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# Who drives migration discourse and in what direction? claims-making and political mobilisation analyses of labor migration in Israel

Adriana Kemp<sup>a</sup>, Rebeca Raijman<sup>b</sup> and Rona Geffen<sup>c</sup>

<sup>a</sup>Department of Sociology and Anthropology, Tel Aviv University, Tel Aviv, Israel; <sup>b</sup>Department of Sociology and Anthropology, University of Haifa, Haifa, Israel; <sup>c</sup>Goethe-Universität Frankfurt am Main, Institute of Sociology Frankfurt am Main, Germany

## ABSTRACT

As labor migration policies increasingly operate at the crossroads of neoliberal political economies, nativist nationalisms and assertive human rights activism, serious debates have emerged about whose logic is setting the discourse on migration issues, in what direction and with what justifications. Yet, while the actors driving the public discourse have been a central concern for scholars interested in the institutional transformation of migration politics, research on the migration discourse and claims-making has largely overlooked them. Drawing on an original data set of 1,300 collective claims on labor migration reported in Israeli print media during 2000–2012, we investigate two aspects of claims-making: the public claims mobilised by state and non-state actors, and the discursive opportunity structure in which they evolve. Our analysis of the claims mobilised by actors situated in different institutional positions and their political framings regarding the control and integration of legal and undocumented labor migrants seeks to fill the gap in the migration discourse literature. We also contribute to recent claims-making and political mobilisation analyses by bringing the actor-driven logic to bear on major debates regarding the institutional politics of migration and examining them empirically in relation to each other.

## ARTICLE HISTORY

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## Introduction

Research on migration discourse underscores the significance of political framings in reflecting and shaping public views, and ultimately, the discursive politics of migration itself. Nonetheless, much of this research has refrained from a systematic analysis of whose claims are driving this discourse, in what direction, and with what types of justifications (Helbling 2014). This research lacuna is surprising considering that debates over who is in control of the movement of people, who is (or should be) responsible for ensuring their rights and social integration and why, are central to public and academic interest (e.g. Lahav and Guiraudon 2006; Anderson 2013).

We focus on the political framings of labor migration in Israel through an analysis of the collective public claims mobilised by a wide variety of state and non-state actors. Based on an original data set comprising over 1,300 collective claims reported in Israeli print media during 2000–2012, we investigate two aspects of claims-making: the actor-driven logic underlying claims and the discursive opportunity structure in which they evolve.

Our purpose is twofold. First, building on claims-making analysis, we attribute each framing and stand to a particular actor in the migration discourse. Our aim is to examine who the *non-media* actors are who are advancing claims *through* the media. We establish their driving logics for opposing or supporting immigration, and identify which frames are advanced more often by whom when justifying their positions (Earl et al. 2004). Second, following Koopmans and Statham's (1999a; also Koopmans and Olzak 2004) 'political mobilisation' perspective, we examine the discursive opportunity structure enabling or constraining the mobilisation of particular frames by particular actors. By utilising a claims-making approach that combines an actor-driven and a structure-focused analysis of migration discourse, we seek to identify the interplay between actors, frames and the broader discursive context in which the framing of labor migration in Israel takes place.

Our study makes several contributions. First, we expand current scholarship on the migration discourse to include the institutional aspects of the actor-driven logic. Scholars of migration discourse have generally used an actor-driven analysis to examine how one particular type of actor such as migrant minorities (see e.g. Koopmans and Statham 1999a) or political parties (see e.g. Helbling 2014) mobilises certain types of claims in the public sphere. We expand the actor-driven logic to include actors situated in different institutional positions across the governmental-non-governmental spectrum, thereby enlarging the types of actors engaged in claims mobilisation and frame formation.

This institutional focus is important because in the last decades, migration politics have undergone major changes prompted by the simultaneous neoliberal privatisation of control and integration functions, the increasing securitisation of migration, the globalisation of the human rights discourse and a neo-nationalist backlash seeking to reassert the sovereignty of the ethnos (Anderson 2013). Thus, migration is not only shaping ideological divisions between right and left but is also strongly impacting institutional dimensions of politics. Our analysis also focuses on actors not only as mobilising claims but also as addressees of claims advanced by others. By looking at who is talking to whom, we provide a more comprehensive and relational analysis of the political field than usually offered in the literature on claims-making.

Second, we also contribute by examining a different set of contextual factors potentially shaping the discursive opportunities and constraints that affect the mobilisation of claims. Most research has focused on cross-national comparisons relying on the effect of citizenship regimes as structuring discursive opportunities on migration discourse (see e.g. Koopmans and Statham 1999a; Helbling 2014). We look at the subfield of migration policy (control and integration), the types of migrants (legal and illegal) and public controversies surrounding them as potential discursive opportunity structures operating at the national level.

Finally, many of the claims-making analyses focus on Western European countries, which, despite differences in the national model of citizenship, are closer to the liberal end of the democratic spectrum. In contrast, we examine how different actors mobilise

claims about legal and illegal labor migration in Israel, described as a non-liberal ethnic democracy (Smootha 2002) where ‘choosing by ethnic origin’ is constitutive of the migration and citizenship regime and therefore, in explicit tension with neoliberal policies pulling non-ethnic labor migrants. To date, research on the Israeli context of labor migration has tended to focus primarily on the mobilisation of claims of one set of actors, either by migrant communities (Rosenhek 1999; Kemp et al. 2000) or civil society actors (CSA) (Kemp and Kfir 2016). Moreover, there is no systematic analysis of claims-making in the multi-organizational field of labor migration as we offer here.

### Labor migration in Israel: between neoliberal and ethno-national politics

Labor migrants constitute a structural feature of the segmented Israeli labor market (Rosenhek 2000). Since the early 1990s, the government has enacted a managed migration scheme of low-skilled migrant workers who work in construction (mainly from Turkey, Romania and China), agriculture (from Thailand), and long-term elder care (from the Philippines, India, Nepal and Sri Lanka). In 2018, the total population of foreign nationals who entered with a temporary work visa was 112,464, 83% of whom retained their regulated status (Nathan 2018, 2). The opening of the ‘front gate’ to invited ‘guest workers’ also opened ‘back doors’ to irregular migrant workers arriving through the tourist loophole. At the end of 2017, their estimated number was 67,700, overwhelmingly from the former Soviet Union countries (Nathan 2018, 2).<sup>1</sup>

Neoliberalism permeates labor migration policies in many ways, resulting in new actors and logics playing in an increasing complex field of migration policies and discourse. First, neoliberalism means the governance of labor migration ‘from a distance’ (Rose 1993). In the Israeli case, governmental actors retain control over permits and quotas but delegate the recruitment, employment and effective control of migrants to private actors and public-private partnerships. Practices include binding the migrant worker to a particular employer or sector, turning a blind eye to the high recruitment fees of broker agencies and persistent reluctance to engage in bilateral agreements with migrants’ countries of origin (until 2012 in all sectors, now in care services). The decentralisation of governmental policies also means that more actors become stakeholders not only in the de-facto implementation of migration policies but also as active participants in the migration discourse.

Second, the institutional logic underlying neoliberal governance relies on the deeper logic of ‘de-responsibilization’ of state agencies for labor migrants’ rights and conditions. Thus, while governmental actors retain control over permits, the de facto incorporation of migrant workers devolves onto private and local actors such as NGOs and municipalities, who are effectively in charge of providing services. Contrary to official national policies aimed at preventing their settlement and keeping their precarious status, municipal agencies and local NGOs have worked to provide public services for undocumented migrants, helping their communities and integrating them as urban citizens (Kemp and Rajzman 2004). Stricter control and deportation policies since 2002 aimed at minimising the presence and weight of the migrant population on Israeli society and its economy have actually doubled the number of migrant aid organisations and expanded the types of services provided by veteran civil-society organisations (Kemp 2019).

Third, neoliberalism is bolstered by clientelist politics between powerful organised sectors and government officials and politicians across the political spectrum. In Israel,

employers' lobbies in the construction and agriculture sectors and broker agencies have managed to influence the allocation of visas and subsidies, repeatedly stymieing substantial policy reforms (Kemp and Raijman 2014).

Finally, neoliberalism relies on utilitarian framings and moral evaluations of migration that often conflict with the ethno-national definition and politics of the state. As an ethno-national regime that draws 'bright boundaries' between Jews and non-Jews, the idea of incorporating migrants who do not belong to the dominant ethno-national majority is perceived as a threat to the defining core of the nation.

Summarising, neoliberal processes and ethno-national features of the Israeli regime have increased the types of actors mobilising claims about migration, raising a host of utilitarian, pragmatic, identity and rights related claims. Yet we lack a systematic analysis of who is driving the labor migration discourse, in which direction and under what justifications.

## Theoretical background

Claims-making and framing are central to the political process and policy-making. Whereas claims-making refers to the discursive articulation of political demands in the public sphere, thus leaving aside more hidden forms of political power (Tilly 2008, 5), framing refers to the normative or ideational anchoring of claims and policies steering the political process (Pennix 2013, 18). The actors mobilising claims from different institutional positions constitute a crucial additional component for grasping the contentious politics of migration discourse.

### *Actors and stands: who drives the labor migration discourse and in what direction?*

The actors driving the migration agenda have been a central concern for scholars of migration politics (Lahav and Guiraudon 2006). This scholarship contains three main debates most relevant for hypothesising the *types of stands* – restrictionist or expansive – that different actors are likely to take when mobilising claims regarding types of migrants and policy sub-fields.

The first debate concerns *the centrality of the state* in steering the direction of migration politics and discourse. Over recent decades, the entangled processes of globalisation, an expanded free market economy and the rescaling of governance have challenged the centrality of nation-states in the management of migration. This situation has led some scholars to argue that neoliberalism has compromised the state's capacity and autonomy to rule over migration. Conversely, others postulate that neoliberal globalisation has pushed states to develop sophisticated forms of intervention, managing migrations through the simultaneous privatisation of responsibility and nationalisation of control (Sassen 2008; Glick Schiller and Salazar 2013).

Much of this debate focuses on the actual policy dynamics underlying the decentring of political power or on their results. However, the debate over the centrality of the state is relevant for understanding the position of governmental actors in mobilising claims in certain areas and refraining from raising claims in others and their stands. Following this line of reasoning, we can hypothesise that the state has not lost its centrality in

setting the migration discourse. Instead, it has segmented its centrality according to subfield, mobilising more restrictionist claims in the subfield of control policies, particularly regarding illegal migrants, and playing a secondary role regarding integration issues. Moreover, following the neoliberal logic of de-responsibilization, we would expect that governmental actors would not feature as the central addressee of the claims-making of other actors.

A second debate pertinent to the actor-driven logic focuses on *the restructuring of power within the state* and its impact on migration policies and stands. According to this line of argumentation, neoliberal globalisation does not necessarily lead to states losing power but to the repositioning of the division of power (Sassen 2008). Key to this debate is the relative degree of activism of the executive, legislative and judicial actors and power struggles 'inside the state' (Rosenhek 2000; Calavita 2010). The literature diverges regarding the key actors leading migration policies and the resulting shifts in the migration discourse towards more restrictionist or expansive stands. On the restrictionist end, we find those claiming that the executive actors are setting a restrictive direction in migration control. Scholars writing on the securitisation and criminalisation of migration are key in proposing that executive actors are blurring the lines between immigration control and integration, and between legal and illegal migrants, as they promote increasingly restrictive stands regarding both areas and types of migrants (e.g. Anderson 2013).

Conversely, others point to the increasing power of the judiciary in setting the political discourse over migration. Joppke and Marzal (2004), for example, argue that a new and broader 'constitutionalism' has emerged, especially in postwar Western Europe, in which courts have abandoned their traditional passiveness toward the political process and taken on the role of de-facto legislator. Research on the involvement of courts and the judiciary shows that they tend to present a potential check on the policing power of the government, mainly by introducing rights-based arguments that protect undocumented migrants. For example, Joppke (2001) argues that national judiciaries' rulings defending migrants' rights in the US, Germany and the EU are more expansionist than popular sovereignty would dictate. Conversely, Statham and Geddes (2006) maintain that although the courts in the UK are a potential check on executive and legislative power, their actions are more ambivalent than Joppke claims (2001, 255). Following this logic, we would expect courts to be more ambivalent in their stands regarding issues of migration control that might weaken the principle of national sovereignty but more expansionist than other branches of government on the integration of legal and illegal migrants.

The third debate relates to the actors whose logic and position drive *the checks and balances behind policy choices* (Lahav and Guiraudon 2006). Based on a pluralistic approach to politics, this debate revolves around the role of organised groups in shaping policy preferences and mobilising claims. Freeman (2006) posits that immigration policies produced by vote-seeking political elites tend to be more responsive to the demands of organised sectors that are dominant economically and politically than to the unorganised, poorly articulated views of the general public. Examples include employers seeking cheap foreign labor that have the resources to collectively organise and advocate for their economic and political interests. While clientelist relations operate mostly 'behind the doors' of the political process, employers mobilise claims in the public sphere when their interests are challenged. Accordingly, we expect employers to engage relatively less than other actors in public claims-making. Given the benefits they extract from the recruitment of

legal migrants in the Israeli context, we also expect them to take expansionist stands regarding the control of officially recruited migrants but restrictionist stands on issues related to integration that might increase the cost of the labor force.

Civil society actors such as human rights NGOs are another significant ‘organized’ sector. Their association with a discourse based on universal notions of personhood that allegedly challenge national understandings of citizenship raises some expectations regarding how they defend labor migrations. Thus, we expect that when CSA are particularly active, we will find more expansive stands regarding the rights and protection of both illegal and legal migrants but also more restrictive attitudes regarding the recruitment of larger numbers of exploitable labor migrants.

### ***Framings and discursive opportunities: how do actors justify their claims and in which circumstances?***

According to Entman (1993, 52), to frame is to ‘select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation and/or treatment recommendation.’ Currently, the literature identifies four main categories of frames: *pragmatic, utilitarian, ethical-political, and moral-universal*.

*Pragmatic or ‘non-ideological’ frames* rely on legal interest and efficiency justifications. Actors who use these frames justify their positions by referring to the workings of the political system such as the capacity of the state to act, state power, and the efficiency of the bureaucracy (Helbling 2014, 26).

*Utilitarian frames* emphasise the actors’ ability to achieve a specific goal, highlighting efficient solutions to concrete problems or dilemmas (Sjursen 2002). Actors legitimize their stands by advancing cost–benefit arguments including competition in the labor market caused by the presence of migrant workers, fear of unemployment and reduced wages and employment opportunities for natives (Helbling 2014, 24).

*Ethical-political frames* rely on justifications rooted in collective ideals, traditions, values, and historical experiences inherent in national communities. These frames emphasise the need for cultural and national homogeneity to uphold an exclusive identity and emphasise perceived threats (national, cultural, demographic and security) and values (racism) (Sjursen 2002, 494; Helbling 2014).

*Moral-universal frames* refer to ‘general principles and universal rights that are claimable and acceptable by everyone regardless of his or her national and cultural identity’ (Helbling 2014, 24). Unlike the ethical-political frames, they are not grounded in the values of a particular community but rely on universal standards of justice, taking into account the interests and rights of others (Sjursen 2002).

The frames that actors use to explain their stands on migration vary according to the broader circumstances in which they mobilise their claims. Koopmans and Statham (1999a) define ‘discursive opportunity structure’ as ideational aspects in the larger political culture that are believed to be ‘sensible,’ ‘realistic,’ and ‘legitimate,’ and whose presence facilitates the reception of specific framings. The underlying idea is that collective actors interact with an inherently bounded discursive environment where elements such as public visibility, resonance and legitimacy structure the diffusion of claims (Koopmans and Olzak 2004). Whether contesting views, reacting to change or tapping into hegemonic

discourse, to be politically effective actors should adapt their framing to the broader discursive field in which they mobilise their claims (McCammon et al. 2007, 746).

Discursive fields can contain more than one opportunity structure. We examine three elements that function as potential discursive opportunity structures: policy sub-field, type of migrants and public controversies around them.

With regard to the first element, the literature distinguishes between control and integration as distinct sub-fields of migration policy endowed with different political logics (Money 2010). The sub-field of control refers to the state's sovereign right to draw a distinction between who is allowed entry into the country and who is not. Debates on labor migration control are mostly based on utilitarian (economic) grounds. The external closure of a border is not only about setting limits to national belonging but also reflects the economic and political interests of collective actors (Helbling 2014).

The sub-field of integration focuses on the conditions provided for the inclusion/exclusion of immigrants and their access to resources in the host society (Hammar 1985). Debates on integration revolve around cultural and moral issues of human rights, equality and fairness in the allocation of societal goods to non-citizens vis-à-vis citizens. Thus, as two different forms of social closure, each sub-field offers a distinct set of opportunities and restraints for claims-making (Helbling 2014).

Second, legal status is a key factor structuring global and local hierarchies of migrants' moral deservingness. Deservingness refers to the ways some groups are considered qualified for claiming access to valuable societal goods on the basis of their attributes (Chauvin and Garces-Mascarenas 2012). Illegal labor migrants are usually seen as illegitimate intruders and undeserving of the rights associated with legal residence (McNevin 2011). Conversely, legal labor migrants are usually seen as deserving restricted rights and are not perceived as a threat as long as they stay temporarily in the country. Hierarchies of deservingness between legal and illegal migrants set different opportunities for claims-making. Following the utilitarian rationale of labor migration schemes, debates on legal migrants are more likely to be framed on economic grounds, while debates on illegal migrants are more likely to be framed using pragmatic arguments about procedures and laws, and ethical and political arguments about threats to national sovereignty.

Third, public controversy can produce, amplify, or dampen claims-making. Whether fuelled by sudden change or ongoing contradictions, public controversies can offer discursive opportunities for collective actors to mobilise frames that address the new context (McCammon et al. 2007, 726). During the decade under examination, there were significant struggles in Israel around official control policies. Between 2002 and 2005, the government undertook massive deportation campaigns. Official discourses marginalising and criminalising labor migrants encountered resistance from NGOs advocating for labor migrants' rights (Kemp and Kfir 2016). Human rights NGOs' claims and the judicial activism that came with them have become part of longstanding socio-political struggles rooted in the tension between the 'Jewish' and the 'democratic' character of the state. Bearing in mind that such controversies may create or inhibit discursive opportunities, we examine their effect on the mobilisation of particular frames by controlling for the year in which the frames are used.

Based on the actor-driven and structure centred perspectives outlined above, we posit several hypotheses regarding their interplay with the framing of the labor migration discourse in Israel. First, given the declared utilitarian rationale of temporary labor migration



schemes and the central role that governments play in their enactment, we expect that governmental actors (the executive, the Knesset (Israel's parliament), and the bureaucracy) will use utilitarian frames more frequently to justify control policies for both types of migrants, and pragmatic frames of procedures and laws in the case of integration. As an ethno-national regime, we also expect that Israeli governmental actors will justify their positions using ethical-political frames (national, cultural, demographic, security threats) more than other actors when justifying their stands on control and integration, especially for illegal migrants.

The courts' framing will vary according to sub-field and type of migration. Regarding control policies, courts will resort more often to pragmatic arguments (procedures and laws), particularly with regard to legal migrants, because they deal with the procedural aspects of control and regulation relevant to these types of migrants. In the case of integration, we expect the courts to rely more on moral-universal frames (especially in the case of illegal immigrants) intended to protect the rights of non-citizen workers.

As advocates of labor migrants' rights, CSA will ground their claims in moral-universal frames on issues of integration for both types of migrants. However, following previous analysis of the NGOs' claims mobilisation, their use of frames (mainly utilitarian and pragmatic) will be similar to those of the governmental actors with whom they interact. CSA are aware that moral-universal frames are not enough when economic or political issues are at stake. Therefore, they develop strategies that resonate with dominant discourses (McCammon et al. 2007; Kemp and Kfir 2016).

We also expect that employers concerned with economic issues and who support economic liberalisation will use utilitarian frames in both sub-fields (control and integration), emphasising the costs and benefits of recruiting labor migrants, both legal and illegal.

Finally, based on the understanding that discursive opportunities and constraints become publicly visible mainly around controversies that emerge in particular periods of time, we hypothesise that we will find differences across years in the actors' use of frames.

## Methodology

We utilise *political claims-making* analysis to examine the public dimension of labor migration politics in Israel (e.g. Koopmans and Statham 1999b; Statham 2003; Statham and Geddes 2006; Helbling 2012, 2014). Instances of claims-making are units of strategic action in the public sphere such as 'political demands, decisions, implementation, calls to actions, proposals, criticisms, or physical attacks, which, actually or potentially, affect the interests or integrity of the claimants and/or other collective actors in a policy field' (Statham and Geddes 2006, 252). We analyze claims reported in the print media to obtain information on the actors' political claims (who is advancing the claim, to whom, and on what issues) and the justifications of their arguments (Earl et al. 2004).

Our source is the Israeli newspaper *Haaretz* (a liberal, center-left quality newspaper) between 2000–2012, a period marking the institutionalisation of labor migration in Israel. Quality newspapers offer information in a detailed manner and report the divergent positions of political actors on specific issues. Our focus is on instances of claims-making by different social actors on issues of labor migration as they are *reported* in newspapers. Therefore, we excluded opinion articles representing journalists' personal views.

We searched the *Haaretz* database and identified 780 articles about illegal migrants and 1,200 about legal migrants. Due to feasibility considerations we could not conduct the study using all of the identified articles. Therefore, we created a probabilistic sample. We used strata sampling, dividing the total number of articles by year (2000–2012), and then conducted systematic sampling within each year. This technique ensures good coverage of articles for the whole period and follows the debates chronologically. The final sample consisted of approximately 400 articles for each group of migrants.

For each article, we coded all instances of claims-making (our unit of analysis) that appeared in the article: 813 for legal labor migrants and 535 for illegal labor migrants.

For each claim, we coded *the actors* who mobilised the claims (actors) and the actors to whom the claims were directed (addressees) using the following categories: *state actors* – executive, legislative (Knesset), other state agencies (bureaucracy), judiciary and local governments – and *non-state actors* such as employers, CSA including NGOs and migrant communities, as well as transnational and foreign actors.

The actors' *stand* according to sub-field and type of migrant were coded as follows: (–1) restrictionist, (0) ambivalent or neutral and (+1) expansionist. We considered a claim restrictionist (–1) when it sought to reduce, restrict or argue against the rights and interests of the migrants. By contrast, we defined it as expansionist when it aimed at increasing rights for or argued in favour of legal/illegal labor migrants.

We coded the frames underlying the actors' justifications as follows: (1) utilitarian (costs-benefits), (2) pragmatic (procedures and laws), (3) moral-universal (humanitarian and human rights) and (4) ethical-political (demographic or security threats, values). Content analysis of the frames allowed us to ground our categories in existing literature on the topic (see Sjursen 2002; Helbling 2014).<sup>2</sup>

To examine the effect of the discursive opportunity structure, we coded the claims according to *sub-field* (control and integration), *type of migrant* (legal or illegal) and *year*. We created an SPSS data file to conduct a quantitative analysis of claims-making during the period covered.

## Findings

### *Who is making claims and to whom?*

This section describes the distribution of claims by actors classified by sub-field (control and integration) and types of migrants (legal and illegal). To have a full representation of the actors involved in the public discourse on labor migration, we focus not only on the actors advancing the claims but also the addressees of these claims.<sup>3</sup>

Table 1 reveals that 68% of the claims are on control issues. Only one-third relate to the integration of labor migrants. This distribution suggests that the Israeli discourse on labor migration is primarily concerned with immigration control, meaning, the regulation, selection and admission of foreign citizens.

Actors differ in their involvement in advancing claims according to sub-field and types of migrants. Differences are evident across types of actors in various institutional positions but also within the same category of actors. For example, a detailed analysis of the degree of involvement in claims-making within the category of state actors shows an intricate picture of debates over labor migration issues 'inside the state' (Calavita 2010).

**Table 1.** Actors by sub-field and type of migrant.

	Control		Integration	
	Legal	Illegal	Legal	Illegal
<b>State Actors</b>	<b>61.0</b>	<b>74.0</b>	<b>37.4</b>	<b>62.0</b>
Executive	35.3	27.3	15.0	20.5
Knesset	5.5	2.8	3.5	4.3
Bureaucracy	13.2	37.4	6.7	16.2
Courts	5.4	6.5	12.2	21.0
Municipalities	1.6	0.5	-	1.0
<b>Non-State Actors</b>	<b>39.0</b>	<b>26.0</b>	<b>62.5</b>	<b>38.0</b>
Civil Society and NGOs	8.4	18.6	50.0	35.0
Employers	29.2	6.6	9.4	1.0
Other*	1.4	0.8	3.1	1.0
N	582	386	254	210

Governmental actors in the executive (prime minister, ministers, heads of committees) are prominent actors mobilising claims in the area of control regarding both types of migration (35% for legal and 27% for illegal migration). The administrative bureaucracy primarily advances claims regarding illegal migration (37% as opposed to 13% for legal migration). This is an expected finding given that the administrative bureaucracy, mainly the Immigration Authority, is in charge of issues related to detention and deportation. If we add both executive and bureaucratic actors, we corroborate the arguments regarding the increasing power of the executive in migration issues and that the state is clearly not losing its centrality in setting the migration agenda (Sassen 2008). Interestingly, the Knesset plays a marginal role in claims-making for both illegal (3%) and legal migration (5%), suggesting that in the Israeli context, labor migration has not become part of the political parties' platforms (unlike asylum seekers).

Table 1 also shows that the courts constitute a relatively small percentage of the public claims in the area of control (circa 6% for both types of migrants), but their share increases in the field of integration, especially for claims related to illegal migration (21%). One possible explanation for the minimal involvement of the courts in the area of control is the fact that although they tend to protect immigrants from the police powers of the state, they also tend to refrain from interfering on border policy issues. As in other places, the courts tread a fine line between advocating an expansionist policy and maintaining human rights, and allowing the state to exercise its sovereignty regarding who enters and leaves the country (Joppke and Marzal 2004).

Among non-state actors, CSA are one of the most important 'organised groups' shaping migration debates (Freeman 2006). However, as the data show, their participation differs according to the sub-field of migration and types of migrants. CSA (especially pro-migrant NGOs) are less involved in the sub-field of control: 8% for legal and 19% for illegal migration. By contrast, in the sub-field of integration they account for 50% of all claims advanced for legal migrants and 35% of all claims for illegal migrants, exceeding any of the state actors' share of claims. These findings reflect how the state has delegated its responsibility for integrating migrants to CSA and their adversarial position regarding governmental migration policies (Kemp and Kfir 2016).

Finally, employers do play a central role in making claims mainly regarding legal migration in the area of control (29%) but are much less involved in the integration of legal and illegal migrants. This is an expected finding, given that the demands of employers

in the Israeli context centre on increasing quotas, especially in agriculture and construction, but are not concerned with migrants' integration.

After mapping the main actors in the field of labor migration, we move to the question of, 'who is talking to whom'? Identifying whom the actors define as the main stakeholder in the discursive politics of migration is important to avoid underestimating the specific actors who react to rather than initiate claims. For example, courts may not be initiating as many claims as governmental actors or CSA because of institutional limitations (courts do not pro-actively make claims but are 'invited' to do so). Yet, they can be important addressees of several actors. Therefore, looking both at the actor and the addressee provides a more accurate picture of the actors involved in advancing claims in labor migration and of their degree of centrality in the public discourse.

Table 2A and B display the distribution of actors by addressees, in both sub-fields and for both types of labor migrants. Given the relatively small number of cases of parliamentary actors in our sample, we could not differentiate among the actors as members of the executive or the Knesset, and decided to collapse them into the category of 'elected state actors.'<sup>4</sup> Whenever there are similarities between the elected and non-elected state actors (bureaucracy), we will refer to them as 'governmental actors.'

The data show that regardless of sub-field and types of migrants, governmental actors are the major addressee for the claims advanced by both state and non-state actors.

The courts are the second most prominent addressee, approached mostly by the bureaucracy, CSA and employers on control and integration issues. In both sub-fields the courts' share as the objects of claims is much higher than their share as the subjects of claims (see Table 1). This result is to be expected, given two major aspects of the judiciary. As an institutional actor, the judiciary is constrained in its ability to initiate claims. However, its likelihood of becoming the target of claims has grown in light of the increasing litigious culture that has taken root in Israel (Mundlak 2007).

CSA actively engage in initiating claims, but their role as addressees is less significant than their role as mobilisers. However, these dynamics differ according to sub-field and type of migration. NGOs are more often addressed by the elected state actors, the bureaucracy, and the courts in the case of illegal migrants, especially in the sub-field of integration, reflecting their activism regarding people without regular status.

### ***What stands do different actors advance according to policy sub-fields and types of migrants?***

To examine whether sub-fields and types of migrants affect the stands of various actors, we estimated regression models for two dependent variables: (1) stands in the sub-field of control and (2) stands in the sub-field of integration. The independent variables were a series of dummy variables measuring type of actor – bureaucracy, courts, CSA and employers, with the executive and the Knesset as the omitted category – and types of migrants (legal=1). To test whether the stands of specific actors differ according to the year in which the claim was advanced, we ran models including year, and interaction terms between actors and years.

The results show that in the model predicting stands in the sub-field of integration, the coefficients for the interaction effects were not significant. Likewise, most of the coefficients for the interaction effects in the model predicting stands in the subfield of

**Table 2.** Actors by Addressees- Legal Migrants.

A												
ACTORS												
ADDRESSEES	Control					Integration					Employers	Employers
	Executive and Knesset	Bureaucracy	Courts	Civil Society	Employers	Executive and Knesset	Bureaucracy	Courts	Civil Society	Employers		
Executive and Knesset	82.3	44.1	63.7	51.6	67.2	56.2	18.7	33.4	24.2	20.0		
Bureaucracy	2.4	14.7	9.1	9.7	8.7	12.5	6.3	32.0	22.7	15.0		
Courts	3.2	23.5	4.5	29.0	18.1	9.4	43.8	-	27.4	45.0		
Civil Society	1.6	5.9	9.1	-	3.4	9.4	18.7	13.0	13.6	15.0		
Employers	10.5	11.8	13.6	9.7	2.6	12.5	12.5	21.7	12.1	5.0		
N	100% (124)	100% (34)	100% (22)	100% (31)	100% (116)	100% (32)	100% (16)	100% (23)	100% (85)	100% (17)		

B												
ACTORS												
ADDRESSEES	Control					Integration					Employers	Employers
	Executive and Knesset	Bureaucracy	Courts	CSA	Employers	Executive and Knesset	Bureaucracy	Courts	Civil Society	Employers		
Executive and Knesset	43.6	29.0	57.1	34.7	41.0	42.9	30.0	58.4	26.7	-		
Bureaucracy	27.3	44.7	19.8	30.6	31.8	9.5	35.0	13.8	28.8	-		
Courts	9.1	5.3	-	28.6	22.7	14.3	5.0	-	26.7	-		
Civil Society	12.7	18.4	23.1	4.1	4.5	33.3	30.0	22.2	11.1	-		
Employers	7.3	2.6	-	2.0	-	-	-	5.6	6.7	-		
N	100% (55)	100% (38)	100% (13)	100% (49)	100% (22)	100% (16)	100% (20)	100% (23)	100% (45)	Only 5 cases		

control were not significant. These results suggest that actors' stands tend to be stable over the whole period of analysis.<sup>5</sup>

Conversely, the findings in Table 3 reveal significant divisions between restrictionist governmental actors, and expansionist courts, CSA and employers in the sub-field of control. As expected, the governmental actors are overwhelmingly restrictionist in the case of illegal migration. We see this most prominently in the bureaucracy, which is in charge of implementing the restrictive policy of the state.

Regarding integration issues, governmental actors take an expansionist stand most often in the case of legal migrants. Nevertheless, as expected, governmental expansionism is much less than that of CSA and the courts. Given that expansionism can reflect internal divisions in the state's spheres of action, we explored the issues in which the government's expansionism is evident. We found that the expansionist stand is related to the protection of legal and illegal migrants' social rights and conditions of employment, and their civil rights in cases of detention and deportation. However, in no case is it related to their social and political integration. Thus, theirs is an 'expansionism within limits' that will not disrupt the ethno-national character of the state.

Courts also take a nuanced stand. When issues of control are at stake, they tend to be relatively expansionist, in the case of legal migrants (0.23), but take a neutral stand in the case of illegal migrants (-.02). However, when issues of integration are at stake, as expected, the courts are more expansionist for both types of labor migrants (0.80 and 0.70 for legal and illegal migrants, respectively). These findings corroborate Joppke and Marzal's (2004) argument about courts being torn between two opposite imperatives: protecting precarious migrants and respecting the state's right to distinguish between 'citizens' and 'aliens.'

CSA tend to be critical of temporary schemes that import workers while ignoring their human rights. With regard to control issues, they are very expansionist (0.89) for illegal migrants, as they object to detention and deportation as a main policy, but are less expansionist for control issues related to legal migrants (0.14), as they tend to object to increasing quotas driven by pressure from employers. In the case of integration, CSA are more expansionist for both types of migrants, as they attempt to protect their rights against the exclusionist policies of the state (0.95 and 0.71 for legal and illegal migrants, respectively).

As expected, employers display the highest level of expansionist stands in control related issues for both legal and illegal migrants (0.94 and 0.60, respectively), as they are interested in increasing the pool of cheap labor by expanding quotas and making the recruitment system more flexible. By contrast, employers tend to be very restrictionist (-0.75) regarding the integration of legal migrants, which might increase their cost.

**Table 3.** Predicted Stand by Actor, Sub-field and Type of migration.

Actors	Control		Integration	
	Legal Migrants	Illegal Migrants	Legal Migrants	Illegal Migrants
	Mean	Mean	Mean	Mean
Executive and Knesset	-0.24	-0.57	0.62	0.22
Bureaucracy	-0.64	-0.83	0.42	0.18
Courts	0.23	-.02	0.80	0.70
Civil Society	0.14	0.89	0.95	0.71
Employers	0.94	0.60	-0.75	-

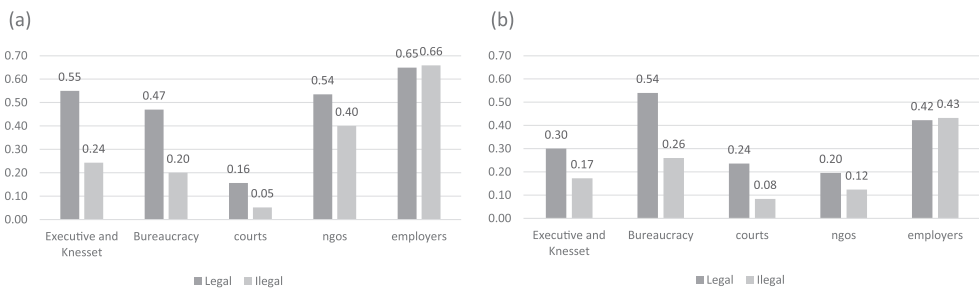
Scores range on a scale from -1 (highly restrictionist) to +1 (highly expansionist).

**Framings and discursive opportunity structures: how do actors frame their claims and under what circumstances?**

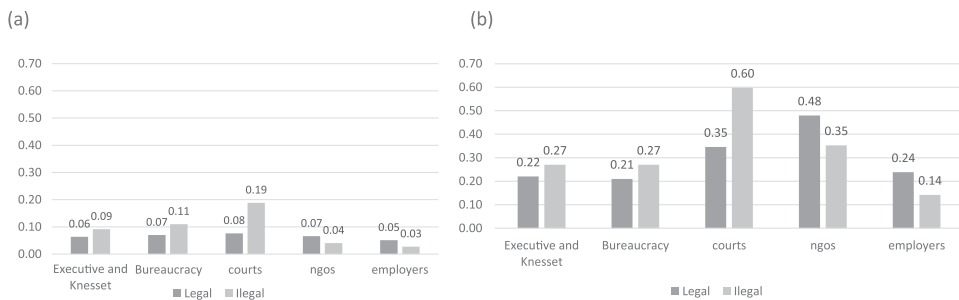
Frames provide a normative anchor to claims-mobilization and are likely to relate to different discursive opportunities (Koopmans and Statham 1999a). To examine whether sub-field, type of migrant and year provide a different set of opportunities for claims-making, we estimated logistic regression models to predict the odds of using a specific frame (against all others). The predictors were a series of dummy variables measuring type of actor – bureaucracy, courts, CSA and employers, with the executive and the Knesset as the omitted category; sub-field (control=1) and types of migrants (legal=1). To test whether frames differ according to the year in which the claim was advanced, we ran models including year, and interaction terms between actors and years.

The results show that most of the coefficients measuring interaction effects in the logistic regression predicting use of pragmatic, utilitarian and moral-universal frames were not significant.<sup>6</sup> These results suggest that the actors’ framing remained stable during the period of analysis in spite of public controversies that might have amplified or inhibited the use of specific frames.

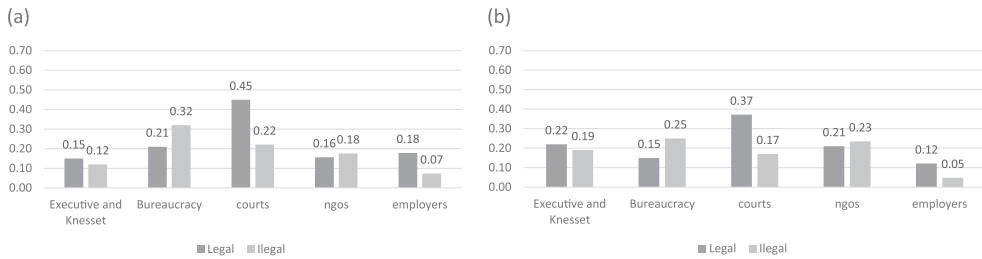
Figures 1(a)–3(b) illustrate the predicted probabilities that specific actors will use a specific frame (against all others) within a particular discursive opportunity structure. We calculated the predicted probabilities for three types of frames: utilitarian, pragmatic and moral-universal. We were not able to estimate a separate model for ethical-political frames because they constituted only 4% of all frames used. This is an important



**Figure 1.** (a) Utilitarian – Control. (b) Utilitarian – Integration.



**Figure 2.** (a) Moral-Universal – Control. (b) Moral-Universal – Integration.



**Figure 3.** (a) Pragmatic – Control. (b) Pragmatic – Integration.

finding because we expected governmental actors to justify their exclusionary stands using arguments related to national, cultural, demographic and security threats.

The data show that regardless of the types of actors and types of migrants, there is a clear tendency to use utilitarian frames in the sub-field of control but moral-universal frames in the sub-field of integration. Notwithstanding, we also found differences according to types of actors and types of migrants. Governmental actors, elected and non-elected, are more likely to invoke utilitarian frames (costs-benefits) for legal rather than illegal migrants, both in control and integration issues.

This finding confirms the overwhelming utilitarian rationale underlying temporary migration schemes initiated and sanctioned by governmental policies. By contrast, pragmatic frames related to procedures and laws in both sub-fields (control and integration) are much more common among the bureaucracy, especially for illegal migrants.

In addition, governmental actors are more prone to invoking moral-universal arguments (rights) about illegal migrants than legal ones regarding issues of integration. This last finding needs further explanation. First, we should take into account differences within the category of ‘elected actors,’ which includes executive and parliamentary actors. When we disaggregate this category, we see that parliamentary actors are more likely than executive and bureaucratic actors to invoke moral-universal frames. We attribute this difference to the heterogeneous ideological positions in the Knesset regarding labor migrants. Second, when referring to the rights of migrant workers, all governmental actors refer to specific types of rights that are germane for illegal migrants such as standing in court before detention and deportation rather than universal rights (health, labor, etc.) that should be granted to migrants regardless of their legal status.

Courts’ justifications also differ according to migration policy sub-fields and types of migrants. As expected, for both control and integration issues, courts invoke twice as many pragmatic considerations associated with procedures and laws for legal migrants than illegal ones (predicted probabilities of 0.45 vs. 0.22, respectively, for control, and 0.37 vs. 0.17, respectively, for integration). However, courts are much more likely to invoke moral justifications based on rights in the sub-field of integration than other justifications for illegal and legal migrants (0.60 and 0.35, respectively). We suggest that the differential use of frames with regard to illegal migrants confirms the ‘new constitutionalism’ driving the courts’ increasing involvement in protecting undocumented migrants (Joppke and Marzal 2004). Likewise, the less frequent use of moral-universal frames for control but their increased use for integration reflects the courts’ ambivalence regarding issues that might weaken the principle of national sovereignty.



For CSA, in the area of control the expected probabilities of using utilitarian (0.54 for legal and 0.40 for illegal migrants) and pragmatic (circa 0.17 for both types of migrants) frames tend to be similar to those used by governmental actors, especially in the case of legal migrants. By contrast, on issues of integration, the moral-universalist frames based on the discourse of rights are the most important frame category (predicted probabilities of 0.48 and 0.35 for legal and illegal migrants, respectively) used by CSA. Similar to governmental actors, CSA also tend to invoke pragmatic and utilitarian frames regarding integration. This finding corroborates the dynamics of ‘resonance’ pursued by CSA as they try to advance claims to different stakeholders (Kemp and Kfir 2016).

Finally, as expected, regardless of migration sub-field and types of migrants, employers tend to rely mostly on utilitarian frames more than other actors do. This result confirms our hypothesis that employers tend to justify their claims for increasing quotas in terms of labor market needs and the economic benefit or damage that the government policy might cause them.

## Conclusion

As labor migration policies increasingly operate at the crossroads of neoliberal political economies, nativist and protectionist nationalisms and assertive human rights activism, serious debates have emerged about who is setting the public agenda on migration (Lahav and Guiraudon 2006). Yet, while the actors driving the public agenda have been a central concern for scholars interested in the institutional transformation of migration politics, research on the migration discourse has largely overlooked them. This oversight is surprising because much of the contentious politics of migration takes place through the mobilisation of public claims (Koopmans and Statham 1999b; Helbling 2014) and more significantly, because the stands and framings of migration issues reflect political ideologies as well as the institutional position of the actors involved in the political process.

To fill this empirical gap, we provide a systematic analysis of a wide array of actors situated in different institutional positions and their claims regarding the control and integration of both legal and illegal migrants. Based on the analysis of ‘who, what and why’ underlying the Israeli discourse on labor migration, we probe some of the major debates regarding the institutional politics of migration discourse and examine them in relation to each other.

The first debate revolves around who drives the discursive politics of migration. One significant finding is that the state matters both as a claims-maker and an addressee of other actors’ claims. Except for claims regarding the integration of legal migrants, the share of governmental actors’ claims surpasses claims by all other actors. Private actors such as employers account for a small share of claims that are restricted to sectorial issues, regarding mainly the enlargement of quotas and control of illegal migrants. This finding cannot teach us about the actual power of employers who usually advance their interests ‘behind closed doors’ through clientelist dynamics. However, it supports those arguing that organised interest groups mobilise sectorial claims and that they go public when their interests are challenged (Freeman 2006).

State actors not only mobilise claims. They are also the main object of the claims advanced by others. This finding shows that governmental actors constitute a key interlocutor for both governmental and non-governmental actors, despite neoliberal policies that

de-center state power and diffuse state responsibilities. Thus, while our data cannot teach us about states 'losing' or 'gaining' effective material power (Sassen 2008), they are instructive about 'who' is more central in the contentious field of the migration discourse. They demonstrate that governmental actors retain their centrality not only as a subject of claims-making but also as an object of others' claims.

A second debate regards the restructuring of power within the state (Sassen 2008). We found that the aggregate share of executive actors and professional bureaucrats as claim-makers outnumbers the legislative and judicial actors regardless of the type of migration. Across sub-fields, executive and bureaucratic actors, mainly those in the immigration administration and the police, mobilise twice as many claims regarding control than integration. These findings support arguments on the increasing executive and policing power of the state as shown in the dominance of immigration control over integration issues in the public discourse (Anderson 2013). An interesting finding relates to the marginal role of the Knesset in mobilising claims and as an addressee, suggesting that the politicisation of labor migration in Israel is less related to party politics than in other contexts (Helbling 2014).

Within the state, as the literature argues, Israeli courts are indeed significant actors in the discursive politics of migration even though they are secondary to the executive branch (Mundlak 2007). However, unlike arguments about the emergence of a 'new constitutionalism' (Joppke and Marzal 2004) whereby pro-active courts take on the role of de-facto policymakers, we found that courts are more significant as addressees of claims, specially of CSA, than as mobilisers. This finding calls for a differentiation between the judiciary as an active agenda-setter and as a venue for other actors to make their claims. Thus, as a political phenomenon, the 'new constitutionalism' in migration may be less related to the political activism of the judiciary than to the lack of opportunity that CSA face when they want to mobilise claims through other democratic venues.

Our findings also address debates about the types of stands that different 'organized' actors take and accordingly, whether migration claims are becoming more restrictive or more expansionist. Our answer is that it depends on who is claiming what, in which sub-field and about what types of migrants. In the area of control, the main divisions are between the restrictionist stand of governmental actors, the strong expansionist stand of employers and the moderate levels of expansionism of the courts and CSA. In the area of integration, the main division is between the restrictionist stand of employers for legal migrants versus the strong expansionist stand of CSA and the courts for both types of migrants. The diametrically opposite stands of employers and CSA across fields and types of migration confirm hypotheses about the conflicting interests of organised groups pulling the migration discourse into different and contradictory directions (Freeman 2006).

The direction of the stands becomes more complex when we look at state actors like the courts. Their expansionist stands on integration, especially regarding illegal migrants, confirms our expectation about their role as defenders of precarious migrants' rights and a potential check on the police power of the state (Statham and Geddes 2006, 254). However, our data show that the Israeli judiciary is 'expansionist within limits,' more in defending human rights but less in the area of border control. These results confirm arguments about the ambivalent role of the judiciary as trying to protect state sovereignty and human rights simultaneously (Joppke and Marzal 2004; Statham and Geddes 2006).

Regarding how actors frame their claims, our findings underscore the predominance of utilitarian frames shared by all actors. Nevertheless, when we look comparatively at framings across types of migrants and sub-fields, we find patterned similarities in the use that actors make of frames. Actors such as the government, employers and NGOs invoke similar utilitarian cost–benefit arguments to justify their positions regarding legal migration even if they hold completely different stands on control policies. Thus, for example, when employers invoke utilitarian frames to justify their expansionist stands on labor migrants' recruitment, they emphasise labor market needs, the complementary nature of the native and migrant labor force, and economic damage resulting from the shortage of labor. Conversely, actors embracing restrictionist stands like governmental actors and CSA emphasise competition and the danger of corruption. This similarity suggests that actors can hold diametrically opposite stands on control issues and yet share a common world of justifications.

Likewise, we found that the predicted probabilities that CSA would mobilise utilitarian, moral-universal and pragmatic frames regarding legal migration mirror those of governmental actors. This finding is not trivial given that Israeli CSA portray themselves as adversarial even though they actually 'talk the same talk' as their governmental interlocutors. This finding supports previous research showing that within the framework of highly contentious issues, CSA resort to the politics of resonance, strategically utilising the frames advanced by powerful actors for their advocacy needs in ways congruent with the general discourse (Kemp and Kfir 2016).

The patterned similarities in the use of frames reveal that sub-field and type of migrant structure discursive opportunities by providing a common set of ideas whose resonance facilitates the use of specific frames regardless of the actors' stand on those issues. As Koopmans and Olzak (2004) suggest, resonant messages are not necessarily those deemed legitimate by all parties involved. However, they travel farther, giving prominence to the actors articulating the message. Conversely, highly legitimate messages may have no resonance at all precisely because they are uncontroversial (204–205). This insight brings us to our last point regarding the predominance of utilitarian frames at the expense of other frames.

The explicit instrumental logic upon which temporary labor migration schemes are premised makes our finding about the predominance of utilitarian frames unsurprising. However, our analysis relates not only to what is present in the labor migration discourse in Israel but also to what is missing from it. Given the ethno-national model of citizenship in Israel and the ubiquitous presence of public claims about the Jewish identity of the polity, we expected that ethical-political frames would figure more prominently among governmental actors. However, these framings were of far less relevance.

On a broader level, the fact that labor migration discourse is based mostly on utilitarian frames and that all actors involved mobilise these frames rather than ethical-political frames, raises questions regarding arguments on inherent contradictions between neoliberal policies pulling labor migrants and ethno-national interests excluding them. The Israeli case seems to indicate that both can co-exist and be mutually reinforcing, rather than conflict with each other. One possible explanation for this co-existence relates to the co-opting effect of instrumental rationality. It allows actors situated in different positions to neutralise anxieties about security and identity by justifying a whole set of controversial arguments regarding migrants' rights and incorporation through cost–benefit

framings. Another possible explanation relates to the deep ideological power that ethnic frames may hold in relation to other frames. Therefore, in contexts such as the Israeli one where the ideological exclusion of labor migrants from the bounded ethno-national community is taken for granted, there is no need to mobilise identity threats (Raijman et al. 2008). Accordingly, instrumental justifications can dominate the discourse on migration precisely because they do not upset the ethnic logic according to which migrants can be seen only as workers.

## Notes

1. Figures do not include other Palestinian non-citizen workers and asylum seekers.
2. We coded only the stands and frames that were clearly attributable to an actor.
3. Data show very similar patterns of actors during the whole period. Therefore, we present the aggregate data in all tables.
4. Other actors such as municipalities, migrants' associations and international organizations advanced a negligible percentage of claims during the period of analysis. Therefore, we could not include them in the rest of the analysis.
5. Results available upon request.
6. Results available upon request.

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