

GRITIM-UPF Research in Progress Session

Tuesday, February 10th, 2015

12.00-14.00

Room 20.287

1. “Old” Natives and “New” Immigrants: Against Territory and History as Kymlicka's Criteria for Granting Group-Rights

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Abstract

Will Kymlicka's account of minorities and their protection is ultimately based on considerations of territory and history. That is, historical and territorially bound “national” minorities can engage in a process of identity- and nation-building whereas immigrant groups cannot. Kymlicka defends this position on the basis of the historical observation that immigrant minorities have neither been able nor willing to take up such a process (Kymlicka, 2001: *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship*. OUP, p. 159). I argue that this empirical fact is insufficient for the normative conclusion it is put to serve. At best, his argument illustrates an artefact of the social, cultural and political make-up determined by “national” groups rather than a genuine expression of disinterest on behalf of the immigrant group. If Kymlicka's ultimate goal consists in the improvement of the terms of coexistence between minorities and a majority, he cannot discard that immigrants do and – in fact – should claim for more rights, potentially even for projects as ambitious as “nation- building”. Furthermore, the argument that there are no other “objective” criteria is not conclusive – desert, capabilities, participation, or need could potentially qualify as alternatives to history and territory in assessing the morality of group-rights. In order to illustrate this claim, a case is made for a thought-experiment by Kymlicka (2001, pp. 160ff.) himself: what if the Chinese in North America followed a nation-building process analogous to the Quebecois?

2. Migration Policies in Argentina Two Points of View: Institutions and Immigrants

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Abstract

The reform of the Argentina migratory legislation introduced over the last few years, has allowed the undocumented situation to normalize for a large part of the non-nationals who reside in Argentina. In spite of these advances, there still persist numerous and serious economic - social and labor problems, of habitat and exercising civil and political rights that, even if they had originated from the way in which the Argentine State and the majority of the population received the immigrants over the last few decades, today, they can only be shown as difficulties in the relation among the three previously mentioned actors. The lack of clarity in the state's solutions, together with the lack of conscience of the state authorities on the peculiarities of these groups, produce new difficulties in the recognition of the demands and negotiations in the area of public policies. In this context, through a qualitative analysis, the research combines the Macro Perspective (Public Policies, State and Policy Makers) with the exercise of citizenship, to study the cases of Bolivian and Paraguayan migration.