for Refugees 1991), firstly by the assessment administration making full use of their discretionary powers (as described above; for instance, no Kurdish or Turkish person's application was recognised up until 1982 in spite of the repression after the military coup (Mächler 1988:59), and secondly by revising the asylum law.

- make the stay in Switzerland unpleasant, especially not allowing economic or social integration, thereby making it easier to deport them. The old doctrine or ideal of the 'transit country' again, and again — as in the case of labour migrants — the stays turned out to be longer than expected.

To sum up, the state attempted to regain some control over the new fluid type of asylum seeker migration, as it had already promised repeatedly in the context of the stabilisation of the foreign population in the realm of labour migration.

THE CRITIQUE OF THE 'HOLLOWING OUT' OF THE ASYLUM LAW

These legal, as well as procedural restrictions and the tightening of the assessment process have been criticised as an effective 'hollowing out' of the asylum assessment process in reaction to anti-asylum seeker political pressure and xenophobic agitation. The politics in the field of asylum seekers was increasingly characterised by an approach of deterrence. As a result, according to the criticisms, many people who deserved refugee status from a humanitarian point of view, or even according to the legally valid definitions, were being rejected.

The critics have drawn parallels with the situation during W.W.II, when similar collective persecution was explicitly excluded by the principle that those fleeing due to 'race reasons' would not qualify as individual political refugees. In both instances — during World War II and today — the exclusion occurs explicitly or implicitly in reference to the likely number that may arrive in Switzerland, but also in relation to the type of migrants (unassimilable Jews; unasssimilable migrants from 'Third World' cultures or from 'traditional, pre-modern cultures'). In both instances, the

administration undermined (*aushöhlen*; literally 'hollows out') the relatively tolerant official laws and definitions, either off its own bat (see the case of Rothmund in chapter 6) according to the ideologies and beliefs of the bureaucrats, or as a result of domestic political pressure. If incidences of political influence are publicly criticised for falling short of the principles of the Swiss asylum law, or even the International Refugee Convention, they are defended in reference to the will of the people, or in reference to national sovereignty. Further parallels with World War II include some of the vocabulary of deterrence, as well as measures such as repatriation, so-called 'centres' (collective accommodations for asylum seekers, run by aid organisations and mainly paid for by the state), restrictions to work, visa restrictions for certain countries (Mächler 1988:59). Parin criticised the Swiss asylum law and asylum assessment thus: 'our politics today follows guiding principles which developed during the Nazi regime in Germany. In principle, our legislation anticipates the *Überfremdung* fears by institutionalising our right to decide who may flee to us and who may not' (Parin 1987:79).

THE ASYLUM SEEKER AND FOREIGNISATION

It is interesting that in the realm of asylum seeker migration a particular pattern of foreignisation was repeated. 'Asylum seeker' was yet another, rather lowly category of short-term, temporary 'foreigner', who had to be grateful as they were 'given' the 'mercy' of a stay in the 'Promised Land'. Therefore, the temporary foreignisation process was applied in full force, perhaps even more strongly than against other 'foreigners'. The de-socialisation was to be driven closer to its conclusion. Commentators remarked upon their state of limbo and of 'paralysing insecurity' (Schmid 1984:378), of 'total apathy' and of 'desperation' (Stöckli 1984:382), which was likely to end in expulsion.

Even advocates of a more generous approach to granting refugee status sometimes proposed the introduction of a temporary asylum status — albeit a very formal status, instead of the insecurity of the limbo state. 'A partial return to the temporary conception

of asylum, which by the way is also the basis of the asylum law - would be a chance to get out of the current asylum-political tenseness' (Schmid 1984:380). Ironically, Schmid himself refers in the same article to the need to grant humanitarian residence permits as after a stay of a few years 'realities' developed, i.e. families were integrated and to deport them would not be humanitarian. On the other hand, he is aware of some of the dangers connected with 'temporary asylum' (it could undermine the full refugee status).
Schmid (1984:382) also refers to the asylum seekers as being in a 'waiting hall', and how the integration barriers may turn them into 'social cases'.

The law envisaged some asylum seekers whose presence was very temporary, as well as long-term refugees. The actual effect of the asylum policies was to create permanent asylum seekers. However, as in earlier historical examples, the short stay tended to turn into a longer one. Apart from delays in the assessment process due to an unexpectedly large number of asylum seekers and an understaffed, overwhelmed assessment bureaucracy (Mächler 1988:59), the major reason for long stays was the legal principle of *non-refoulement*, which precluded the repatriation of rejected asylum seekers if the conditions in their country were not safe.

The problem at this stage was that the state's handling of asylum seeker migration not only failed to 'solve' the asylum seeker issue, but even more importantly it did not enjoy a political consensus anymore. Even the legislative changes did not manage to overcome the political polarisation. On the one hand, there was increasing opposition by the asylum seeker movement who lobbied for more liberal approaches to asylum seekers; on the other hand there were strong political forces who wanted even greater restrictions. Towards the late 1980s, increasing violence against asylum seekers and the rise of the 'New Fronts' (Frischknecht 1989) added more urgency and a sense of emergency. For instance, the newly formed Patriotic Front demanded the abolishment of the asylum law all-together (Marry 1989). Moreover, in the early 1990s, the question of Switzerland's relation to the evolving political and legal integration within the EG and the EEA further complicated the picture.

The scene was set for one of these regular 'scramblings' (see chapter 9) for better policies, as well as for a new political consensus. In fact, the contestation over *Ausländerpolitik* and *Asylpolitik* in Switzerland during the 1980s resulted in, and was expressed by, a series of interesting reports and policy documents compiled by state bureaucracies or commissioned by the state. Frequently, these took into account the results of official hearings (*Vernehmlassung*), which gave wider interest groups and political parties the chance to comment on draft proposals.

In the next section, I shall sketch the path these reports took during the 1990s. The interesting question here, of course, is to what degree the reports began to move away from the principles of the foreignisation process, and whether Heckmann's optimistic view of a broad Swiss multiculturalism was beginning to take shape in these reports.

THE SEARCH FOR A NEW APPROACH FOR THE 1990S

In this section, I examine four key documents published between 1989 and 1992, which provide a fascinating glimpse of the analyses and assumptions within various bureacracies and represented a significant attempt to re-orientate the framework of both *Ausländerpolitik* and *Asylpolitik*:

- *Strategy for a refugee and asylum politics of the 1990s*, compiled by the Interdepartmental Strategy Group, January 1989.
- *Report about the conceptions and priorities of the Swiss Ausländerpolitik for the 1990s*, compiled by the Federal Office of Industry, Trade and Labour (BIGA) and the Federal Office for Foreigners' Issues (BfA), April 1991.
- *Report of the Federal Council on foreigner and refugee policies*, May 1991.
- *Chances and risks of multicultural immigration societies*, by H.-J. Hoffmann-Nowotny, published by the Swiss Scientific Council, 1992.

Apart from an analysis of the status quo, the reports also provided policy suggestions. The state reports show the first official formulation of the controversial 'Three Circle' model, which was to guide policy in the 1990s.[19] The report by the Zürich sociology professor Hoffmann-Nowotny indirectly provided important academic backing for some of the basic assumptions underlying the 'Three Circle Model'.

The authors of these reports clearly addressed fellow Swiss, not *Ausländer*. Thus, again, the report, which supposedly was about *Ausländer*, represented a dialogue amongst the Swiss, about the Swiss.

Strategy for a refugee and asylum politics of the 1990s (Strategy Group 1989)

The Interdepartmental Strategy Group, initiated in the autumn 1987 by Federal Councillor Kopp, consisted of representatives of various state departments[20], but also consulted independent experts, such as Prof. Hoffmann-Nowotny. The Strategy Group's brief was to develop longer term strategies and broad policy directions for the Swiss *Asylpolitik* in response to the legal-administrative and political problems I described above.

The report observed that the state authorities were continually 'overwhelmed' by the large number of asylum seekers, many of whom 'clearly' applied for a refugee status in order to gain access to the Swiss labour market, thus circumventing the normal limited entry options provided by the *Ausländer* legislation (Strategy Group 1989:14).

> The mere refugee claim, rather than the actual need for protection, thus leads to a longer legal stay, which – regardless of the actual outcome of the assessment procedures – eventually becomes so settled (*verfestigt*) that deportation measures become impossible for humanitarian reasons (Strategy Group 1989:58)

[19] As mentioned in chapter 2, various critics, including the Federal Commission against Racism, accused the model as being racist or coming close to being racist.

[20] Including representatives of the Justice and Police Department (EJPD), the Department of External Affairs (EDA), and the Department of National Economy (EVD), as well as of the Swiss Central Office of Refugee Aid; it was chaired by Peter Arbenz, the then Delegate of Refugee Affairs, and future Head of the Federal Office of Refugees.

The authors observed that the existing 'instruments of the asylum law' and organisational and administrative processes were struggling to provide short term, let alone more sustainable solutions.[21]

In terms of the political problem, the report observed that 'contradictory interests and demands... have up to now prevented a consensus in terms of fundamental principles' (ibid. 17), and the political conflicts and intense debates in the realm of *Asylpolitik* were likely to increase in the face of the continuing 'migration pressure' (ibid. 75). It was critical of 'the traditional parties' who failed to show 'clear leadership in explosive issues such as asylum and foreigners politics', as well as of the various groups who have launched initiatives and referenda in the area of *Ausländer* policy and asylum seeker policy:

> The extent and type of migration are legitimate political questions, which should be dealt with within the given, democratic decision-making process, rather than by means of periodical, radical initiatives as in the past two decades. (Strategy Group 1989:75)

Moreover, the report anticipated that the European integration process would also complicate matters by changing the European political context of migration patterns in general, as well as forcing changes to the Swiss *Ausländer* Law. However, the report paid no detailed attention to how Swiss *Asylpolitik* would be affected, if Switzerland joined the European Economic Area (EEA) or even the EC (later EU) in the near future. This is an expression of the fact that such moves in terms of European integration were not contemplated broadly in Switzerland at that time. Remarkably, this was just three years before the important referendum on joining the EEA in December 1992.

The report also put the Swiss problems with asylum seeker migration into a global context.[22] International migration (the terms *Wanderung* as well as *Migration* are

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[21] [illegible] elfare costs of asylum seekers rose from 33 Million Swiss Franks in 1980 to 200 Million Swiss Francs in 1988, even though about half of the asylum seekers were employed and paid for their keep (Strategy Group 1989:53). At the end of 1988, there were 30 000 asylum seekers in Switzerland whose applications had not been fully assessed yet. The Cantons ran over 100 transit centres (*Durchgangsheime*) with over 6000 places, to temporarily accommodate new asylum seekers (Strategy Group 1989:53).

used), conceived in terms of 'increasing migration pressure' mainly from 'countries of the Third World in the South' is seen as an 'unsolved problem', and a 'challenge for industrial nations in the North'(ibid. 5).[23] Without some political decisions, migration would lead to a growing foreign population in Switzerland, new integration problems, and therefore to domestic political conflicts (ibid. 7). Therefore, a direct line was drawn by the authors between migration, integration problems and domestic political conflicts.

Following these analyses of the domestic and international situation, the report made policy suggestions for new policy directions in both Swiss international refugee policy, as well as Swiss domestic asylum seeker policy. In relation to international efforts, the report stressed the need for international cooperation and specific development aid by Switzerland in order to remove the causes of refugee movements in the source countries. This also included help for their neighbouring countries who share a greater refugee load. Interestingly, amongst the list of possible initiatives, the report also recommended that Switzerland encourage countries with oppressive regimes to allow greater democratic participation and respect towards minorities (ibid. 8) Whilst this is a laudable aim, it is strangely contradicted by the exclusion of over one million *Ausländer* from political participation in Switzerland. Due to the hegemonic power of the foreignisation process, the authors of the report did not seem to be aware of this paradox

In relation to domestic asylum seeker policy, the report argued that it was in fact difficult to distinguish clearly between refugee movement and other types of migration in terms of their causes and effects. Similarly, on the level of Swiss policy, the Strategy Group contented that the distinction between *Ausländerpolitik* and *Asylpolitik* had become blurred, because the 'steering mechanisms' of the *Ausländerpolitik* were circumvented by migrants who lodge asylum seeker applications in order to gain employment.

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[22] Analyses such as the Strategy Report of 1988 tended to follow a certain sequence, a certain choreography. For example they usually begin with the 'world wide refugee problem' and increased 'migration pressure'.

[23] The sociological discussion about the ongoing 'immigration pressure' was also reported upon in the media at that time. See Allenbach and Hug's interview (1989) with Prof. Hoffmann-Nowtny in the *Tages-Anzeiger* on 6 January 1989, entitled 'Immigration pressure is continuing, what can be done?"

Therefore, the problems encountered in the realm of *Asylpolitik* could not be solved in isolation, but only in relation to a simultaneous reconceptualisation of *Ausländerpolitik*. To coordinate the two realms, the report suggested a model for a 'comprehensive immigration regulation' (*Einwanderungsregelung*) which could eventually lead to an over-arching 'actual migration politics' (*Migrationspolitik*) (ibid. 9-10).

According to this model, the Federal Council (or the parliament) makes a 'migration political decision' every two years in relation to the permanent foreign population (Permanent Residents, Annual permit holders), as well as in relation to the temporary foreign population (that is, seasonal permits, short term permits, border commuters, asylum seekers[24]). In relation to the permanent foreign population, the Federal Council sets an 'immigration quota' for newly entering *Ausländer* on permanent permits based on the number of departures and other economic and political considerations. Similarly, a quota is set for the total number of temporary foreign migrants to be given permits in the next two year period. This model would allow more flexibility and room to move for the authorities. The report also anticipated a slow rise of the foreign population and an eventual stabilisation in the long run, as long as there was a societal consensus (ibid. 90).

In the specific area of asylum seekers, the report made a whole range of additional suggestions in order to make the assessments of the refugee applications more efficient, transparent and more legitimate. For instance, it suggested the creation of an actual Office for Refugee Affairs, an appeal instance independent of the administration (thus, making decisions more legitimate and more likely to be accepted by the applicant), the introduction of the new status of temporary refugees of violence for persons from war areas, refugee quotas (*Kontingent*) for refugees to help in emergencies, increased border controls, and also a decrease in welfare payments for asylum seekers in order to make Switzerland 'less attractive for migrants' (Strategy Group 1989:68)

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[24] Unlike the statistical practice at that time, the report suggested to include asylum seekers in the category of 'temporary foreign population'.

As the report begins to speak of *Migrationspolitik* and the setting of *Einwanderungsquoten* (immigration quotas) for new permanent residents, it may appear that it moves away from the foreignisaton process. However, at a closer look, the report is still caught within the foreignisation paradimg. To begin with, the terms of reference included the principles of the general *Ausländerpolitik*, in particular the 'aim of stabilisation' (ibid. 15) and the maintenance of a 'balanced ratio' between the Swiss and the foreign population' as enshrined in the decree about the limitation of the number of Ausiäder (BVO) (ibid. 43). This also included the stipulation that new permits would only be issued to *Ausländer* from 'traditional recruitment areas', which referred to Europe, excluding the Eastern Bloc states and Turkey, but also included the USA and Canada (ibid. 44). In its discussion of political 'fields of tension', the report acknowledged the tension between the needs of the economy and the 'fear of *Überfremdung*, the concern for the maintenance of the social peace and a national identity, the limits of integration options and more recently also demographic and ecological concerns.' (Strategy Group 1989:54). In its discussion of ecological issues, it concluded that 'From an ecological point of view there is little room for immigration to Switzerland, unless corresponding changes in behaviour occurred.'(ibid. 41).

Finally, the report acknowledged that when granting protection to asylum seekers 'in reality the skin colour of the asylum seeker plays a role which should not be underestimated' (ibid. 55). 'An asylum politics, which does not allow a consideration of the origin of the asylum seekers, amplifies this societal process of suppression.' (Strategy Group 1989:55). Moreover, in order to limit Switzerland's 'attractiveness for migrants' who use the asylum seeker path to enter the country, the report suggested to limit working permits to asylum seekers from 'certain countries of origin' (Strategy Group 1989:69). These ominous, but still vague passages appeared to open the door to an explicitly discriminatory state policy on the basis of 'race' or national origin for both labour migrants (only from traditional recruitment areas) and asylum seekers (excluding 'certain' countries, and, although the formulation is ambiguous, certain skin colours). Like in the argument which defended the rejection of Jewish refugees in order to

prevent the emergence of a stronger anti-Semitic movement during World War II, the argument implied that individuals of certain 'skin colour' (the word 'race' was not used) should be excluded because of strong popular prejudice.

The report argued that 'asylum seekers and refugees are part of the *Ausländer* in our country' (ibid. 74) and that for 'the attitude of the population regarding foreigner questions the total number of foreigners who are present in Switzerland is decisive' (Strategy Group 1989:74), it drew the area of *Asylpolitik* more within the logic of the foreignisation process.

While the very mention of 'immigration' and 'migration' suggests a departure from the defensive, official notion of Switzerland as 'not an immigration country'[25], the report still suggested a model within the foreignisation model. The policies regarding the entry of new migrants may change, but all migrants were still turned into temporary or permanent *Ausländer*. With hindsight, this reproduction of the foreignisation process, and the almost complete disregard of the European dimension, was to leave the state and the society rather ill-prepared for policy changes in view of closer integration into the EEA or the EC.

The report attracted strong criticism from within the state bureaucracy. The Federal Office of Industry, Trade and Labour (BIGA) publicly and severely criticised the work of the Strategy Group as a threat to the Swiss industry's need for flexibility in hiring cheap foreign workers (Stöckli 1989:223). The Federal Office for Foreigners' Issues (BfA) apparently also sent a secret dissenting report to the Federal Council.(Stöckli 1989:223). Arbenz, the chairman of the Strategy group, claimed that the suggested model failed because of the political resistance by employers, trade unions and BIGA. Nevertheless, some of the suggestions, such as the bureaucratic expansion to establish an actual Federal Office for Refugee Affairs (BFF) and an independent appeals court were subsequently taken up.

[25] The official dictum that 'our country can not and must not be an immigration country' was also restated by radical right-wing groups such as the *Nationale Aktion*, see Hug (1988a).

The report was also criticised by members of the asylum movement. Brog (1989) criticised its evocation of uncontrollable 'streams of refugees' and its subtle construction of a new enemy, namely Islamic Fundamentalism as a trigger for new refugee movements. Gassmann (1989) feared that the subsuming of asylum seeker policy under *Ausländerpolitik* may result in the 'state planning' of the numbers of recognised refugees, that is, a secret quota for the recognition of refugees.

Changing circumstances (1989-1991)

The period between the 1989 report and the 1991 reports was experienced in rather dramatic terms both internationally and in Switzerland. Internationally it marked the unanticipated collapse of 'really existing socialism', the fall of the Berlin wall, the triumphant calls for a new world order and the outbreak of the Gulf War. In Switzerland, a series of scandals shook the normally sedate political atmosphere[26], leading to national political and ideological crises. In 1991, the official celebrations of '700 years' Switzerland revealed a rather ambivalent impression to many people.[27] In line with European trends, the number of asylum seeker applications, which were regularly reported on in the media, continued to rise (see Table 4), reaching the record level of over 40 000 in 1991. Some politicians proposed the use of the army to stop asylum seekers at the borders (Hug 1991a). There was a sense of national crisis, a strong sense that 'things could not continue like this' in relation to asylum seeker migration (Hug 1991a; 1991b) Simultaneously, the increased violence against asylum seekers had led to deaths (Frischknecht 1991). The radical, openly racist groups such as the Patriotic Front began agitate openly in demonstrations and interviews (Härry 1989; Frischknecht 1991). The film 'Journey of Hope' by the Swiss film-maker Xavier Koller, depicting the tragic story of a Kurdish family trying to enter Switzerland illegally over a snowy mountain pass, won a Hollywood award for best foreign

[26] They included a case of ministerial corruption (Kopp affair), of secret surveillance of citizens (the microfiche scandal), and an ill-considered patriotic 'celebration' commemorating the 40th anniversary of the beginning of World War II (diamond celebrations).

[27] During the opening ceremonies of the national celebrations, the police raided a house where Kurdish asylum seekers, whose applications had been rejected, were being sheltered by a Church congregation in Bern (Wespe et al 1991).

language film in 1991 (Ruggle 1991; Sieg 1990). The media also reported on cases of non-violent, illegal support for asylum seekers, notably the case of Margrit Spichtig, a teacher, who was convicted in court (but later the charges were dropped) for illegally hiding Kurdish asylum seekers whose applications had been rejected (von Matt 1991).

In this context of political polarisation and an overwhelmed bureaucracy, two seminal state reports were released, namely the *Report about the conceptions and priorities of the Swiss Ausländerpolitik of the 1990s*, compiled by the Federal Office of Industry, Trade and Labour (BIGA) and the Federal Office for Foreigners' Issues (BfA), in April 1991 and the Federal Council's *Report of the Federal Council about the Foreigners' and Refugees' Politics*, released in May 1991. In contrast to the Strategy Group's report of 1989, these reports had to take into account the potential closer integration of Switzerland into the EC.

Conceptions and Priorities for the *Ausländerpolitik* of the 1990s (BIGA/BFA 1991)
This report by the Federal Office for Industry, Trade and Laobur (BIGA) and the Federal Office for Ausländer Issues (BfA) (1991), informally entitled '*Ausländer* report', was explicitly presented as a comprehensive analysis and reorientation of the *Ausländerpolitik* akin to the BIGA report of 1964 (see chapter 7).

The report re-asserted three 'basic principles' underlying the Swiss *Ausländerpolitik*: First, the Swiss economy depends on *Ausländer*. 'We need Ausländer. [...] Every fourth work place is occupied by an *Ausländer*' (BIGA/BfA 1991:2). Second, the entry of new *Ausländer* had to be limited:

> The national cohesion of the Swiss is a constant challenge because four different cultures and characters (*Wesensarten*) come together. The maintenance of a national and cultural identity makes it necessary that there is a certain numerical balance between the Swiss and the foreign resident populations. A large additional influx (*Zustrom*) of *Ausländer* could threaten the stability of the country and considerably impede the social integration of *Ausländer* (BIGA 1991:2).

Third, permanent *Ausländer* should be supported in their integration (*Eingliederung*). In contrast to the BIGA (1964) report which stressed complete assimilation, this report pointed out that integration did not mean that *Ausländer* had to lose their own 'cultural characteristics', nor their original citizenship. However, the report's passages about the integration of *Ausländer*, about the improvement of the legal status of *Ausländer*, and the call for mutual respect and tolerance between Swiss and *Ausländer*, did not reflect an emphasis on the integration of migrants into the Swiss nation. Instead it continued to differentiate and distance the *Ausländer* from the Swiss. Citizenship was discussed briefly, but as a 'last step towards full integration', which is available especially for *Ausländerkinder* of the second and third generations (BIGA 1991:23-24). In this context, it is important to note that the report reiterated the ideas of the BIGA (1964) report that integration would be easier for *Ausländer* who hailed from 'cultural areas (*Kulturkreise*) which are related to us', who understood 'our world of thought'(*Gedankenwelt*) and shared 'our values' (BIGA 1991:27). This notion was used to justify the limiting of new foreign workers to 'traditional recruitment areas' (as spelt out in Art. 8 of the BVO), including Western Europe, Yugoslavia (but not Turkey[28]), as well as the USA and Canada. According to the report, these 'traditional recruitment areas' happen to have 'living conditions similar to ours' (BIGA 1991:49). As we shall see below, this notion became central to the formulation of the future *Ausländerpolitik*.

The report claimed that there had been considerable consensus in relation to core principles of *Ausländerpolitik* in the previous 20 years. It stated that 'We have learnt to live with a high proportion of *Ausländer* (*Ausländeranteil*)' (BIGA 1991:27). This statement turns out to be rather revealing. It clearly indicates that the report regarded

[28] In relation to Turkey, the report (1991:50) stated

> At the beginning of 1990, the question was considered once again whether Turkey should be included among the traditional recruitment areas in the future. The answer was negative because the difficulties in relation to the integration of Turkish citizens in Switzerland are much greater than with citizens from other states of Western Europe.

While such a generalisation and the concomitant national discrimination is very problematic, as we shall see below, suffice to add at this stage that in the late 1980s the largest majority of asylum seekers did actually come from Turkey. In 1987, 53% of all new asylum seeker applications were from Turkey (largely Kurdish minorities).

the presence of *Ausländer* as a result of migration, rather than as a result of the foreignisation of migrants. Moreover, it did not expect a decrease of the high number of *Ausländer* by means of naturalisations. *Ausländer*'s difference was expected to last and be maintained.

The sentences 'We need *Ausländer*' (economically) and 'we have learnt to live with a high proportion of *Ausländer*' (socially) may have been intended as an expression of Swiss gratitude, capacity for collective learning and tolerance. The Swiss *Ausländer* discourse constructs *Ausländer* as economically necessary and as socially tolerable as long as there are not too many.

However, there is a hidden alternative meaning to the two sentences. They illustrate my argument that the foreignisation of migrants and the maintenance of a sizeable number of such *Ausländer* (rather than their disappearance by expulsion from the country, or by naturalisation) has served — more or less successfully (see chapter 9) — to stabilise a chronically unstable Swiss national identification. It is indeed true that the Swiss 'need *Ausländer*', not just economically however, but also in terms of their self-identification. If all *Ausländer* with a permanent residence status were to become Swiss citizens tomorrow, this would have little to no effect on the labour market. In fact, economically, the Swiss do not need *Ausländer*. The Swiss economy simply needs the people who happen to be constructed as *Ausländer* to stay working in their jobs. Thus, economically speaking, the sentence 'the Swiss need *Ausländer*' is in fact wrong. The economy may need more migrant workers, but these do not need to be constructed as *Ausländer*. Thus, *Ausländerpolitik* is not simply a result and a reflection of political economy (Dhima 1991), but linked to processes of cultural constructions. This becomes clear when we look at other effects if *Ausländer* would suddenly turn Swiss.

The sudden disappearance of *Ausländer* from the statistics which bolster the foreignisation process (with its concerns about *Überfremdung*, about balanced ratio, about the control by means of the Foreigners' police, and so on) would seriously affect the self-identification of the Swiss nation. The disappearance of the significant internal

Other, which played such an important part in the identification of the Swiss nation, would take away one important imaginary mirror of the imaginary Swissness.
The true meaning of 'balanced ratio' becomes clear here: it is not so much a concern about too many *Ausländer* swamping Swissness, but of not enough *Ausländer* to balance the sense of Swissness. Similarly, the true meaning of stabilisation, such an important concept in Swiss *Ausländerpolitik* since the 1960s, emerges: it is not just to stabilise the foreign population, but to stabilise the inherently unstable sense of Swiss nation-ness.

'Having learnt to live with a high proportion of *Ausländer*' is meant to express the notion that the Swiss have learnt to live with many migrants from other countries. However, it also expresses that the Swiss have learnt to keep migrants at a certain distance as *Ausländer*. It is absolutely crucial that the statement was <u>not</u> 'we have learnt to live with a large number of migrants', or 'we have incorporated many migrants into our nation', or even 'our nation is made up of migrants from many backgrounds'. If many *Ausländer* could easily become Swiss, the porous nature of Swissness would appear rather alarming from a completely determinist nationalist perspective. Their very maintenance as permanently different *Ausländer*, helps to maintain the permanent difference and distinctiveness of the Swiss nation. Ironically, constructing *Ausländer* as a threat in terms of *Überfremdung*, serves an important role in defending this distinction. Ironically, while the discourse of the Swiss foreignisation process constructs *Ausländer* as a latent threat to the maintenance of the national identity (BIGA/BfA 1991:47), it is in fact the very construction of *Ausländer* as a threat which maintains the national identity.

Thus, 'we have learnt to live with a high proportion of *Ausländer*' can also be read to mean 'we have learnt to live together, with the help of a high proportion of *Ausländer*'.

The report lists a range of challenges faced by the Swiss *Ausländerpolitik* which necessitate a new orientation. They include the growing global migration pressure, increasing influx of asylum seekers (most of whom try to circumvent the strict limits on

labour migration), economic and social critiques of the seasonal status, and especially the challenges posed by the realisation of the principle of free movement of persons within the EC by the end of 1992. The report claimed that:

> Opening our labour market [towards the EC and EEA] is inevitable regardless of the results of the negotiations about the creation of an EEA (BIGA 1991:75).

As the need for foreign labour power could not be expected to be met by Italians and Spanish any more, the Central and Eastern European states, which were coming closer to the EC, could be a solution. This would avoid the need to find foreign labour from 'culturally and geographically further distant countries' (BIGA 1991:75).

In order to maintain the three basic principles of a 'balanced ratio between Swiss and *Ausländer*', further employment of foreign labour, and the control of global 'migration pressure', the report suggested a new model of 'Three Circles'.

For the 'inner circle', the report envisaged a gradual opening of the Swiss *Ausländerpolitik* in relation to the states of the EC and EFTA, culminating in a free European labour market.[29] Restrictions would still apply to the countries in the middle and outer circle. However, highly skilled and qualified personnel from the countries of the middle circle would still be able to have improved access to the Swiss labour market.

The middle circle included countries outside the EC or EFTA, which would function as 'traditional recruitment areas'. In particular, it included the USA and Canada, and perhaps Yugoslavia, Australia and Canada (BIGA 1991:78-79).

The outer circle consisted of all other states. Permits to citizens from these states would only be issued in exceptional cases. The distinction between the middle and outer circle also explicitly related to the distinction between countries that respected human rights and belonged to the 'same (broadly European) cultural circle with living conditions that

are similar to ours' and countries that did not fulfill these criteria (BIGA 1991:80). In particular, the reference to the acknowledgment and respecting of human rights was aimed at excluding those countries from the inner migration circle that were likely to produce refugee migration. Specifically, the report excluded Yugoslavia from the inner circle 'due to state political (given the rapidly growing numbers of asylum seekers) as well as integration political considerations' (BIGA 1991:81).

Moreover, the report stated that

> The presence of a large number of *Ausländer* from further distant states with living conditions, which are very different from ours, threaten the success of the integration policies (BIGA 1991:87).

Thus, completely deterministic arguments were reproduced again, slightly mediated by references to assimilation. In contrast to the BIGA 1964 report (discussed in chapter 7), the integration problems do not arise with citizens from neighbouring countries any more, however, the discourse about culturally different, further distant countries is reproduced in this report.

The 'Three Circle model' meant that *Ausländerpolitik,* or more broadly the foreignisation process, would not apply to citizens from EC and EFTA countries any more, but to all others. Thus, the foreignisation process was to continue, however, it was not to apply to Europeans, to people from the 'same cultural circle with similar living conditions'. As they were going to enjoy unrestricted access to the Swiss territory and labour market how was the key principle of the 'a balanced ratio between the Swiss and the foreign population' be maintained? The report suggested that the opening of the labour market should occur gradually, in order to avoid an uncontrollable influx of *Ausländer* and to allow Swiss regions and various branches of the economy to adjust to the new situation (BIGA 1991:85). Moreover, there should be a protective clause, for instance in a treaty with the EEA or EC, which would allow Switzerland to temporarily limit access to *Ausländer,* in case of a large influx. The report also

[29] Therefore, the inner circle included the following countries: Belgium, Denmark, Germany, Finland, France, Greece, UK, Ireland, Island, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Austria, Portugal, Sweden and Spain.

suggested that the proportion of *Ausländer* could even be increased, if the majority of them did not come from 'further distant' cultural circles (BIGA 1991:85).

The report also suggested that easier access to citizenship could alleviate the situation. However, easier access to citizenship was envisaged mainly for *Ausländer* of the second generation, who 'deserved it, because they grew up here and have been shaped by our living conditions' (BIGA 1991:86). Thus, easier access to citizenship, which was the preferred option before World War I, was not raised in the context of a paradigmatic change away from the foreignisation process, but in terms of the state 'gaining more room to move' in relation to the principle of a 'balanced ratio between the Swiss and the foreign population'. In other words, it appears more as a form of creative accounting, as a statistical trick, in order to placate people and interest groups who are worried about a statistical increase of the foreign population. Not surprisingly, this is precisely one of the arguments put forward by opponents to easier naturalisation of *Ausländer* (see Schwarzenbach's arguments in chapter 7).

Finally, the report stressed the importance of 'improving integration measures' for permanently resident *Ausländer*. In fact, the report regarded these measures as 'most important means of influencing' *Ausländer* of the inner circle, as other control measures of the foreignisation process did not apply any more (BIGA 1991:93). Integration measures were to target both the Swiss and the *Ausländer*. In relation to the Swiss citizens, the report suggested campaigns to inform the public of the size and significance of the presence of *Ausländer*. Most importantly, in the context of my argument, the report also suggested in a single, tentative sentence that in view of the free movement of *Ausländer* from the inner circle, the national self-representation may have to be re-imagined in the process:

> A comprehensive information strategy of the authorities would have to work at least towards a conception of a 'Europe of citizens', respectively a common 'European house', so that we begin to consider the *Ausländer* of the European environment more as part of us [*die Unsrigen*](as is already largely the case with the Italians who live here).(BIGA 1991:94)

This is another particularly revealing sentence. After almost a century of constructing all non-nationals, including those from neighbouring European countries, as *Ausländer* whose numbers needed to be limited and whose behaviour needed to be controlled as they posed a threat to the national characteristics and identity, all of a sudden – potentially within 2 or 3 years – most of Europe's citizens were to be freed of these restrictions. Would the Swiss population accept such changes without feeling threatened? The authors of the report seemed to sense that this abrupt change, triggered by a new assessment of the needs of the Swiss labour markets and the Swiss economy, may not be appreciated by the Swiss population. For the change of policy to be plausible and lose its threatening sense, the Europeans in the inner circle needed to be seen as part of us, rather than as different (potentially threatening) *Ausländer*. Having been reproduced for almost a century, the foreignisation process all of a sudden needed to be 'turned off' in relation to most European citizens, which effectively meant the majority of the *Ausländer* already resident in Switzerland.

While the authors of the report appeared to be vaguely aware of the necessity of promoting a more inclusive attitude towards other Europeans for their Three Circle model to succeed, they appeared to underestimate both the enormity of the task (given the entrenched and long history of the foreignisation process) and the broad implications of such a task. Their own sentence, which I quoted above, indicated that the authors themselves had only travelled half the distance and thus got caught up in a serious contradiction: the authors still called those who were supposed to be 'part of us' as *Ausländer*. Within the supposedly common European house, they still distinguished 'us' from *Ausländer* — a concept which is inextricably linked to the foreignisation process.

The final step which the authors did not take was the re-imagining of the nation, of the Swiss collective identity. In 1991, it was even difficult for the proponents of a free labour market and of a joining of the EC or EEA, to call the Swiss 'Europeans', or even to stop calling other Europeans *Ausländer*. The authors wanted to remove the restrictive and protective regulations of the foreignisation process in relation to some

Ausländer (Europeans in the inner circle), but still maintained the discourse of *Ausländer* in relation to them. We still call them *Ausländer*, but they're part of us. The authors wanted the Swiss to re-imagine the European *Ausländer* as part of 'us', but this was not possible without re-imagining Swissness. The authors either did not grasp this implication or they did not want to address this question of collective identity which has been invested with so much emotional and intellectual energy by the state and society for so many decades. At any rate, they followed their own advice of a 'gradual opening', which resulted in the contradictory half way point. As long as the fellow Europeans were still *Ausländer*, the Swiss could still remain Swiss. However, without the Swiss state controlling European *Ausländer*, the potential of an influx of *Ausländer* must appear rather threatening, given the decades of ubiquitous reproduction of all aspects of the foreignisation process. The fact that the report did not use the terms *Einwanderer* or *Migrant* (migrant), nor the concept of *Überfremdung* would have made little difference.

***Report of the Federal Council on foreigner and refugee politics* (1991)**

Practically simultaneously with the background report by the BIGA/BfA, the Federal Council published its report on *Ausländerpolitik* and *Flüchtlingspolitik*. The report was designed to provide the basis for a new national consensus on policies towards *Ausländer* (both labour migrants and refugees), based on the two reports I have just discussed.

This report represented a significant reformulation and re-orientation of Swiss state policies in relation to migration, along the lines suggested by the BIGA/BfA report. It attempted to solve the dilemma of how to limit and control what it called 'migration pressure' from 'further distant countries' on Switzerland, whilst simultaneously opening the Swiss labour market to citizens of the EC countries in anticipation of Switzerland joining the European Economic Area. Thus, the report attempted to define a 'Euro-compatible *Ausländerpolitik*' (Federal Council 1991:10).

At the same time, the report reiterated the importance of a 'balanced ratio between the Swiss and the foreign population', because the 'number of *Ausländer* is a significant challenge to the national cohesion, which is not easy to maintain given the four different Swiss cultures and ways of life (*Lebensarten*).[30] 'In a nation of the will the living together of different cultures belongs to the basis of the existence as a state' (Federal Council 1991:11).

The report explicitly defined the 'maintenance of national identity' not as a 'state' (*Zustand*), but as a *process*, 'which gives the individual a sense of security (*Geborgenheit*) in the community and provides the necessary space to live (*Lebensraum*).' (Federal Council 1991:10). Thus, in this sense it did not try to pin down a set of 'national characteristics' or of 'constants' any more, but instead assumes changes ('process').

This reformulation of 'national identity' may be linked to the input by social scientists who have stressed more processual concepts of collective identification. However, as we shall see below, it also dovetails with the need to re-image Swissness in view of the aim of an 'optimal integration of Switzerland into the new European architecture' (Federal Council 1991:10).

In this report, the 'maintenance of the ecological basis of our country' was also listed as a basic over-arching principle (Federal Council 1991:10), without any suggestions of how to achieve this. It also acknowledged that the 'resources of our planet are limited'. The report draws an interesting conclusion form this: it argued that therefore an 'extension of the Western living standard over the whole world is impossible' (Federal Council 1991:21) and the wealth difference between poor and rich countries will remain

[30] The notion of 'four different cultures and ways of life' is not based on any empirical research. It simply equates 'language areas' with 'culture and ways of life'. Of course, this equation can be criticised by referring to the substantial similarities of ways of life of most Swiss regardless of language background, and by pointing to other important cross-cutting 'cultural' distinctions, for instance in terms of class, milieu, rural/urban contrasts. However, in a sense, this is not the issue at stake here. In important ways, the ritualistic reference to the 'four cultures' of Switzerland is not so much an expression of Swiss multicultural realities, but a Swiss way of describing the heterogeneity, contested and unfinished character which is the case for any nation.

'immense'. Thus, the Western countries will continue to attract migration by 'people with initiative' (Federal Council 1991:21).

In order to achieve these political and policy goals, the report adopted the "Three Circle Model". As outlined in the BIGA/BfA report (1991), the world was divided into three 'circles', namely:

a) An Inner Circle consisting of the countries of the EC and EFTA. All the common restrictions to *Ausländer*, in other words the operation of the foreignisation process, would be gradually removed from citizens of these countries.(ibid.12)
b) A Middle Circle consisting of the USA, Canada, and 'possibly' some Eastern European countries. Limited recruitment of migrant workers from these countries would be permitted subject to quotas. This would mainly involve the recruitment of highly qualified experts.
c) An Outer Circle[31] comprising all other countries. Citizens from these countries would be excluded from any residence or work permit.

Significantly, in this report the Outer Circle was not just defined in terms of cultural difference, but also in terms of 'wealth difference', that is in terms of its poverty[32]. The Outer Circle contained 'countries that do not belong to the same (in the broad European sense) culture area [*Kulturkreis*] with living conditions similar to our own.' Citizens from the Outer Circle countries were represented as culturally so different and incompatible with 'European culture' that they constituted a significant threat which must be staved off:

[31] The English expression 'Outer Circle' may conjure up associations of 'Outer Space'. This echoes the double meaning of 'alien' as either visitors from Outer Space, or as non-citizens (for example in the USA). In German, there is no literal translation in terms of 'Outer Space' (the term *Weltraum* is used), however the term *außer* appears in the word *außerirdisch* (extraterrestrial).

[32] The report is also an interesting case study in how a) the complex reality in a variety of rather different countries (all subsumed under the 'Third World') and their complex links to global and globalising processes is reduced to 'poverty' and 'wealth difference'; b) this 'wealth difference' becomes to be seen as the underlying cause for 'migration pressure', and c) finally, the expectation that 'wealth differences' will persist in the foreseeable future is used to legitimise strict immigration restriction against the poor and the culturally different. The report also assumes a coincidence of 'poverty', 'geographic distance' and 'cultural difference', which leaves the door open for all sorts of populist and misleading, but convenient arguments about potential causations between these three characteristics. The terms

> Because the maintenance of the national identity and of social peace requires a balanced ratio of Swiss and foreigners, it follows that Switzerland adopt a rigorous restriction policy regarding the other states [in the Outer Circle]. (Federal Council 1991:2).

The report included many other suggestions, including international efforts to 'battle the causes of migration in the source countries', the prevention of irregular migration (ibid. 15) and promotion of integration (Eingliederung) of *Ausländer* (ibid. 18). Again, as in the BIGA/BfA report, the 'information of the public' to promote an 'understanding and tolerance towards other population groups' was given as much priority as the 'integration help' to *Ausländer*. (ibid. 18) In relation to integration, the report stressed again that specific integration measures were required for people 'from other cultural circles'(ibid. 32). The report also included the suggestion of a simplification and speeding up of the naturalisation procedures (ibid. 18).

In the realm of *Asylpolitik*, the report reiterated the will of the government to continue to show international solidarity and protect persecuted and threatened people. Apart from the granting of refugee status in line with international obligations, the report also advocated temporary permits for people, who did not qualify as refugees, but for the time being could not be sent back to their country of origin for humanitarian reasons (ibid. 26). The report also considered the introduction of a new status of 'refugees of violence' (*Gewaltflüchtlinge*), however the government would only contemplate its introduction if other countries followed this step as well (ibid. 26). At the same time it also advocated further attempts to restrict the illegal entry by '*Ausländer* with exclusively economic motivations'. The suggested measures included the targetting of people smugglers, increased controls along the borders and, 'if necessary' a temporary use of the army to support the border police (ibid. 27). Unusually, for the Swiss situation, the report did not advocate new changes to the asylum law or associated decrees, given the various revisions that had already occurred in the 1980s. Instead, it argued for the more efficient use of existing administrative and organisational means. It, however, suggested extending the period during which new asylum seekers can not

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'prosperity chauvinism' and 'prosperity fortress' (Butterwege and Jäger 1993) captures this constellation of assumptions, arguments and policy recommendations well.

work to six months, and called for more countries to be included on the 'Safe Countries' list. Citizens from so-called 'Safe countries' would not be able to access the asylum procedures.

There were a few things which the authors of the report did not do. They did not use the terms *Einwanderer* or *Migrant*, but they did not argue in terms of *Überfremdung* either. They did not consider that the distinction between Swiss and European *Ausländer* needed to be re-imagined. They did not examine whether the proposed policy suggestions touched on Switzerland's national self-identification. The potential migrants from the inner circle were still called *Ausländer*, even though eventually none of the foreignising regulations and restrictions would apply to them (in other words, even though for all intents and purposes they were to be treated like Swiss). The Swiss were not considered Europeans either. The fact that for decades the status *Ausländer* was linked to state restrictions and control did not come into play for the authors.

Almost in passing, the state established a new group of *Ausländer* which are not to be treated like *Ausländer* at all. From the point of view of the BIGA authors and bureaucrats, whose institutional focus was on aspects of labour markets and economic development, it appeared to be a simple, inevitable policy change. Its economic advantages and functionality could and needed to be explained to the wider population.

However, this underestimated the decentring and confusing effect such a policy switch would have on the national identification. It did not take into account the way in which the foreignisation of migrants has been linked to a stabilisation of the Swiss national identification. As any re-interpretation of European *Ausländer* has repercussion on the dominant representations of the Swiss nation, this re-imagining would either be rejected from certain nationalist perspectives, or it would have to be accompanied by a positive re-imagining of the nation. This re-imagining of the Swiss nation was not addressed by the Federal Council's report (1991), and only briefly hinted at in one sentence by the BIGA/BfA report (1991). As we shall see below, this had major political consequences

in 1992, when the Swiss voters narrowly rejected Swiss membership of the European Economic Area.

The 'Three Circle Model' guided the state's handling of immigration for much of the 1990s even though the report was never enacted as a new law. It became particularly relevant politically when Yugoslavia was confined to the 'Outer Circle' in the wake of the civil war, even though Yugoslavia had usually been included in the so-called 'traditional recruitment' countries (Auer 1996).

However, the Three Circle Model repeatedly came under heavy criticism. The 'Three Circle Report' was subsequently not just accused of expressing 'prosperity chauvinism' (*Wohlfahrtschauvinismus*), but also a form of 'new racism' or 'institutionalised racism' (Caloz-Tschopp 1991; 1996). The legal opinion of Prof. Auer was that it violated the International Agreement on the Elimination of all Forms of Racial Discrimination (Auer 1996).

For critics such as Caloz-Tschopp, the novelty of the Three Circle Model was its introduction of cultural-racist arguments into the state discourse. However, I argue that the distinctions into 'related, European cultures' (for which read 'assimilable' *Ausländer*) and 'further distant cultures' (for which read 'unassimilable' or harder to assimilate *Ausländer*) is in fact a reproduction of earlier completely deterministic distinctions in Swiss state discourse. For instance, the BVO of 1986 stressed the notion of 'traditional recruitment countries' and defined them also in relation to the 'similar living conditions' and 'closer culture'. In a sense, the 1990s notion of 'Cultural Circles' continues and replaces the notion of 'traditional recruitment countries' of the 1980s. These distinctions can be traced back even further, namely to the BIGA 1964 report, where the distinction between 'related' and 'further distant cultures' had already been mentioned. The authors of the BIGA/BfA report (1991:27) explicitly referred to BIGA (1964) distinctions and saw there analysis and suggestion in line with, and legitimated by, this thinking. It appeared like a small, logical step to build the discriminations of

the three circles on these cultural distinctions which could be traced over decades of state thinking, during which they had not been subjected to a coherent critique.

While the cultural distinctions and discriminations stipulated by the Three Circle Model could indeed be regarded as 'culturally racist', or at the very least completely deterministic, they were not in fact that new, nor have they newly entered the Swiss state discourse. What was new in the 1990s, was the *critique* of these cultural distinctions in terms of 'neo-racism' or 'racism' (Caloz-Tschop 1991,1996; Lanz 1996, 1997). Complete determinism was not a new phenomenon in Swiss state discourse about the nation and *Ausländer*. The novelty was its detection, identification and critique in terms of 'racism'. This was partially made possible by the theoretical development in terms of 'neo-racism' and 'cultural racism' in France and the UK, which critics such as Caloz-Tschopp were aware of.

These culturalist, completely deterministic distinctions did not only gain legitimacy from being in line with a long established state discourse, but was further legitimated by contemporary social-scientific arguments. This takes us to the fourth report for review in this section.

***Chances and Risks of multicultural immigration societies* (1992)**

The report *Chances and Risks of multicultural immigration societies* was written by the sociologist H.-J. Hoffmann-Nowotny and was commissioned by the Swiss Scientific Council. Hoffmann-Nowotny was also mentioned as one of the experts, which the Strategy Group (1989) consulted for its report. Hoffmann-Nowotny, professor at Zürich University, has been known for his research and publications on migration generally and the situation of *Ausländer* in Switzerland in particular (Heintz and Hoffmann-Nowtony 1969; Hoffmann-Nowotny 1979; 1985). His general research and views have also been reported upon by the media (see his interview by Allenbach and Hug 1989). Hoffmann-Nowotny discussed the main arguments of this report on Swiss TV in 1991, and his report was also widely discussed in the print-media (*Neue Zürcher Zeitung* 1 June 1992; *Tages-Anzeiger* 10 July; *Weltwoche* 16 July).

In this report on the 'chances and risks of multiculturalism' (1991), Hoffmann-Nowotny also made a key distinction between 'European cultural circles' and non-European, or 'foreign-cultural' circles. The problematic starting point of Hoffmann-Nowotny's analysis was his 'integral' or 'holistic' definition of 'culture' as a clearly separated 'shared resource of knowledge' which he closely links with a particular 'structure' (1991:11). Because he operated with the kind of rather essentialist, static and almost completely deterministic concept of culture, which has been variously criticised and rejected in the recent anthropological literature (Kahn 1995), 'multiculturalism' within one society had to be problematic almost by definition:

> If foreign cultural (*fremdkulturelle*) immigrants do not *assimilate* to the *culture* of the immigration society in the long run, the result is a *multicultural society*.(Hoffmann-Nowotny 1992:83)(italics in the original).

Thus, multiculturalism refers to 'cultural separation' and 'the creation of minorities'. It is the opposite of integration. It is likely to lead to social inequality and structural segregation (Hoffmann-Nowotny 1992:88).[33]

Hoffmann-Nowotny argued that the post-War foreign workers from Italy and Spain came from a common 'European culture circle', which meant their cultures were 'compatible' with the Swiss culture which facilitated their assimilation. According to Hoffmann-Nowotny, this and earlier waves of migration brought important innovations and impulses to Swiss society. Hoffmann-Nowotny therefore argued that the old fears of *Überfremdung* and the associated assumptions about the 'very different attitudes' of *Ausländer* (as expressed, for instance, in the 1964 BIGA report) proved to be unfounded.

However, he claims that this positive development sharply contrasts with the current migrants from the 'Third World':

[33] An alternative concept of culture has been proposed by the ethnologist Mario Erdheim. Form him, culture is 'what develops in the engagement with foreignness, it represents the product of the change of

> They can in fact be the potential, which may result in Europe – also in those countries which are not former colonial powers – in multicultural societies, and – I want to stress his again – with incompatible cultures (Hoffmann-Nowotny 1992:26)

For Hoffmann-Nowotny, a 'multicultural society' is a society characterised by the 'permanent desintegration of migrants'. Apart from their assimilation problems due to their 'cultural distance' (Hoffmann-Nowotny 1992:83), the 'new' immigrants face considerable integration problems due to their 'structural distance':

> In relation to *integration*, we have to assume, that purely as a result of the specific characteristics of the countries of origin, there is a considerable *structural* distance between most of the 'new' immigrants and the native population, which can, amongst other things, be expressed in a *low status* (*Unterschichtung*) in the host society and possibly in a *ghettoisation* of the immigrants.(Hoffmann-Nowotny 1992:82-83)

Therefore, no positive impulses can be expected from the contemporary non-European migrants:

> It is hard to imagine that the transfer and implementation of cultures or cultural elements of traditional societies (with mostly agrarian and often semi-feudal structure, which internally is partially oriented towards tribes and clans, perhaps following religions, which have not experienced the reformation and the Enlightenment) into a progressive, democratic industrial and service society, which is secularised and organised on laicism etc., could initiate innovative solutions for problems in these societies.(Hoffmann-Nowotny 1992:75)

Thus, while Noffmann-Nowotny criticised exaggerated fears about *Überfremdung* in Switzerland in the 1960s, he moved straight to warnings about assertion of similarly completely determinist, generalising assumptions and warnings about inassimilabiltity in relation to contemporary migration from 'culturally further distant' countries. Hoffmann-Nowotny argued that the structural and cultural distance which existed between the immigrants and the host society, can 'lead to' structural discrimination and cultural rejection by the host society. This in turn 'often' leads to immigrants' reactions in terms of a renewed emphasis on their cultural identity (for instance, the 're-Islamisation of North-Africans and Turks'). This 'vicious circle' would only be increased, if the Swiss state and society actively promoted a 'multicultural society'.

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oneself through the incorporation of foreignness' (Erdheim 1991:2). Obviously, such a definition has rather different implications for 'multiculturalism'.

Obviously, the arguments of this sociologist neatly support and legitimate the assumptions underlying the Swiss state's 'Three Circle Model'. The combination of a deterministic culture concept stressing cultural alterity and incompatibility[34], a positivist confidence about 'sociological facts' and the reproduction of Orientalist stereotypes about 'Islam' and 'traditional societies'[35] provides powerful backing for the reproduction of the Swiss state's (almost completely) deterministic arguments. Of course, the dividing line is not the Swiss and the *Ausländer*, but the Europeans and the non-Europeans. Not surprisingly, colonial, Orientalist stereotypes can easily be inserted in this renewed argument of European superiority or radical difference. In defense of Hoffmann-Nowotny's argument, it needs to be pointed out that he qualifies his arguments by allowing for the possibility of assimilation, even though it is more difficult for people from 'further distant' culture. However, the over-all impression and effect of the arguments in the state reports and in Hoffmann-Nowotny's report are that in relation to non-European migrants, the pendulum has swung strongly towards the completely deterministic, rather than the assimilationist pole. It certainly ruled out a truly multicultural re-thinking of the Swiss nation along the lines of examples such as Australia (Castles 1996).

SWISS *AUSLÄNDERPOLITIK* AND EUROPE

The re-thinking of Swiss *Ausländerpolitik* and *Asylpolitik* as sketched in the two reports of 1991 was largely based on the dramatic change of Switzerland's situation in relation to Europe. Throughout the 1980s, Switzerland's position outside the EC had hardly been a matter of debate, as the Swiss economy performed exceptionally well. In fact, economic success was one of the key arguments for staying outside the EC and for maintaining what some observers regarded as dysfunctional and anachronistic Swiss institutions (for instance, armed neutrality, direct democracy, the seasonal migrant worker category). In line with the long-established and deeply entrenched foreignisation process, politicians and bureaucrats claimed that Switzerland had to

[34] Such deterministic concepts of culture have a long tradition in anthropology, in spite of recent criticisms (see Kahn 1991; 1995).
[35] See Eriksen (1995:289) for a critique of such generalisations about 'traditional societies'.

maintain tight control over the number of Ausländer, otherwise it was likely to be 'swamped by unqualified workers' and thus 'importing unemployment from the EC' (Hug 1991c). Apart from the those statements by individuals or institutions, the core principle of a 'balanced ratio between the Swiss and the foreign population' and therefore the demand, as well as the promise of vigilance and control by the state were entrenched in the Federal Decree of 1986 (BVO). Moreover, on an even more fundamental level, namely on the level of the *Ausländer* law (ANAG), the 'degree of *Überfremdung*' and labour market competition by *Ausländer* had to be taken into account by the authorities when issuing permits to *Ausländer*.

However, by the early 1990s most major forces within Swiss corporatism changed their position. The government, the main parties, the employer associations, trade unions and the media all supported the joining of the emerging European Economic Area. The EC appeared to gain momentum as a major trading block, especially in view of the implementation of the open market by January 1993. To use a common Swiss metaphor at that time, the European express train was about to leave Switzerland behind. As discussed in relation to the two reports of 1991, the envisaged integration into the EEA demanded the development of 'Euro-compatible' policies which would allow the free movement of people, as well as capital, goods and services. In the course of negotiations with the EC, it became clear that Switzerland would not be able to retain exceptional restriction on the immigration of EEA citizens. Conveniently, new reports by economists and sociologists began to contradict earlier expectations and now predicted no significant increase of migration if Switzerland joined the EEA (Hug 1991c; Gollmer 1992).

The two reports of 1991, which I discussed above, now began, very tentatively, to stress a common European culture. In doing so, they continued earlier distinctions in terms of 'traditional recruitment area' who shared similar living conditions and a similar European culture. This tentative discourse on a common European culture, was, of course, inspired by the perceived need to justify to the Swiss population why the removal of restrictions for EC citizens was of no concern in terms of *Überfremdung* (in

fact the reports studiously avoided this concept). A tentative discursive shift in relation to the nation-*Ausländer* representations was to accompany policy shifts, which effectively began to free European citizens from the restrictive laws, rules and institutions of the foreignisation process.

Crucially, this discursive shift remained partial, and thus extremely contradictory. The reports still referred to Europeans as *Ausländer*, even though, from a legal point of view they were not regarded as *Ausländer* any more. After decades during which the foreignisation process stressed the importance of restricting and controlling *Ausländer*, the government all of a sudden seemed to change its mind in relation to hundreds of millions of *Ausländer* in Europe.[36] Presumably, but this was not spelt out, these European *Ausländer* were not to be seen as a threat in terms of a balanced ratio and *Überfremdung* any more. However, even the government itself and the BIGA/BfA was still referring to them as *Ausländer*.

In terms of the logic of the foreignisation process, which, importantly, was not questioned by the reports, but rather vigorously defended in relation to citizens from the middle and outer circle, this partial shift had to appear contradictory, even alarming. Either the Europeans are *Ausländer*, and their there entry and residence must be subjected to state control to ensure the 'balanced ratio' between Swiss and foreign population. Or, they are not *Ausländer*, and thus are not subject to this control, and do not pose a threat to national characteristics. So who are these people then, if they are not *Ausländer*? Logically, there are two possibilities: either they are Swiss, or we are all Europeans.[37] Both options had to appear rather dubious, even alarming, as they flew in the face of most dominant post-War discourses which celebrated the *Sonderfall*

[36] Thus, within a decade (the 1980s), the foreignisation process' target group switched 180 degrees: before (approximately) 1980, non-European migrants tended to be asylum seekers which were not included in the foreignisation process. The foreignisation process was mainly concerned with Europeans. After (approximately) 1990, non-European migrants tended to be seen as 'economic refugees' who had to be restricted and repelled as part of the foreignisation process, whereas European migrants were now considered to be outside the foreignisation process.

[37] A third option would have been to find a new term for 'European *Ausländer*'. However, the strict dualism of the foreignisation process made sure that there was no such term available and that it was almost impossible to even conceive of this option, let alone find a plausible term that would find broader acceptance.

Switzerland. At any rate, the corollary of this is to decentre or even dissolve 'Swissness'. Not surprisingly, the reports did not take any of these options. The Federal Council's report remains silent on the re-thinking of the Swiss-*Ausländer* distinction. The BIGA/BfA report managed to formulate the puzzling, yet revealing sentence about the need to regard the European *Ausländer* as 'part of us'. The BIGA/BfA report indicated that it was becoming important to imagine a common Europeaness, but saw this as a gradual development for the future. Perhaps, labour market specialists are fundamentally more concerned about economic and labour market impacts, than taking seriously the fears of *Überfremdung* or worries about national identification.

In August and September 1992, the two chambers of the Federal parliament accepted the Federal resolution about the residence and settlement of citizens of EEA states, which closely followed the directions outlined by the Three Circle model. Citizens of EEA states were to gradually gain unlimited access to the Swiss labour market. In order to dissuade any fears of a mass migration, there was to be a transition period, a protection clause (allowing to stop immigration in certain circumstances) and the stipulation that the citizens needed to prove that they had a job in Switzerland (see senate debates in *Neue Zürcher Zeitung*, 26 August 1992; for the debates in the house of representatives see *Tages-Anzeiger*, 29 September 1992). The parliament also managed to adjust the Lex Friedrich (the law limiting the sale of real estate to *Ausländer*)[38] and even to decide on the gradual abolition of the seasonal worker status. This category had long been criticised as particularly discriminatory, and contradicting good Christian traditions of protecting the family, because families were not allowed to join the seasonal workers (Allenbach 1992). Again, relatively suddenly this corner stone of the foreignisation process was dropped during the parliamentary sessions just months before the vote on the EEA. In time for the vote, the economic arguments in favour of the seasonal status (protecting the hotel industry) were transformed into arguments against the seasonal status (unfair subsidies for the hotel industry) (Allenbach 1992).

[38] A study commissioned by the government did not expect any increase in real estate sales to *Ausländer* as a consequence of the adjustment of this law (Hug 1992b).

Again, during these parliamentary debates, there was a distinct sense of urgency in relation to the adjustment of *Ausländer* legislation (Schenk 1992). And, again, the urgency could be interpreted as being brought upon the legislators from outside, this time not from the influx of *Ausländer*, but due to the rapid dynamics developing within the EEA.

In December 1992, the Swiss voters narrowly rejected Switzerland's joining of the EEA (50.3% No votes) (Lienhard 1992). It represented a major defeat for the dominant forces in Swiss society who campaigned in favour of joining, for instance the government, parliament, employer associations, trade unions, media, intellectuals. Christoph Blocher, a millionaire enterpreneur and influential politician of the conservative Zurich section of the SVP (Swiss People's Party), had mounted a strong nationalist, populist campaign against the EEA and the EC (Ramspeck 1992). His speeches (delivered to capacity crowds in hundreds of community and town halls across the country in the months leading up to the vote) had centred on a range of themes: technocratic bureaucracies and governments in Berne and Brussels were out of touch with 'the people' and their policies were undermining national and popular sovereignty. Moreover, unemployment and *Überfremdung* would increase. Fears about mass migration as a consequence of the envisaged open border policy loomed large in these campaigns.[39]

Obviously, the reasons for the outcome of the referendum are complex. However, a survey of voters' motives detected 'mistrust of the government', 'mistrust of the EC', 'loss of independence' and 'fear of *Überfremdung*' as major reasons for the rejection (*Neue Zürcher Zeitung* 1993a; 1993b). The 'fear of excessive immigration' was mentioned on the day after the vote as a major factor (Aschinger 1992b). In other words, it appeared that the referendum on the EEA was interpreted as a challenge to the nation-*Ausländer* representations which dominate within the foreignisation process.

[39] The group 'Action for an independent and neutral Switzerland' (AUNS), led by Blocher, warned about 'mass immigration by Ausländer (EC: 15 Million unemployed!)' in a series of advertisements (see for instance *Neue Zürcher Zeitung*, 13/14 November 1992). Another advertisement was simply entitled '*Überfremdung*, EEA: No' (*Neue Zürcher Zeitung*, 16 November 1992).

While the French speaking part of Switzerland accepted the referendum, it was the larger German speaking part which overwhelmingly rejected it. [40] This outcome is consistent with the fact that Blocher's campaign mainly focussed on the German speaking area (Gross 1992). Moreover, it is interesting to note that the German term *Überfremdung* does not have an exact equivalent in French.

Thus, the state's own discourses and policies on migration and *Ausländer*, as reproduced for decades within the foreignisation process, have contributed to the No vote in the EEA referendum. The more recent reformulations contained in the Three Circle model were too abrupt and too contradictory (or, to put it differently, too half-hearted) to convince a majority of the voters and to alleviate their concerns. It is not my aim to judge whether these fears and concerns of the voters were justified or not. The main point I am making here is that these fears and concerns have been given legitimacy by the state discourses of the foreignisation process.

CONCLUSION

Moreover, the reformulations of *Ausländerpolitik* contained in the Three Circle model failed to take into account an important link which this thesis has stressed throughout. It failed to take into account the intimate, dialectic link between the representation of *Ausländer* and completely determinist and assimilationist representations of the nation. This implies that such a major re-imagining of the category of *Ausländer* also required a major re-imagining of the nation — a re-thinking that contradicted decades of dominant nation-Other representations. Perhaps, the bureaucrats and the politicians were aware of the importance of this link, but deliberately ignored it as it was seen as too hard to achieve in such a short time. Perhaps, they sensed that Swissness depended on *Ausländer*. Perhaps, they hoped the voters would vote Yes now, and adjust the national self-representation later. Alas, this is not what happened.

[40] This opening up of the infamous 'ditch' between the Romands and the Swiss-German parts of the population in relation to their attitudes to Europe had already been diagnosed months before the vote. This was seen as a reflection of two separate discussions in relation to 'Europe', an optimistic French discussion, and a more pessimistic German discussion (Diethelm 1992; Aschinger 1992a).

The Three Circle model attempted to turn the Swiss and some *Ausländer* into Europeans, and the rest of the world into culturally different *Ausländer*. However, the impact of a century of social, political and legal construction of the permanently different and differentiated *Ausländer* could not be undone quickly. Many voters seemed to agree with the state that *Ausländer* were problematic. However, there were new, somewhat confusing questions: who is an *Ausländer*? Are we Europeans? The state may have tried to move the goal posts, but it was still playing the same game.

CONCLUSION

There is a simple proposition at the heart of this thesis: There is a 'foreignisation process' in Switzerland. This deceptively simple proposition has complex implications.

The 'foreignisation process' is a process which constitutes migrants and their children as *Ausländer*. It entails a range of discourses, laws, institutions and practices. It operates on the level of the state as well as of civil society. Considerable intellectual and emotional energy has been invested in this process. Yet, the operation of the foreignisation process has commonly been taken for granted or ignored by Swiss social actors, as well as academics. The process has been so deeply entrenched, institutionalised and hegemonic that it may also be called a foreignisation paradigm or regime. Like a machine, it produces *Ausländer*. Unlike a machine, its operation is masked. It makes *Ausländer* appear as an import, rather than as a Swiss product.

The foreignisation process does not just constitute the *Ausländer*, but also the Swiss. Therefore, this thesis deals with a potentially vast field of research, namely the historical examination of the dialectic links between various representations of the Swiss nation and various representations of the *Ausländer*. Rather than presenting an exhaustive overview of this subject, I have elected to challenge common reductionist categorisations of the Swiss nation as a democratic, multicultural nation-of-the-will which supposedly extends multicultural recognition and tolerance to migrant minorities.

I use historical evidence to show that while the Swiss nation has indeed frequently been represented in civic-democratic terms, rather than in ethnic or racial terms, there have been important alternative representations legitimised by the state. I demonstrate that these alternative representations have been linked to important exclusions, such as Jews in the 19th century and 'foreigners' (*Ausländer*) in the 20th century. Therefore, discrimination and hostility against *Ausländer* in Switzerland need to be understood in relation to these constitution processes, and can not simply be interpreted as deriving from an ignorant or inherently racist or xenophobic civil society.

For this reason, I focus on the reproduction of the foreignisation process at state level and in elite discourses.

In my analysis of these Swiss discourses on the nation and *Ausländer*, I have outlined a rethinking of the influential academic distinction between ethnic and civic concepts of the nation. It is also important to clarify the concepts of racism and *Ausländerfeindlichkeit* (Hostility towards 'foreigners'), which have been used in rather different, often confusing ways, both in academic and public discourses. By employing the concepts 'assimilationism' and 'complete determinism' to distinguish different representations of group relations, I have focused on the complex shifts and metamorphoses of racist, neo-racist/culturalist and functionally equivalent discourses. Furthermore, I have utilised these concepts to reveal important discursive continuities that have remained undetected in other academic analyses. In particular, the concepts of 'complete determinism' and 'assimilationism' highlight the way in which anti-Semitic discursive patterns fed into, and acted as resource material, for the construction of the discourse on *Ausländer* and *Überfremdung* emerging around World War I. The concepts also put recent formulations and policies by the Swiss state, which constitute non-European migrants as 'culturally distant' and incompatible', into a broader historical context than the label 'neo-racist' would suggest .

The key idea behind the broad concept of 'complete determinism' is that in discourses on the nation and its Others, virtually anything (biology, nature, God, geology, history, democracy) can become the factor X, which 'completely determines' and radically separates the characteristics of the nation and the Other. In other words, arguments that use historical determinism or geological determinism can function like racist arguments.

In Switzerland, the deterministic imagination had to search beyond arguments of race, ethnicity or linguistic differences for alternative determining and distinguishing factors, such as history, topography or even democracy. This has been the source of arguments which define Swiss democracy and Federalism as inherent characteristics of the Swiss in order to justify the exclusion of Others, such as Jews or *Ausländer*. In the context of

such completely deterministic discourses, 'direct democracy' does not refer to a political mechanism that may even enable the integration of migrant minorities, but instead refers to an essentialist definition of an inherent Swissness that serves to exclude migrants.

The discourses in terms of *Überfremdung* (over-alienation/over-foreignisation), including its recent metamorphoses which operate without the term itself, have been central to the foreignisation process. This discourse simultaneously constituted the *Ausländer* as a latent threat needing to be controlled by the Swiss state, and the Swiss nation as fundamentally vulnerable and in constant need of vigilance. While assimilation and eventual incorporation of migrants into the Swiss nation is in principal conceived as possible, the 'complete determinism' of the *Überfremdung* discourse constantly undermines or defers this possibility. The result of this foreignisation process has been the production of a permanently disenfranchised and 'differentiated' population of around one million *Ausländer*. The regular reporting of the *Ausländer* statistics in turn fuels the discourse and fears of *Überfremdung* in a self-fulfilling prophecy.

On one level, the foreignisation process appears to serve Swiss interests well. Its assumptions and its implementation in state policy seems to be functional. It has helped to structure policy making in relation to various migrant groups and politically accommodated the competing interests of the Swiss economy and the anti-foreigner lobby (*Überfremdung* movement). Moreover, the constant reproduction of the foreignisation process attempts to stabilise a vulnerable sense of Swiss national coherence and commonality. Ironically, the fear that Ausländer could undermine or swamp the Swiss character and way of life indirectly confirm the notion that there is such a thing as a 'Swiss character and way of life'. Thus, while the discourse of the Swiss foreignisation process constructs *Ausländer* as a latent threat to the maintenance of the national identity (BIGA/BfA 1991:47), it is the very construction of *Ausländer* as a threat which maintains the national identity.

The fact that *Ausländer* are the one group of non-Swiss who the Swiss state can keep under surveillance and control almost predestines *Ausländer* as a stable 'them', and thus as particularly attractive reference point to stabilise Swiss national identifications. This analysis gives the common phrase that Switzerland 'needs *Ausländer*' — usually referring to the economy's dependence on migrant labour — a new meaning.

On a different level, however, the foreignisation process has been far from functional and did not only fail to provide satisfactory policies and a sustained political consensus in relation to migrants, but it also failed to stabilise Swiss identity in an essentialist, deterministic way. It remained an unstable project. The constant re-assertion of its basic assumptions have been accompanied by numerous adjustments to laws, decrees, bureaucratic procedures, and policy statements. *Ausländerpolitik* and *Asylpolitik* regularly give rise to intense political polarisation and a sense of crisis, followed by the almost ritualistic search for new policy directions based on an 'objective' analysis of the status quo. These, however, have in the past remained caught within the assumptions of the foreignisation process, leading to a new cycle of debates and polarisation. The instability and unsettling character of the foreignisation process is partly due to its internal contradictions (for instance, its uneasy oscillation between assimilationist and completely deterministic discourses) and due to the destructive potential of its completely deterministic assumptions in relation to all *Ausländer*, or at least all non-European *Ausländer*.

The concept of the foreignisation process sheds new light on historical and contemporary Swiss state policies in relation to labour migrants and refugees. It puts recent violence against asylum seekers into a broader context. It partially accounts for the rejection or ambivalent attitudes of many Swiss towards the European integration process. It helps us to understand why the concept of multiculturalism has been greeted with so much skepticism. It leads to a rethinking of the common interpretation of Swiss nationalism as civic-democratic and ethnic-pluralist. It helps to further develop recent theories and analytical distinctions in relation to the creativity and strategic agility of racism.

As long as there is a foreignisation process producing *Ausländer*, the integration of migrants and their children into the Swiss nation continues to be seen as deeply problematic in the minds of the Swiss. The operation of the foreignisation process prevents Swiss policy makers, academics and the public from conceiving multiculturalism as a dignified and empowering path of integration for migrants into the Swiss society. This also requires the abandoning of the futile search for completely deterministic foundations for the Swiss nation. The long history of complex links between the representation of *Ausländer* and the representation of the Swiss suggest that this will not be an easy project. How can the Swiss be Swiss without the *Ausländer*?

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