

Ashura in Piraeus
The Performance and Politics of Lamentation
by Shi'a Pakistani Migrants in Greece

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Abstract

Based on fieldwork conducted in 2014 among a Pakistani Shia community in Piraeus, this paper investigates how the commemoration of *Ashura* is displayed in the context of contemporary Greece. Before meeting the participants of this ritual, my aim was to focus on the discourses they would produce about their actions in order to interrogate if, to what extent, and in which ways, they perceive their lamentation for their 6th century martyrs as an enactment of their everyday struggles related to their minoritarian status as migrants in Greece. In this paper, I demonstrate how this initial research question has been challenged by my interlocutors and redirected through the fieldwork process. In order to do so, I reflect on the latter as a 'nexus of performances in which significant communicative events can happen' (Fabian 1999: 24) rather than as a strict collection of data or an ensemble of questions and answers.

Introduction

Drawing on eleven months of fieldwork in Athens and Piraeus (from February to December 2014), my doctoral thesis investigates if, to what extent, and in which ways, migrants and refugees in the Greek capital express grievances related to their minoritarian status through both aesthetic and cultural performances. The historical and political context of 2014 Greece is marked by the rise of the neo-Nazi party *Golden Dawn*, the adoption of several of its main discourses by the former government, but also broader feelings of xenophobia. As a result of this, migrants and refugees -among many others- live under continuous life-threatening conditions. Moreover, the increasing militarization of the external European borders leads to serious human costs: innumerable people die in their attempt to irregularly cross the Greek border.

Inscribed in these conditions, my fieldwork looked at a broad spectrum of performances able to address them, in manifold ways: from devised pieces to street-protests; from theatre plays to memorials; from hunger strikes to religious rituals. As my investigation advanced, a pivotal shift took place: while in the beginning of my doctoral process my central question was about *mourning the 'others'*, in the sense that I was looking at artworks by established Greek practitioners paying tribute to minoritarian subjects whose losses are not officially considered as worthy of being grieved, my ethnographic research switched this focus towards the *'mourning others'* themselves, focusing on migrants and refugees. In this paper, I demonstrate how my initial research question mentioned in the beginning of this text has been challenged and redirected during the fieldwork process in relation to one of my three main case-studies. This is the ritual of *Ashura*, as it has been performed in November 2014 by the Greek Pakistani Shi'ite community at a religious center in Piraeus, next to Athens, Greece.

Contextualizing Ashura

Deriving from the Arabic root *ashr* that means ten, *Ashura* signifies the tenth day of *Muharram*, the first month of the Islamic calendar, but also metonymically refers to the Muharram rituals in general. On the day of Ashura Shi'ite communities around the globe commemorate their martyr and 3rd Imam Hussein. Hussein, the grandson of Muhammad, was defeated and massacred, with almost all his male family members, in 680 CE by the forces of the Umayyad Caliph Yazid near the city of Karbala (South of contemporary Iraq). Determinant in the schism between Sunnis and Shi'as, the battle of Karbala constitutes the founding myth of the latter. The *Karbala paradigm* (Fischer 1981) symbolizes throughout Shi'a history the struggle of the weak against tyranny and oppression and has been repeatedly used for political purposes. It provides the central narrative around which the Shi'as construct their identity -religious *and* political- as a *minority*; mainly in a Sunni-dominated Muslim world but also in migratory contexts.

Since the 10th century, during the Ashura commemorations, Shi'ite communities reenact every year the martyrdom of Hussein through several acts of ritual lamentation (sorrowful narrations and chants, collective crying, chest and head-beating) while the 10th day is marked by public processions including, in some cases, self-flagellation. These rituals have often been used for the purpose of political quietism, by discharging performatively the feelings of oppressed minorities, and comforting the present malaise by the promise of a future redemption. Conversely, in other occasions, the same rituals have been used as keystones of revolt by enacting, through Hussein's martyrdom, the forces of resistance against contemporary oppressive powers.

This politically charged history of Ashura¹ grounded my initial research question about the potential enactment of actual grievances related to migration in Greece through performances of lament. Would my interlocutors connect the battle of Karbala with their risky journey towards, or their everyday experiences in, a hostile capital, at the edge of Europe? Recent studies of Ashura in other Western contexts seem to have answered this question affirmatively. For instance, based on fieldwork conducted in Sydney, sociologist Paul Tabar (2010: 295) argues that

The Ashura Ceremony (...) provides the appropriate context for the above respondents to

1 For a key study on this topic, see Dabashi, H. (2011). *Shi'ism: A Religion of Protest*. Cambridge and London: Harvard University Press.

recall their feeling of victimization and their experience of racism and social exclusion.'

What I would like to highlight in this paper is that, in opposition to Paul Tabar's interlocutors, the people I met in Greece were highly surprised by the connection I was trying to tease-out. In fact, the fieldwork-test of my library-based research question cast it as incomprehensible, if not invalid. But let me first get closer to my case-study, and then come back to the adventures that came out of this dislocation.

Once in the field

My research was conducted at the religious centre *Azakhana Gulzare Zaynab* from October to December 2014. In Urdu *Azakhana* literally means 'Mourning House' and in South Asia the Azakhanas are the places where the local Shi'a communities conduct their *majlis*; the gatherings in which they mourn their martyrs. Situated at a narrow street, in the post-industrial landscape close to the port of Piraeus, this Greek Azakhana has functioned since 2001, but the Ashura has only taken place outdoors since 2004. My fieldwork mainly consisted of attending the *majlis* during the first days of Muharram, but also during the commemorations of other Shi'a martyrs, and during the regular Saturday meetings. When the media look at the Ashura, the greatest attention is usually given to the highly spectacular *finale*; especially to the self-flagellating semi-nude, exoticized male bodies, fool of blood. Conversely, I would like to underline that, despite its importance, this moment is only one part of a much larger process that lasts several days and is inscribed within a yearly religious calendar. Thus, the summarizing description below focuses on my way of approaching the ritual life of the Azakhana through its continuity of several days, rather than through its apex alone.

The *majlis* usually start around 8pm with the collective recitation of Koranic verses. Then three *zakheers*, orators distinguished for both their knowledge of history and their ability to perform it in an efficient and moving way, succeed one after the other at the lectern, giving a speech. Generally, the first part of these speeches focuses on the ethical significance of the Karbala paradigm, as well as on the exemplary lives of Hussain and his family. It is delivered in a sober register and aims to function as a life-long lesson for the participants. In response the latter often shout out enthusiast approvals or other utterances. The second part focuses on the tragic events of the Karbala massacre and aims to move the audience emotionally. In this, the *zakheers*

become gradually very passionate, their voice often broken into sobs, while they sometimes fall into tears. While listening most of the participants cover their faces with their hands, while many of them start to cry. As time passes, the atmosphere gradually gets more intense. At the end of the third speech it sometimes reaches a sort of emotional outburst.

Once the 3rd zakheer finishes, he calls the participants to stand up and start a repetitive chant in unison, in honor of Hussein or other martyrs, depending on the day. At the same time, several men and boys take off their shirts and start doing *matam*, while the rest of the participants join them to varying degrees. The practice of *matam* consists of rhythmically beating one's chest with one's hands, and can vary from simply beating the chest to rising first the right hand towards the sky while stretching the left behind the back, and then landing this hand on the chest while rising the other one. During the *matam*, the participants sing a *nauha*: a lament inspired by the Karbala massacre. *Nauha*'s melody consists of a repetitive base that is transformed to a higher pitch when the *matam* becomes more intense, and comes back again to the basis when the *matam* slows down or stops for a while.

After around 30 minutes of *matam*, most of the participants prostrate themselves on the floor, and then stand-up for the final prayer, turning respectively towards the directions of Karbala, Mecca, and again Karbala. Those semi-nude leave to dress while, just after the prayer, a tablecloth is put on the floor for the communal dinner that will follow: a food named *langar*, dedicated to the memory of the martyrs. As the emotional build-up keeps rising towards the 10th day, with the Azakhana being busier every evening, several individuals delay the dinner-time, remaining speechless for a while or in tears, alone or in groups, while most people eat in complete silence. Gradually, the emotion is discharged.

Rethinking the question

In any case, despite the unconditional hospitality of my interlocutors, this emotional and sensorial charge of the atmosphere was certainly not always ideal for a fastidious doctoral researcher looking for 'data collection'. I tried though to grasp the opportunity when, after one of my first Azakhana dinners, I had a chat with a guy around my age. Having explained to me several issues regarding the meaning of Karbala or the Shi'a doctrine, my interlocutor also spoke to me about his everyday-life in Athens. In this context he mentioned that although he was personally fortunate as he had not been attacked by neo-Nazis so far, many of his compatriots have

recurrently been victims of racist violence. In this regard, we also discussed the assassination of the 27 year old Pakistani worker, Schechzad Lukman, in January 2013 by members of *Golden Dawn*, a case that my interlocutor had actively followed.

'Would you say that there is anything in common between the crimes of *Golden Dawn* and those of Yazid?' I tried to ask, quite naively.

'I do not get this one, how can religion be related to politics?' was the immediate response of my interlocutor. He also rushed to add a significant affirmation: 'Here is not a political organization; it is just a religious center.'

My other attempts to raise this issue in different ways led to similar attitudes towards my question, sometimes with a heartfelt tap on the shoulder, or with the eloquent urge: 'you just need to spend time with us, you need to learn step by step, as the Prophet has received the Koran from God step by step'. I gave up. What is more important, I shut up. Interestingly, it was my silence that encouraged people to speak more with me.

Forgetting for a while my 'research habits', I had to follow the flow of the situation. I also felt that my question was imposing a pre-fabricated and thus questionable reading of my interlocutors' identity, placing them -from a position of power- in the exclusive role of the 'precarious subject'. Thus, I intended to reverse this sort of Olympian observation and analysis -responding in fact more to *what these people are* than *what these people do*- and I became a sort of outsider/apprentice of the ritual. Appreciating my interest for their actions, as well as my timid attempts to try them, several participants came to me and discussed both religious and everyday-life issues.

To sum-up these complex accounts, the people I met did assert the famous Shi'a slogan 'Every day is Ashura; everyday land is Karbala': which was my starting point for the connection between a 6th century battle with the struggles of 2015. That said, my interlocutors do connect 680 with 2015, but only as far as this concerns the actualities of the 'Muslim world'. Although they found my clumsy attempts to establish connections between Hussein's oppressors and the Greek neo-Nazis absurd (somebody even said: 'we Shi'a do not need *Golden Dawn*; we by ourselves trace scars on our backs'), they repeatedly drew parallels between Yazid and current oppressors in the Middle East, Afghanistan, or South Asia, such as the Islamic State or the Taliban. According to my interlocutors, these extremist Sunni organizations deform Islam, and Shi'a populations are some of their easiest victims.

Hence, rather than asking about the possibilities of a lament for a 6th century martyr to enact the eventual everyday martyrdom of my interlocutors in Greece, I have to wonder why this connection is refused or simply not made by the people I

met, albeit established in relation to the world they come from. Far from any pretension of providing premature responses -this is impossible at this stage of the research- I note a couple of potential reasons that are subject to further analysis. Firstly, in a post 9/11 world of increased Islamophobia, further accentuated by the current action of the Islamic State, it does make sense that my Shi'a interlocutors are ready to blame as 'Yazids' the Sunni extremists. This way, not only do they distinguish themselves from a caricatured image of Islam that terrorizes the West, but they make clear that they are themselves its easiest targets. Moreover, the fact that they blame Muslim oppressors, but also they oppose the religious freedom experienced in Christian Greece and the oppression felt in Pakistan where Sunnis are the majority, could also be understood within the framework of their minoritarian status as a reasonable attempt of being assimilated with, and thankful to, their hostile 'hosts'.

Last, but not least, it is quite possible that many of my interlocutors simply did not want to think of their reality while lamenting for Hussein. As classical anthropological studies have shown², ritual time often functions as a suspension -if not a reversal- of the everyday life, rather than as its enactment. This made me realize that my initial approach towards the people I met dismissed the very possibility of them entering a different space and time and suspend, through the lament for their martyr, their current struggles in Greece. As several people told me while we were getting closer to the date of the battle: 'Now all our minds are in Karbala.'

Coda

In this paper, I intended to contextualize one of my three key case-studies in its historical and political background, and to inscribe it within my doctoral inquiry as a whole. My aim was then to briefly present the fieldwork situation in order to demonstrate how, in ethnographic research, it is through this very process that our questions are dismantled and redirected. Unable at this stage to reach any conclusions, I would like to end with a methodological note, perhaps obvious in Performance Studies but still not always admitted in Social Sciences: No matter if, and how, we

² I think specifically on Turner's definition of *liminality* 'as a time and place of withdrawal from normal modes of social action (...) 'a period of scrutiny for central values and axioms of the culture where it occurs (...) one where normal limits to thought, self-understanding, and behavior are undone. In such situations, the very structure of society is temporarily suspended. (Turner 1969: 58)

finally interpret the discussions that we have in the field, it is indispensable to bear in mind that these are not 'data' in the strict sense but the product of a fully performative interaction between the researcher and the people she encounters. Or, as Johannes Fabian once eloquently put it: "participant observation itself can never be a series of questions and answers that are being accumulated, but rather a nexus of performances in which the ethnographer acts [...] as an 'ethnodramaturg' or as a kind of producer or provider of occasions where significant communicative events happen" (1999: 24-31).

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BUREAUCRACY AND THE IMPLEMENTATION OF IMMIGRATION LAW

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ABSTRACT

The realization that the implementation of the law impacts heavily on the achievement of the policy goals turned the scientific interest to the study of Bureaucracy. Till today numerous competing theories have been developed to explain the motives of bureaucratic behavior. The purpose of this paper is to combine non contradictory tenets of these theories in order to create an explanatory theoretical framework for the study of implementation of immigration law in Greece. The way street-level bureaucrats deliver services depends on the way they perceive their role and mission, a perception that is formed by a set of factors inside and outside the workplace. Therefore, bureaucrats implement immigration law in a rather restrictive way when they consider that their main role is to defend national interests and protect their country from unwanted immigrants.

I. INTRODUCTION

Traditional approaches to the study of Bureaucracy, under the influence of the Weberian model, treated Public Administration as a mechanism that applied the law in a neutral and uniform way. Policy success or failure was attributed to the design of the policy. Implementation Research emerged only in the 1970's, when scholars started to show an interest in the relationship between the law and the way it was executed, looking for the causal effects of implementation on the effectiveness of the policy.

Nowadays there is a broad scientific consensus that the interests, preferences and values of the bureaucrats affect their daily work, sometimes up to the point of disregarding the law. The term 'implementation gap' is used to describe the discrepancy between the imperatives of the law and its implementation in practice.

Even though a great volume of literature has examined bureaucratic behavior, there seems to be more controversy than agreement between researchers who disagree on the factors that motivate action, use different methodology and examine different dependent variables. Till today no general implementation theory has been developed.

Drawing on the notion of Winter (2003) that implementation studies should focus on the causes of delivery behavior, this study aims to create a theoretical framework with a view to examining the way immigration law is being implemented in Greece, by synthesizing the tenets from more than one theory. The basic idea is that implementation of immigration law depends on bureaucrats' perception of their role. In the subsequent paragraphs, the basic literature on implementation is being presented at first and the theory-building part follows.

II. LITERATURE REVIEW

Top-down and Bottom-up Approaches

The top-down approach on implementation research highlights the importance of policy design and the law itself as the keys for policy success, by assuming that, after policy objectives are being set by the law, implementation will be linear (Schofield 2001: 250). Top-down researchers (e.g. Mazmanian & Sabatier 1983), in their quest to provide a framework for implementation from above that meets the purpose of the law, declare the politicians, who set the policy goals, as the dominant actors of the implementation process. Successful implementation depends on the existence of a hierarchy which communicates these goals as well as on mechanisms that ensure the compliance of the staff.

The “bottom-up” approach criticizes the inability of the top-downers to capture and explain the role of the field workers, who are conceived to be the actual implementers of the policy. Lipsky (1980) studied the behavior of the front-line staff of Public Services who interact directly with the public and enjoy substantial autonomy (discretion) in the execution of their work. He argued that ‘street-level’ bureaucrats face increased demands for their services, yet limited resources; for that reason and in order to manage the negative aspects of their job, they use their discretion and develop coping strategies that eventually impede the accomplishment of policy objectives.

Lipsky provided a useful insight into the behavior of street-level bureaucrats and its causes. His explanatory framework has certain weaknesses, as not all the factors that affect bureaucratic behavior were adequately explained, such as political ideology and attitude towards the implemented policy and the target-group. Lipsky’s theory has been used by some scholars as a starting point to be expanded. Nielsen (2006), for example, argues that street-level bureaucrats develop coping strategies not only to minimize the negative aspects of their work but also to maximize the positive aspects and the satisfaction they gain from the job.

Economic-related Approaches

Public Choice scholars tried to explain bureaucratic behavior under the assumption of “homo economicus” who acts rationally to maximize utility. W. Niskanen (1971) argued that the interests of bureaucrats are inextricably correlated with the size of the agency and, therefore, budgetary maximization motivates bureaucratic behavior. The underlying idea is that *‘the agency is equivalent to a firm in which the bureaucrats are shareholders, and the better the firm (agency) does, the better-off the shareholders (bureaucrats) will be’* (Rockman 2001: 15). Given that this thesis limits the meaning of utility bureaucrats want to maximize, Niskanen (1975; 1991) himself expanded later this meaning to include non-monetary benefits such as prestige, leisure, business travels, support of the staff etc.

The notion that utility maximization guides bureaucratic behavior has been used as the basis for the development of numerous principal-agent models to explain the relations between the front-line staff (agents) and their superiors (principals). The core idea is the supposed conflict between the principal and the agent and the use of information

asymmetry by the agent as a means of utility maximization (e.g. Bendor et al. 1987). However, the assumption of conflict is arbitrary and unproven. Furthermore, such an approach underestimates any possibility of loyalty to the policy objectives and sees any deviation from the legal framework as an attempt of the bureaucrat to shirk, even though he may simply try to manage the problems that arise.

Institutional Approaches

Some scholars studied the implementation of immigration law in particular under the theoretical framework of neo-institutionalism. Without further elaboration, as it would exceed the scope of this study, they concluded that informal practices have been developed in the Civil Services that allow bureaucrats to disregard the law and expand the rights of immigrants (Boswell 2007: 83). V. Guiraudon (2002) analyzed the bureaucratic expansion of social rights of immigrants in European countries during the 1970's as a tactic that led to a lower organizational cost for the agency.

III. EMBRACING DIVERSITY

As Winter (2003) points out, the embracement of this theoretical diversity can provide a comprehensive understanding of implementation. He argues that scholars should turn their attention to the development of partial theories examining specific factors affecting implementation. The creation of a general theory is a task as challenging as unwelcome, considering that '*generality inhibits precise specification of variables and causal mechanisms*' (Winter 2003: 217). He suggests that there is a scientific interest in the research of the causes of bureaucratic delivery behavior and the explanation of any differences in this behavior, using implementation output as the dependent variable.

Drawing on the idea of Winter on the research of policy output and using findings from the whole spectrum of the literature, this paper will build a theoretical framework adequate for the research of the causes of street-level bureaucrats' behavior while implementing immigration policy, by examining the preferences of the actors, the factors that form these preferences and the way they affect bureaucratic action.

IV. BUREAUCRATIC BEHAVIOR AND THE IMPLEMENTATION OF IMMIGRATION LAW

Many studies on implementation indicate that some of the factors affecting bureaucratic behavior are i) political ideology and opinion about the target group of the policy, ii) the public opinion and iii) the institutional environment. All the aforementioned factors are crucial in the formation of bureaucrats' role perception.

Political Ideology

As street-level bureaucrats are called each and every day to implement the general law to specific cases, they face situations related to values and principles. Thus, it is

inevitable to make 'normative judgments' about what is right or wrong as well as about the adequacy of the policy to protect what they perceive to be right (Maynard-Moody & Musheno 2012). These judgments are formed by the political ideology of the bureaucrats and by their attitudes towards their clients/target group of the policy. Political ideology and client assessment affect the way bureaucrats deliver their services (Keiser 2010).

Conservative political ideology is strongly correlated with a negative stance towards immigration. Furthermore, attitudes towards immigrants may be dominated either by anti-immigration feelings and prejudice (aversion) or tolerance (Gaasholt & Togeby, 1995).

Accordingly, conservative political ideology and negative perceptions on immigrants result in a restrictive implementation of immigration policy.

Public Opinion

Bureaucrats are not elected, yet their behavior impacts heavily on the lives of the public as they are charged to put into practice the law and bring about the results of the policy they implement. Even though street-level bureaucrats, through their interaction with the public, actually shape the knowledge, the understanding and, ultimately, the perception the public has of the law and its consequences, they are not directly accountable to the society. The legitimacy of the Public Administration lies in the pursuit and accomplishment of the collective interests (Peters & Pierre 2003: 2).

Public opinion defines to a great extent what is considered to be public interest. As bureaucrats want their actions to enjoy legitimacy, they take into consideration the general public opinion on the policy and on the target group. This does not mean the bureaucrats consult and follow the polls. As political creatures who live in a society, they know the prevailing public attitudes.

The preferences of the public related to immigration issues are usually restrictionist (Ellerman 2006; Fetzer 2000). If that is the case, bureaucrats also apply the policy in a restrictive way.

Institutional Factors

The institutional environment where bureaucrats work can be of decisive importance for the implementation process. First of all, in every Agency there has been developed a set of norms and informal practices regarding the delivery of the policy, which often diverge from the substantive and procedural legal rules. Consistency with the law is not of particular importance for the bureaucrats who treat the law as one of their many professional norms. According to Feldman (2003: 279) '*law is special in the eyes of lawyers and legislators, but it would probably be wrong to assume that it offers a decisive way of influencing administrative behavior*'. Bureaucrats prefer to comply with the established norms and practices, rather than the law, as they ensure quick and, sometimes, effective resolution of the emerging work-related situations on the one hand and homogeneity in the implementation of the policy on the other.

Moreover, civil servants function in a framework of both horizontal (colleagues at the same rank of hierarchy) and vertical (political and administrative hierarchy) relations. Street-level bureaucrats work in the same environment, face the same challenges with

which they try to deal, have the same experiences and, consequently, they develop shared beliefs (Sandfort 2000). Bureaucrats, especially the newly appointed, prefer to appeal to their colleagues and consult them in order to learn from their experience, rather than acquiring a good knowledge about the law and the relevant procedural rules. The interaction with their peers not only forms anew the opinions and attitudes of the bureaucrats (resocialization effect) but also creates a sense of accountability towards their co-workers (Hupe & Hill 2007) that pushes them to follow the predominant trend within their institution.

Immigration law can be seen as having a regulatory (defending national interests and protecting the country from unwanted immigrants) or service-oriented (allocating rights to immigrants) mission. When immigration control dominates administrative culture and prejudice towards immigrants prevails in the agency, the norms that are developed and channel bureaucratic behavior lead to a restrictive and discriminatory implementation of the law (Alpes & Spire 2014). As Psimmenos & Kassimati (2003: 368) point out *'the official [...] is concerned not with what is legal, but rather with what is the desired framework for immigration control'*.

V. CONCLUSION

Bureaucracies are crucial for the realization of policy goals. The existence of the so-called 'implementation gap' illustrates the need for studies on bureaucratic behavior. An interesting research agenda includes the study of the motives underneath the actions of the bureaucrats and their causal effects on the implementation and, finally, on the effectiveness of the policy. For this type of research and in order to avoid a one-sided approach of the matter it is necessary to create a theoretical framework that combines non-contradictory elements from more than one theory and uses insights from the whole body of the literature.

The policy output is strongly correlated with the perception the street-level bureaucrat has of his role and mission, a perception that is shaped by numerous factors inside and outside the agency. These factors include the political ideology of the bureaucrat and his opinion about the target group of the policy, the stance of the public towards the policy and the institutional environment. Bureaucrats want to implement policies in a way congruent to their political views. They also want to feel that their work enjoys legitimacy and, therefore, they seek for the approval of the public. Finally, the institutional environment is of great importance as it has potentially a twofold impact on bureaucratic behavior. At first, interaction with colleagues may form anew the opinions and attitudes of the bureaucrat in a way consistent to the prevailing culture within their institution. Secondly, the informal practices and norms may result in allowing the bureaucrat to act according to his own preferences (wherever and however these preferences have been formed) and role perception.

The delivery behavior of bureaucrats who implement immigration law in particular is also affected by the aforementioned factors. Bureaucrats who have a conservative political ideology and a negative stance towards immigrants want to implement the law in a restrictive way. This is further reinforced when the general stance of the society is anti-immigrant, as consistency with public opinion provides bureaucratic actions with

legitimacy. An institutional environment that is dominated by prejudice towards immigrants also cultivates anti-immigration feelings and allows bureaucrats to act on these feelings. In general, bureaucrats who think their basic role is to serve the public by defending national interests and protecting their country from unwanted immigrants are more likely to use their discretion in order to implement immigration law in a rather restrictive way.

The research of bureaucratic behavior in relation to the role perception of the bureaucrat may provide a useful insight to the implementation of immigration law. However there is a need for more studies examining other factors affecting delivery behavior, for an in depth understanding of the implementation of immigration law. The importance of this matter is crucial for a country like Greece that needs to manage a significant immigration flow and stock.

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Title: The Securitization of Female Migrant Domestic Labour in Greece since the 1990s

Abstract

Greece has been dominating the news agenda in the past few years mainly because of the political developments with regards to its economic crisis. Due to its Eurozone membership matters of national policy are being critiqued and evaluated in relation to their European Union merits. In recent years migration in Greece has been framed as a European problem due to the country's geographical position as the European Union's external border. The changes on the patterns and trends of migration due to the crisis, the subsequent changing political national agenda on migration and its political utilization as part of the country's foreign policy tactics to exercise pressure towards Europe have raised concerns on the effects these developments will have for the national population, the European Union and migrants themselves. As such research on the relationship between the humanitarian concerns on migration and the role of migration policies in addressing them has become prevalent especially for the more invisible migrant groups.

Introduction

The purpose of this paper is to argue for the need of further research on Greece as a migrant host country and the choice of female migrant domestic workers as the focus of this case study. Starting by providing an introduction on the case of female migrant domestic labour in Greece I aim to draw the basic characteristics that set the case of Greece apart on an international level. Having identified these characteristics I will then move to the second section to discuss the choice to situate this project in the sub-discipline of Critical Security Studies and the choice of the Copenhagen School's securitization theory as the basis for the development of my project's theoretical framework. I will do so by providing an overview of the different ways various disciplines within the social sciences have theorized female migrant domestic labour.

Greece as a Host of Female Migrant Domestic Labour

This project is a case study on Greece as a host country for the group of female migrant domestic workers. The aim is to explore this migrant group's experienced inequalities and vulnerabilities within the specific national context. Research and political attention has been drawn on domestic labour as an occupation as much on national as on international levels mainly because, as established by the 2011 ILO 'Domestic Workers Convention',

'domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged

communities and who are particularly vulnerable to discrimination in respect to conditions of employment and of work, and to other abuses of human rights' (ILO, 2011)

Despite the mutuality in the conditions through which domestic labour has emerged as a labour sector on a global level and the subsequent commonalities in its trends, patterns and basic characteristics Greece has stood out as a case on both political and academic levels due to the comparatively higher levels of political illegality that characterize the experiences of this labour group in Greece. Illegality and the extreme conditions of political, social and economic vulnerability that migrants in general (Baldwin-Edwards, 2002; Cavounidis, 2004; Hatziprokopiou, 2005; Kolovos, 2003; Lamprianidis and Limperaki, 2001; Marvakis, Parsanoglou and Pavlou, 2001) and female migrants in particular (Anderson, 2001; Liapi, 2008; Lyberaki, 2008; Riga, 2007; Topali 2001; Vaiou, 2006) experience in Greece have been researched and documented on both national and international levels. Within this national and international body of work the experiences of migration have been extensively linked with illegality and the absence of responsive migration policies. As it was argued by the OECD the main problem Greece has been facing its inability to find '*a way to bring migration legislation into line with the facts on the ground*' (OECD, 2005).

On 22nd December 2008 Konstantina Kuneva, a Bulgarian legal female migrant working for a cleaning company in Greece, was attacked with sulphuric acid by unknown men as she was leaving work late at night. Her attackers apart from pouring the acid on her body forced her to drink a significant amount causing external and internal damage. Due to the extensive damage she is still undergoing significant surgeries and treatments. At the point of the attack Konstantina Kuneva was the Secretary of the Attica Union of Cleaners and Domestic Workers and a spokesperson fighting to improve the basic working conditions and safeguard their basic labour rights in their workplace. The attack came after a period of tension between her employer and herself and anonymous telephone threats (Protagonists, 2009; The New Folders, 2009). The police investigation the incident was labelled as a domestic/family violence case contradicting testimonies of family and friends through which one of the attackers was identified as a police officer. Despite the inconclusiveness of the police investigation in July 2013 the Piraeus First Instance Court ruled in favour of Kuneva in a trial against her former employer Ikomet deciding that they are morally liable for her attack. The basis of the ruling was:

1. the experienced hostility within the workplace stemming from Kuneva's trade union activity
2. her late night working hours which had been one of the safety concerns Kuneva had been brought to the attention of her employers the months prior to her attack (Mindova, 2013).

The case attracted a significant amount of publicity both nationally and internationally not just as a newsworthy story but also as a representative example of the humanitarian concerns of migration in Greece used with the aim to raise awareness regarding the experienced inequalities and vulnerabilities of migrants in the country. At the core of Kuneva's case lay questions with regards to the implementation of migration policies and the political substance of migrant legalization since the involvement of Kuneva in the Attica Union of Cleaners and Domestic Workers as a secretary and the exercise of her rights as a legal economic migrant were perceived as a 'threat' from her

employers and have been portrayed through testimonies of co-workers, friends and family as the igniting factors behind the threats and the incident (Protagonists, 2009; The New Folders, 2009). Unlike the majority of female migrants that are informally employed as domestic workers in households in Greece, Kuneva was one of the few legal female migrants employed in the national formal economy. In a country with strong trade union activity as a migrant Kuneva's collective bargaining rights and her politically established legal status did not provide her any legal nor physical protection and were perceived as a threat to the national social cohesion.

Due to the absence of an '*open door policy*' (ILO, 2014: 7) experienced inequalities, vulnerabilities and the subsequent violation of the migrants' basic human rights have growingly been associated with migrant illegality. Inclusive migration policies and the human rights discourse have been acting as a tool to both monitor inflows but also to establish and protect the rights of legal migrants. The case of Kuneva and contemporary research on the case of Greece provide evidence that the status quo of legal migration itself is experienced as a national threat not managing to protect the constitutionally safeguarded basic human rights of even legal migrants.

The Director-General of the International Labour Organization recently argued that migration is inherently linked to controversies stemming from the competing economic, political and social interests (ILO, 2014: 3). In that sense the legalization of migration has to be seen as a project that acknowledges and reconciliates these different interests. The aim of this project is to join the discussion with the part of the literature that looks into the development of migration policies and through the case of female migrant domestic labour in Greece trace the different conflicting elements between '*reality and perceptions*' (ILO, 2014: 4) that question the political, social and economic value of migration policies and jeopardise their implementation.

The Globalization of Female Migrant Domestic Labour and Securitization Theory

Historically domestic labour has been documented as a low skilled, low class supporting "service" subjected to no legal protection or labour rights and as Bridget Anderson and Raffaella Sarti have argued an occupation associated with slavery, '*colonial or imperialistic policies*' and class divisions (Anderson, 2000: 128; Fauve-Chamoux, 2004; Sarti, 2008¹). Within the current social, economic and political setting domestic labour, being performed in the apolitical, unregulated and engendered private sphere, has emerged as part of the peripheral economy of states to support the reproductive labour needs of the capitalist system (Agathangelou, 2004: 3). Even though monetarily outsourced, domestic work has maintained its undervalued, underprivileged and marginalised status. Due to this status and the engendered character of the activities of the private sphere the occupation has remained unpopular amongst nationals and has emerged as a female migrant occupation. The new distinctive dimensions of this phenomenon have attracted the attention of scholars from various fields within social sciences, such as women's studies, politics and international relations and migration studies.

¹ in this chapter Raffaella Sarti takes a historical and sociological perspective on the historical continuities in relation to the globalization of domestic service

Migration theorists frame female migrant domestic labor, as Lutz has criticized, as *'just another market relationship, created by the so called 'supply and demand' balance'* (Lutz, 2008: 1) and provide an analytical interdisciplinary basis for the study of female migrant domestic labor as an occupation. Drawing upon the disciplines of anthropology, demography, economics (Zimmermann, 1996: 96), history, law, political science and sociology (Brettell, and Hollifield, 2000)² and adopting rationalist and structuralist theoretical approaches they look into it as an economic phenomenon whose basic characteristics of irregularity and informality align with the universal characteristics of the globalization of economic migration and the flexible and unregulated employment of migrants from peripheral states by developed states in low skilled and low waged occupations (Kritz and Keely, 1981: xiv). Feminist scholars criticize the field for failing to offer theoretical tools for the study of the role of gender in determining and affecting migration patterns as well as in shaping the experiences of female migrants as both independent agents as well as family followers (Bujis, 1993; Curran and Rivero-Fuentes, 2003; Glick Schiller, Basch and Blanc-Szanton, 1992; Kofman, 2000; Lutz, 2002; Mahler and Pessar, 2006).

The interest within sociology, and specifically within feminist scholars of the discipline (Anderson, 2000; Dahl, Keranen and Kovalainen, 2011; Ehrenreich and Ar. R. Hochschild, 2002; Isaksen, 2010; Lutz, 2012; Walby, 1986; Walby, 1988; Walby, 1990; Williams and Gavanoas, 2008), on female migrant domestic labor stems from the sociological dimension of the particularities of domestic work as a labor sector and its engendered character (Anderson, 1997; Cox, 2006; Lutz, 2008; Schrinzi, 2008). Due to the sociological value of reproductive labor and the sociological element in the performativity of reproductive activities, *'domestic work is not definable in terms of tasks but in terms of a role which constructs and situates the worker within a certain set of social relationships'* (Anderson, 2000: 21). Domestic workers are bound by a social contract rather than an economic in the conduct of domestic work. For sociologists domestic labor is a labor sector that has a story to tell about:

- the sociopolitical context within which the demand and the supply of this labor sector are emerging in each national context
- the power the different regimes - gender regimes, care regimes and migration regimes (Lutz, 2008: 2) - exercise on the production of the occupation, in shaping the conditions of migration, the trends and patterns of migration and the experiences of migrants on a micro level (Lutz and Palenga-Mollenbeck, 2011)

Sociologists touch upon the role of the state over the production of domestic labor as a female migrant occupation through the discussion of the regulatory authority of states over the care and migration regimes. The problematization of female migrant domestic labor from scholars in politics and international studies has emerged on two levels. Given the universality of the neoliberal capitalist organization of socioeconomic life and the embeddedness of patriarchal structures in the capitalist system both the demand and the supply of female migrant domestic labor are shaped by different ends of the same structural forces. For migrants the ways care regimes are regulated have an immediate effect on the access of female migrant domestic workers to labor rights since as domestic labor emerges as part of the periphery economy that access is compromised

² the authors offer a very good matrix that summarizes the research questions, methodologies, dominant theories and hypothesis for every discipline engaging

(Anderson, 2000: 19; Williams and Gavanas, 2012: 13; Zimmerman, Litt and Bose, 2006).

The second level is the security level and the management of migration regimes. The involvement of migrants nationally consists a threat to the sovereignty of the host states (Sassen, 1996). National identity plays a pivotal and explicit, in regulations, role in determining state membership and access to national structures and rights. The processes of the securitization of migration consist a distinctive state agenda and exercise parallel power to migrants (Buonfino, 2004; Ceyhan and Tsoukala, 2002; Huysmans and Squire, 2010; Munck, 2009; Ugur, 1995). Feminist scholars, such as Ruth Lister and Saskia Sassen, add to the discussion by engendering the theorization of state membership and citizenship. State membership and citizenship protect and facilitate the right for social reproduction. Migrant *'women are often targeted as one of the racialized, sexualized threats to nation-states' "security" and to a nationalist self'* (Agathangelou, 2004: 2)³. Within security regimes female migrants are expected to experience double marginalisation due to both their gender and migrant identities (Lister, 1997a; Lister, 1997b; Lister, 1998; Lister, 2003; Lister, Williams, Anttonen, Bussemaker, Gerhard, Heinen, Johansson, Leira, Siim, Tobio and Gavanas, 2007; Sassen, 2006).

The high political illegality that characterizes this migrant group reveals on one hand an unregulated domestic work labour sector as well as the existence of very restrictive migration regimes. Given the alien status of migrants for the regulation of distinctive migrant labour markets *'the state apparatus' still 'deploys a security paradigm to understand and respond'* (Munck, 2009: 6) to the policy challenges of the economic phenomenon. Consequently *'migration is clearly not a purely economic process dictated by market forces but is also a key element in shaping the contemporary politics of culture and the culture of politics'* (Munck, 2009: 5). The choice to situate this project in the sub-discipline of International Relations, Security Studies lays on this specific argument.

Within Security Studies migration as a research area emerged as part of the territorial security agenda of the state reflecting national concerns in relation to the states' power to maintain control over the inflow of migrants (Heisbourg, 1991; Loescher, 1992; Widgren, 1990). The engagement of Critical Security Studies with migration came as a part of the broadening of the concept of security and as a response to the observed reorientation in the politicization of migration. The securitization of migration is now a response to social, economic, political and not just geopolitical disruptions (Ceyhan and Tsoukala, 2002). The choice of Buzan and Wæver's Securitization Theory as the theoretical basis for the development of the theoretical framework of this project lays on the fact that by providing a theoretical basis which frames security as the product of social and political processes it enables the researcher to identify the involved actors, trace the basic premises and arguments upon which this politicization takes place and explore:

- the competing interests within which migration policies are produced
- their effects on the securitized object (Buzan, Wæver and Wilde, 1998: 27; Wæver, 2011: 466)

³ more literature on this Hoogensen, G. and Rottem, S. V., (2004), 'Gender Identity and the Subject of Security', *Security Dialogue*, 35:2, p. 155 - 171

- weaknesses in their implementation and responsiveness

The contradiction between the persistence of the politically recognized on one hand conditions of inequality and vulnerability within which female migrant domestic work operates and the continuing growth in both the demand supply of female migrant domestic workers reveals either the limited availability or capacity of the involved actors and agents to act upon the identified concerns within the existing political and economic structures. The literature doesn't tell us much about whether the experienced inequalities of more vulnerable groups are *'simply beyond control in world marked by more 'intensive' and 'extensive' flows of goods, people, capital and ideas (Held et al, 1999), or they are purposely ignored while at the same time manufactures by states'* (Samers, 2010: 210). This project aims to reflect on that and using Huysman's (1995; 1998; 2000; 2006) argument towards the need for the desecuritization of migration and try and address this political antithesis.

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Paper for the 7th Biennial HO PhD Symposium

Title: Securitisation of Migration in Greece: the role of Europeanisation

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Abstract

There is a growing literature suggesting that the EU's stance towards migration is constituted either by lack of policies or according to Amnesty International by measures resulting or contributing to serious human rights violations. Also, a growing literature on EU's obsession for border over-securitisation raises questions about its existing institutional structures and its role as a normative power. Moreover, the developing and increasing immigrants' influx to Greece, part of the increased migration movement towards the Western world and especially Europe, has created a new map for exploration, analysis and debate in academia and in political circles and formation of laws. Against this backdrop, this paper aims to unpack securitisation processes through the case of Greece. In this transformational process Europeanisation plays a vital role since it triggers a strong interdependence between European policies and policy reformations in Greece.

1. Introduction

Migration has caused concern particularly in the last twenty years and it has been treated as a *new security challenge* by the Western world. The nature of this challenge is not determined by the mass movement of people, which ultimately is not a new phenomenon, but by the fact that migration is included in government documents and depicted in the policies of states and international / peripheral organisations as a security risk.

This particular paper aims to show the role of Europeanisation in the process of securitisation of migration in Greece, which means how Greece has responded in regards to migration to the impact of European integration. Europeanisation will be used as the prism for studying the effects of EU policies on the national migration policy.

The EU has institutionalised and developed various practices and tools, which incorporate migration issues in a securitised context. For example, migration started being converted to a security issue with the Schengen Treaty, which introduced the abolition of internal borders. Moreover, as it has been argued, the development of securitisation is linked to the progress and intensification of European integration (Huysmans 2000).

Regarding the structure of the paper, I will first build a theoretical framework on Europeanisation, then I will briefly speak about some European policies and practices and then I will expand on the Greek legislation and practices, highlighting the impact of Europeanisation.

2. Theoretical points on Europeanisation

Europeanisation deals inter alia with EU policies influence on European countries domestic policies. A widely accepted definition is given by Ladrech in his research on Europeanisation of domestic politics in France. 'Europeanization is an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making' (Ladrech 1994, 17).

The member states adapt to different levels and degrees at EU's influence and its policies, depending on the available domestic mechanisms. As Cowles comments, the domestic adjustment of member states susceptible to the same pressures from the EU takes place through "national colours" where national characteristics continue to play a role in shaping outcomes (Risse, Cowles and Caporaso 2001, 1). The crucial point of this adaptive process is the uncertain institutional change that the consequences of Europeanization will bring about to the country (Risse, Cowles and Caporaso 2001).

Radaelli speaks about the reciprocity of Europeanisation and the two-way effects by saying that 'Europeanization refers to: "Processes of (a) construction (b) diffusion and (c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies' (2003, 30).

3. European migration policy and practice

The abolition of internal borders in conjunction with the new migration flows to Europe contributed to the acceleration of response towards migration overall. In fact, with the Schengen Treaty (1985 - Greece 1992) the abolition of internal frontiers is linked with taking security measures within Europe. Linking the concept of security with the fight against illegal migration is vital for the subsequent stance of the EU on migration policy, which is framed in securitisation terms. Since the Treaty of Schengen and beyond, the connection between free movement and security will be enshrined in all policy documents for free movement, which is always associated with necessary measures (Van Munster 2009, 21).

There are several scholars who have analysed the increasing securitisation of migration in the EU system. This is demonstrated through the applied practices. Van Munster (2009) focuses on the interplay between bureaucratic and political processes and on the construction of fear. Léonard (2010) holds that FRONTEX activities contribute in a great degree to the securitisation of migration and asylum in the EU

4. Greek migration policy: Legal Framework and Practices

Comparing Greece with other European countries, one could easily observe that it has been a sender country and not receiving, in terms of migration and hence had no immigration management experience. It found itself after the end of the Cold War in front of the geopolitical changes unprepared to meet the new challenges. Before the early 90, migration was neither part of the interior and foreign policy, nor was it one of governments' priorities.

There was no previous legislation, except for the law 3275 "On habitation and movement of foreigners in Greece", voted for in 1925 and was applied only for just two years: from 1927 (the year it was ratified) until 1929. The law 4310/1929 "on establishment and movement of aliens in Greece, police control, passports, expulsions and deportations", which replaced the previous law, was in force for more than 60 years, until the early 1990s (Kapsalis and Katsoridas 2004 10). In the 1980s it became clear that the implementation of the above law, which was introduced to regulate the arrival of refugees from Asia Minor, was not enough to regulate the phenomenon of migration and in particular that the influx of foreigners to Greece (Bagkavos and Papadopoulos 2002, 95). 'The increasing migratory pressures of the late 1980s led to the design of law 1975/1991, which was enacted by the Greek Parliament in October 1991, formally applied in June 1992 and which remained in force until 2001'(Triandafyllidou, Marouf, & Nikolova, Greece: Immigration towards Greece at the Eve of the 21st Century. A Critical Assessment., 2009, p. 34).

The complexity of procedures, for example in relation to obtaining a temporary permit and residence permit required by that law, focusing on policing and exclusive management of migration by the Ministry of Public Order at the time show partiality and short-termism in dealing with migration and ignorance about upcoming cumulative problems that would follow. 'This particular policy, which is in line with that of the European Union of that time, reflects a defensive and hostile attitude towards migration flows to the country' (Lambrakis Fatourou and Hainas 2010, 123).

It is important to highlight that migration policies in Greece had to be compatible with the broader European context. For participation in the Schengen system, Greece had to

implement specific legal terms relating to border controls, visa policy and the fight against illegal immigration (Faist and Ette 2007, 23).

The belief of the Greek society and the state for the short-term stay of migrants in Greece is proved by the way of addressing the issue until 1997, when the regularisation happened, which is a landmark in Greek immigration policy. The presidential decrees 358/1997 and 359/1997 inaugurated the first immigrant regularisation programme, which took place in spring of 1998. This programme laid the first foundations in Greece for an institutional framework formulated specifically to deal with immigration (Triandafyllidou, Marouf, & Nikolova, Greece: Immigration towards Greece at the Eve of the 21st Century. A Critical Assessment., 2009, p. 35).

The second regularisation programme starts with the law 2910/2001 titled 'Entry and Stay of Aliens in Greek Territory. Acquisition of Greek Citizenship by Naturalisation and Other Provisions'. Radical reform of the law of foreigners began in 2001 and had been amended five times until 2003 – this was the beginning of the institutionalisation of Greek immigration policy. Despite all the bureaucratic problems and slow processes regarding issuance of migrants' papers, the intention of establishing a more comprehensive immigration policy aiming at the integration of migrants demonstrates the effect of the Tampere Council.

The third regularisation programme starts with the law 3386/2005 'On the entry, residence and social integration of third-country nationals on Greek territory', which is a new effort to facilitate the re-acquisition of legal status by people who held stay permits and had been unable to renew them because they could not prove they had been in employment (Dimitriadi & Triandafyllidou, 2009, p. 26). This law has been revised under Law 3536/2007, "Determining matters in migration policy and other issues falling into the competence of the Ministry of Interior, Public Administration and Decentralization".

In 2008 in an effort to comply with the European Directive 2008/115 / EC¹ changes to law 3386/2005 have been added concerning the duration and conditions of detention of illegally staying third country nationals. 'The immigration law 3386/2005 included several new measures with a view to simplifying the management (issuing and renewal) of stay permits, and incorporating the *acquis communautaire* in the areas of family reunification and long term residence status (Articles 67-69 incorporate the EU directive for the status of long-term residents into the Greek legal order) (Anagnostou & Gemi, 2015).

The law 3838/2010 reflected the intension of the Greek state for entering into a new migration policy era. It granted voting rights in local elections (Ar.14, 17) to legal migrants, who held long-term residence. This law entitles second generation migrants to Greek citizenship (provided that the parents of the children lived legally for five consecutive years in Greece). This change would not last for long, as the Decision 460/2013 of the Council of State² repealed the provisions of Articles 14 to 21 3838/2010 (Ragousi's law), which were

¹ The use of detention for the purpose of removal should be limited and subject to the principle of ...Detention is justified only to prepare the return or carry out the removal process and if the application of less coercive measures would not be sufficient'.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:PDF>

² Council of State Decision, 460/2013, available at: <http://www.ste.gr/portal/page/portal/StE/ProsfatesApofaseis>

deemed as unconstitutional. Thus, the Greek citizenship continued to be based on the "law of the blood» (*ius sanguinis*) rather than the "law of the soil» (*ius soli*).

The new Migration Code (Law 4251/2014) with the title 'Immigration and Social Integration Code and other relevant provisions' regulates matters of entry, stay and social integration of third country. This law incorporated previous Greek laws and EU legislation. With the intension of simplifying the existing migration law scheme, this particular law is significant as it provides a temporary stay permit, which before it was almost impossible, as many people lost their legal status due to delays in the bureaucracy of the permit process. For the analysis of the Europeanisation subject, this particular law is very useful as it fully incorporates the EU legislation. 'The Migration Code introduces important improvements in the simplification and codification of the legal provisions and in fully aligning Greek legislation with relevant EU directives' (Triandafyllidou, Migration in Greece: Recent Developments in 2014, 2014). The categorisation³ follows the relevant European logic for stay permits and the Code transposes into national law the relevant EU directives for family reunification, migration for study or vocational migration of researchers, the Blue Card directive and so on. It also transposes and incorporates into a single text all European directives concerning the migration of students, trainees, researchers, highly skilled worker (Blue Card), and so on (Triandafyllidou, Migration in Greece: Recent Developments in 2014, 2014). The new Code has signs of maturity in the way migration is regarded in Greece and the simplest proof for this is the fact that 'social inclusion' has been added to the title.

EU's requirement for Member States to draw up national action plans every two years underlines the important influence of the EU in the country's internal politics. The preparation of the National Action Plans for Social Inclusion of migrants as a vulnerable population group "are an integral part of the Greek convergence strategy with the EU" (Βουρνά, 2010, σ. 3) and prove the top-down pressure for Europeanisation and development of the Greek immigration policy.

There is growing literature on 'crimmigration' (i.e. merging of criminal and migration law)⁴. This neo-logism suggesting the convergence between criminal justice and migration control systems, although it has emerged in the U.S., it is relevant to the migrant detention matters in the EU and its member-states. Law scholars focusing on human rights have pointed out the increase of migrants' detention under administrative law in the last decade. Cornelisse states that 'the institutionalised practice of immigrant detention has become an inherent part of a policy package that has as its main aim to deter future migrants and to remove those already on national territory as rapidly and effectively as possible' (Cornelisse, 2010). The EU Returns Directive⁵ had an impact on the period of detention, including Greece, which extended the maximum detention stay. 'Although it could be argued that the Return Directive

³ Different types of stay permits are organised into six categories: stay permits for work or professional reasons; temporary stay permits: stay permits for humanitarian or exceptional reasons; for study, training or voluntary work; for victims of trafficking or human smuggling; for family reunification, and stay permits of long duration.

⁴ See for example Juliet Stumpf (2006) 'The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power', American University Law Review 56(2), pp.368-419; Maria João Guia, Maartje van der Woude, and Joanne van der Leun (eds.) (2013) Social Control and Justice: Crimmigration in the Age of Fear', The Hague: Eleven International Publishing.

⁵ Directive on common standards and procedures in member states for returning illegally staying third country nationals (2008/115/EC) Accessible at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:PDF>

has contributed to a convergence – and overall to a reduction - of maximum detention periods across the EU, the implementation of the legal measures provided within the Directive has had a considerable impact on the extension of detention periods beyond six months, and has brought about the extension of the maximum time limits of detention in ten Member States in comparison with legislation in place before the transposition of the Return Directive' (Manieri & LeVoy, 2015, p. 10). Besides the detention period though, there is a number of issues connecting to the crimmigration in Greece regarding 'violations of the rights of migrants and asylum-seekers occur often have to do with political asylum, expulsion and conditions of detention in special 'reception centres' (Tsitselikis, 2013, p. 423).

5. Concluding Remarks

On the case of Greece, it is important to also highlight the separation between "soft" and "hard" EU policies. The hard policies require the application of the relevant European legislation, whereas the soft are those which create opportunities for change structures in national level. 'Whether domestic actors will seize them depends on the domestic institutional and political context' (Gemenis & Lefkofridi, 2013, p. 11). This is of particular importance for Greece, which adopts all European regulations, but shows difficulty in implementing these, due to internal issues, such as bureaucracy. Regarding policy transfer from the European to the domestic level, the logic of 'soft framing' can facilitate Europeanization. Radaelli states that in cases of directives and other informal rules, compulsory transport policy may not work, nevertheless it paved the way for future changes (Radaelli 2000).

Generally, soft power exerted by the EU through its principles and models can help to change the Greek migration policy - this could potentially mean participation of Greece in a more securitised European territory, a 'Fortress Europe'. Also, 'soft Europeanisation' includes all actions within and around the EU (such as NGOs actions), which do not belong within the regulatory framework, but nevertheless form a part of the interactive process that shapes and transforms the migration policy and surrounding migration ideology.

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