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Reflections on the History of “Guest Work”

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“Le *Gastarbeiter* à la française”

In Gérard Noiriel’s *The French Melting Pot: Immigration, Citizenship, and National Identity* [orig. *Le creuset français*]—a standard work of French migration history—the chapter “Gastarbeiter” reveals a panorama of the fields of migrant worker activity in France.[1] It speaks of Flemish and later Polish seasonal workers in the rural areas of the north, Spanish helpers in the southern vineyards, and Piedmontese seasonal workers specialized in harvesting flowers, lavender, and olives in Provence. It mentions an increasing number of workers of unnamed origin in the chemical, mining, food processing and construction industries, Jewish milliners in the Marais district of Paris, Armenian textile workers in the banlieue adjoining Paris, and later Yugoslav and Turkish ready-made garment workers in the Quartier du Sentier. Finally, it covers the realm of housework, which, unlike the other positions mentioned above, was mainly practiced by women.

In his statistical analysis, Noiriel highlights three constants that structurally distinguish guest workers from the established French population: 1) a widespread, though not uniform, over-

representation of male workers; 2) an over-representation of certain age groups, specifically those considered most productive; and 3) an over-representation regarding certain "poles of depreciated work," identified by Noiriel as a) physically strenuous work, b) fields of work affected by increasing automation, and c) housework.

I will not elaborate on the details of Noiriel's analysis here, but will instead note the fact that he indeed chooses the German word *Gastarbeiter* ("guest worker") as the title for the chapter in question, although in no case does it refer to migration conditions in German-speaking countries. Noiriel does not explain his decision. At first glance, it may not seem strange when, for example, we read about "le *Gastarbeiter* à la française": "[...] immigrants were invited, recruited, and retained to work jobs that were characteristically turned down by nationals."[2]—referring to well-known aspects of what in German-speaking countries is associated with the figure of the "guest worker".

It is strange, however, that the use of the German word suggests the lack of a French term that would serve as a translation of *Gastarbeiter*. In fact, terms like *travailleur étranger* ("foreign worker") or *travailleur immigré* ("immigrant worker") do not seem sufficient for indicating the subject, and even less so the existence and the lives of those concerned. On the other hand, an expression such as *travailleur invité*—sometimes suggested in French as a literal translation of *Gastarbeiter*, but otherwise quite uncommon—raises the questions suggested in the above passage from Noiriel's book with a certain clarity. How should we imagine a "guest" whose main job is to work? What does it mean to "invite" someone to be obligated to engage in activities one rejects and despises oneself?

In German, the sensitivity towards these questions may have fallen victim to linguistic habituation. In contrast, in French and other languages, it cannot be assumed that there will be a similar linguistic desensitization. The strange German word *Gastarbeiter* can, therefore, be "transferred" into French (in a sense I must leave open here), but not by an "equivalent" French word. And yet, there seems to be a reason to use it, in order to understand "le *Gastarbeiter* à la française". In short, its presence in Noiriel's book indicates a problem. But what problem?

Inclusion and Repulsion

My main concern here is not to recall the—legitimate—criticism of the word "guest worker" as a euphemism, nor that it was coined during the late Nazi period, in the context of mobilizing foreign workers towards the collapse of a desperately expanding war economy. However important these traces are, on the one hand, they reaffirm a certain historical-political framework in which the figure of the guest worker is typically classified. According to this framework, the period of "guest work" was limited, roughly between the mid-1950s and the oil shock of the 1973 economic crisis; characterized by a "development gap" between Northern (Western) and Southern Europe, as well as some North African countries, in the decades following the Second World War; and further characterized by bilateral recruitment agreements concluded between the states concerned in relation to the (more or less temporary) transfer of workforce.[3] Of course, the geographical scope of this transfer reaches far beyond the German-speaking world, under different names. Its historical scope, however, remains narrowly defined in this narrative. The discomfort and questions relating to the term *Gastarbeiter* appear as peculiarities of, specifically, German and Austrian history, while the emblematic

association of the word with the postwar period of "reconstruction" remains unquestioned.

Noiriel's transference of the German word to the context of French migration history does not involve a mere geographical shift, however. It also shifts the historical reference frame of "guest work." A variety of the examples presented at the beginning of this paper date back to the late 19th or early 20th century, the surveyed period extends from approximately 1850 to the mid-1980s, and, against the backdrop of available census data, Noriel's analysis more specifically focuses on "the three moments in which the foreign presence in France appears to have been highest: 1891–1901 (when professional statistics on immigration first appeared), 1931, and 1975."[4] This extension of the historical frame of reference, I believe, is also associated with a discomfort with the term *Gastarbeiter*—a discomfort, however, due less to German than French linguistic sensibilities, or rather to the questions posed by the strange figure of a "*travailleur invité*," for which French does not provide an appropriate term.

In this sense, the question asked above should be considered by its terms: What does it mean to "invite" someone to be obligated to engage in activities one oneself rejects and despises? Or, how is a mode of involvement or incorporation to be understood, when its condition lies in something simultaneously split off from one's own life? Terms like *travailleur étranger* or *travailleur immigré* do not express an incorporative relationship; they merely name the foreignness or other origin, remaining silent about the activity of "invitation." On the other hand, not even *travailleur invité* clearly expresses the disconnection associated with the invitation, other than that it applies to a worker rather than a *convive*, with whom one lives or shares one's life.

And the German *Gast*? A guest may be welcomed or considered to have limited rights, regardless of whether or not an invitation has been extended. In the case of the *Gastarbeiter*, however, we are in any case dealing with a "guest" who has been invited, yet simultaneously finds himself confronted with limited rights. In other words, the "guest worker" is constituted by an inclusion condition, which is at the same time superimposed with an exclusion
condition (or, at least, a limitation of inclusion). It is this *superimposition* of inclusion and exclusion—the inclusion of workers who are excluded from certain rights—that I want to pursue in the considerations that follow.

Wage Labor and Labor Migration

To understand this superimposition, it seems indispensable to me to recall the process André Gorz labeled the "invention of work."[5] Work, as it is increasingly experienced in modern circumstances, should not be understood independently of a profound revolution in the ways of life, which, on the one hand, sharply contrast to the separation of a working sphere (as a sphere of necessity) and a public-political sphere (as a sphere of freedom) in European antiquity. "To labor meant to be enslaved by necessity,"[6] wrote Hannah Arendt (on whose analyses Gorz is centrally based) in relation to the Greek polis, which is why, according to Arendt, the institution of slavery as a constitutive condition of a society of free male "citizens" required no further justification. In the modern age, however, Gorz claims that work becomes not just part of the public sphere, but an essential precondition for social recognition.

In a more immediate historical context, on the other hand, the process of implementing modern labor regimes is accompanied by the dissolution of economies, modes of production and social forms of life as they existed in connection with agricultural production or the domestic industries, as long as sites of social life and of labor or production were not increasingly separated or subjected to the imperatives of rationalization and profit maximization. Gorz's central reference in this regard is Max Weber's exemplary description of how textile entrepreneurship activities evolved since the mid-eighteenth century, accompanied by an increase in entrepreneurial mobility, growing competition, and a profound transformation of relationships with both agricultural producers (controlling productivity) and customers (personal advertising).[7]

Gorz's subject matter is familiar. It is the establishment of a wage labor system that penetrates more and more areas, as it most powerfully appears in the development of industrial capitalism. Or, in the words of Marx, a regime of "abstract labor" enforced through wage labor, which is "absolutely indifferent to its particular specificity (*Bestimmtheit)*, but capable of all specificities."[8] It is this combination of indeterminacy and endless determinability that characterizes the modern labor regime, and which simultaneously puts it at the center of the constitution of societal relations. Work in the modern age is something that we "have," "seek," or "offer" (Gorz). The determination and recognition of labor no longer depends on the activity performed or its usefulness, but on the remuneration promised, in changing conditions. This is why modern production and consumption are increasingly diverging in the context of the modern wage-labor relationship as their relation gets determined by money and

commodity circulation, without the concrete social individual producing what they consume or consuming what they produce.[9]

It is noteworthy, however, that in Gorz's book the connection between this "invention of work" and the question of migration is largely ignored. This is all the more remarkable considering that the establishment of the capitalist wage-labor regime cannot be seen independently of a multitude of migration processes, closely linked with the dissolution of "traditional" forms of life and economy emphasized by Gorz.

This is connected, on the one hand, to the effects of the capitalization of agriculture, which Saskia Sassen summarizes in the following way: "Capitalism transforms land into a commodity. Because land was the basis for non-capitalist modes of subsistence, its commodification left a mass of landless peasants with little alternative to joining the urban labor reserve."[10] It should be added that the immigration into industrial centers that emerged in the nineteenth century is not the only form of labor migration to be mentioned in this context. Seasonal migrations in agricultural work have also increased, the latter's character shifting from the possibility of subsistence to an incorporation into (short-term) wage employment relationships against a background of land enclosure, privatization and the emergence of large agricultural enterprises.[11] On the other hand, escalating labor migration processes have also emerged in connection with the gradual demise of domestic industries and a development of rural trade characterized by the growing division between poor and rich regions, the increasing concentration of processing and marketing of products in cities, and, finally, the dominance of industrial production and processing centers.

Without being able to trace the concrete forms of this migration in any detail here, it is significant that the "invention of work" described by Gorz cannot be understood independently of a mobilization of workers in a literal, physical sense, concerning migration movements both within and between states. One should not think of the incorporation machine, which constitutes the modern working regime, exclusively in terms of local milieus of inclusion, such as manufactures or industrial factories, but also in terms of the mobility machine it was from the very outset. Similarly, the qualities Marx described as "variation of labor, fluency of function, universal mobility of the laborer" are not exclusively conditioned by "modern industry, by its very nature,"[12] but depict the modern wage-labor regime as such. Within it, "abstract labor" and migration are intimately linked from the beginning, even if the modalities of this linkage are subject to historical transformations (and even though there existed, of course, pre-modern forms of work-related migration).

Condition(s) of Contractuality

It is, therefore, all the more important to discuss Gorz's argument more closely where, in modern circumstances, unlike in antiquity, work becomes the condition of belonging to the public sphere. With regard to the labor migration processes mentioned above, the question arises as to whether inclusion in the wage-labor relationship actually involves inclusion in a political public sphere. This question is especially relevant when it comes to migration processes across state borders and we, consequently, have to consider a mutual superimposition of the regime of *inclusion* in labor relations and state-established regimes of juridical-political *exclusion* (or the restriction of inclusion).

In this context, the word "guest" may first of all suggest a reference to the "Third Definitive Article" from Kant's *Perpetual Peace* (often cited in the recent past), which formulates both supra-national cosmopolitan law and its interstate restriction: "The Rights of men as Citizens of the world in a cosmo-political system, shall be restricted to conditions of universal Hospitality."[13] However, "hospitality" for Kant only "indicates the Right of a stranger in consequence of his arrival on the soil of another country, not to be treated by its citizens as an enemy." It is explicitly distinguished from the right to be treated as a guest: "The stranger may not lay claim to be entertained *by right as a Guest*, for this would require a special friendly compact to make him for a certain time the member of a household; he may only claim a *Right of Resort or of visitation*. All men are entitled to present themselves thus to society [...]." More importantly, however, Kant does not address the question of labor anywhere, neither in his remarks on the "Third Definitive Article," nor elsewhere in his sketch for *Perpetual Peace*. For him, the "friendly compact" mentioned in the quote belongs to the field of philanthropy, and thus is barely appropriate to be applied to the issue of labor migration. For Kant, the limited legal inclusion of the "stranger" is based on the "virtue of their Right to the common possession of the surface of the earth, to no part of which anyone had originally more right than another; and upon which, from its being a globe, they cannot scatter themselves to infinite distances, but must at last bear to live side by side with each other"—and not from the active modalities of an inclusive regime such as wage labor.

I recall, therefore, that the contrast between the modern invention of labor and the ancient separation of work and public, according to Gorz, has to do with renouncing the strict ancient separation between a sphere of freedom constituted by the public of the polis,

and a sphere of necessity, which is not determined by the spherical surface of the earth, but by work. But how then, we have to ask, are necessity and freedom articulated in the modern wage-labor relationship? I would only like to emphasize one aspect here, which is nonetheless central to our context, since it specifically concerns the question of legal inclusion: the *contractual* character of wage labor, which historically ensures a certain access to the public sphere in the form of public law (while denying it to those who work outside the wage employment relationship).

Robert Castel has placed this question of the contractual character of wage labor at the center of his study *From Manual Workers to Wage Laborers: Transformation of the Social Question*, not only stressing its origins in corvée and tutelage systems, but also the contradictions in reconfiguring "freedom" and "necessity" under the auspices of liberalism and the political-juridical formalism of the Enlightenment. The modern labor contract formally guarantees freedom—in the sense of free access to the (labor) market, where the individual's labor power itself becomes the tradable commodity, as well as in the possibility of termination of the contractual relationship from both sides. However, not only is trade in one's own labor power increasingly subject to necessity, to the extent to which other subsistence options decline, but "the condition of wage-labor remains still, and for long afterward, associated with precariousness and misery."[14]

Castel rightly places the genesis of the modern labor contract in the context of a "liberal" enlightenment, which seeks to liberate itself from transcendently justified orders mainly through two socially immanent strategies of legitimation—law or the idea of the contractual constitution of society, and the rationality of political economy:

> "In the thought of the Philosophes, society ceased to refer to a transcendent order. Rather it found the principle of its own organization within itself. For the market and the contract are agents of this passage from a transcendental foundation to the immanence of society itself. Recourse to contract—for example, the social contract of Rousseau, foundation of the social order produced entirely by the will of the citizens—signifies that it is the social subjects who themselves unite together collectively, rather than being overshadowed by an external Will that directs them from above. [...] Almost simultaneously, Adam Smith discovered the preponderant force of the market, an "autonomous principle of social cohesion independent of the will of individuals and functioning rigorously to their insulation in the way to reassemble them."[15]

The tension between these two immanent principles of social order is obvious: while in Rousseau's case, the idea of contractually founded law is based on the collective articulation of individual wills (or, in the case of Kant, on the rational possibility of an "Accordance of Politics with Morals" guaranteed by public law, as asserted in the appendices to *Perpetual Peace*), Smith's market constitutes a principle of supra-individual order that, although inherent in society, is not bound to either articulation of one's will or individual reasoning. For Smith, the "freedom" of the individual is guaranteed by a "necessity" which, as the economic self-regulation of the market, ultimately makes the pursuit of self-interest the engine of the well-being of all, without the need for another principle conjoining the individual and the general.

In historically concrete terms, this tension expresses itself in the wage-labor regime as a tension between a formally guaranteed legal freedom and an economic dependence in which the individually

"free" access to the market becomes not only the necessary mode of subsistence, but is also simultaneously subject to the imperatives of market development. And this peculiar reconfiguration of freedom and necessity, characteristic of the modern working regime as a whole, undergoes a special modification in the case of labor migration—which, as we have seen, cannot be seen independently of the processes of wage labor establishment, but on the contrary, is intensified by it. For, de facto, despite its alleged universality, the law does not guarantee freedom to everyone, but only to those who are recognized as a state's political subjects, by virtue of belonging to it.[16]

In the situation of migrant workers, it becomes most obvious that the tension between legal and economic models of universality described above is not a problem of theoretical justification, but the mutual superimposition of two regimes: a political-juridical regime that constitutes rights while simultaneously excluding from these rights or formalizing restrictions of inclusion in it, and an economic regime that seeks to incorporate and mobilize "labor power," while, at the same time, conditioning this integration on the development and the vicissitudes of the market (the industry "catastrophes" of which Marx spoke, the oil price shock of the 1970s, and so on).

It is not possible here for me to analyze the effects of this superimposition in detail; historically, they have taken a variety of forms, and would, therefore, require an examination of a barely overseeable multiplicity of situations. Based on Yann Moulier-Boutang's attempt at systematization, I, therefore, limit myself to citing a number of deviations in which, due to the superimposition of the aforementioned regimes (put simply, national law and the modern capitalist economy), the contractual integration of migrant workers differs from the integration guaranteed by standard

employment contracts over time. These include anonymous instead of individual employment contracts, saving on social security costs, restrictions of access to the labor market, the threat of loss of the right to residence upon termination of employment; the unilateral restriction of the right to terminate employment relationships; fixed-term employment contracts in accordance with residence regulations; discontinuity of employment relationships (and thus the loss of benefits associated with regular employment); and, finally and most obviously, limited civil and political rights.[17]

Final Remarks

I would like to conclude with a few short remarks:

1. I have foregrounded the history of the wage labor regime and its contractual constitution here, because they are in direct connection with what is usually understood in German as *Gastarbeit*, while simultaneously requiring an expansion of the perspective in which "guest work" has become an object of historical memory. Objects of memory are most regularly crossed by vectors of forgetting, which is why a critical engagement with these vectors is often vital for memory to take place at all. From the perspective suggested here, the period of so-called "guest work" seems to me a period of legally formalized *inter-state* regulation (by no means with a "cosmopolitan" purpose) for incorporation into the modern labor relationship, which must be more broadly contextualized. This does not mean that there have not been other forms of exclusionary incorporation, especially from a feminist perspective, or in view of the transatlantic slave economy.

2. Attention to transformations in the superimposition of legal and economic regimes in the recent past and present is equally

necessary. For example, EU integration has created new constellations characterized both by a "free movement" within the European Union that is modeled mainly on wage labor, as well as by a doubling of migrant exclusion or of restrictions of political rights (e.g., through the different generations of the Dublin Agreement). At the same time, current communication- and information-based economies have created new "despised" work realities that in part no longer necessarily require physical mobility (e.g., call centers, global social media content moderation), and are in part connected to new migratory processes outside of Europe or the West (such as immigration into hardware manufacturing centers in China).

3. The distinction between political and economic refugees, which has dominated the public discourse for too long, is cynical. It not only suppresses the intertwining of legal and economic regimes; it also permanently undermines existing law through legislative and executive measures, in order to insist on national law as a norm that must "cope" with the anomaly of current migration processes —instead of re-orienting the question of law to lived conditions, which are not least determined by a globalized capitalism to unprecedented degrees.

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[1] Cf. Gérard Noiriel, *The French Melting Pot: Immigration, Citizenship, and National Identity*, [orig. *Le creuset français. Histoire de l'immigration, XIXe–XXe siècle*] translated by Geoffroy de Laforcade,

foreword by Charles Tilly, Minneapolis: University of Minnesota Press 1996, pp. 99–105.

[2] Ibid., p. 102 [translation modified].

[3] Cf. p.e. Klaus Bade, *Migration in European History*, [orig. *Europa in Bewegung*] translated by Allison Brown, Malden, Oxford, Victoria: Blackwell Publishing 2003, especially the chapter "Labour Migration: 'Guestworkers' – Immigrants – 'Illegals,'" p. 227–239.

[4] Noiriel (1996), p. 100.

[5] Cf. André Gorz, *Critique of Economic Reason,* [orig. *Métamorphoses du travail, quête du sens*, 1988] translated by Gillian Handyside and Chris Turner, London, New York: Verso 1989, pp. 13-22.

[6] Hannah Arendt, *The Human Condition*, introduction by Margaret Canovan. — 2nd ed. [1st ed. 1958], Chicago, London: The University of Chicago Press 1998, p. 83.

[7] Cf. Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, [orig. *Die protestantische Ethik und der „Geist" des Kapitalismus*] translated by Talcott Parsons, with an introduction by Anthony Giddens, London and New York: Routledge 2001 [first published in 1930 by Allen and Unwin], p. 29.

[8] Karl Marx, *Grundrisse: Foundations of the Critique of Political Economy (Rough Draft),* translated by Martin Nicolaus, London: Penguin Books in association with New Left Review 1973, p. 223.

[9] Cf. Gorz (1989), p. 22.

[10] Saskia Sassen-Koob, "Towards a Conceptualization of Immigrant Labor," in: *Social Problems*, 29, Nr. 1 (October 1981), pp. 65–85, p. 67.

[11] Cf. Saskia Sassen, *Guests and Aliens*, New York: The New Press 1999, pp. 38–50.

[12] Cf. Karl Marx, *Capital, Volume I, Book 1: The Process of Production of Capital*, translated by Samuel Moore and Edward Aveling, edited by Frederick Engels; Moscow: Progress Publishers 2015 [first published in German in 1867], p. 318.

[13] Immanuel Kant, *Perpetual Peace: A Philosophical Sketch* (1795), [orig. *Zum ewigen Frieden. Ein philosophischer Entwurf*] based on the 1891 W. Hastie translation. Footnotes are based on the 1903 M. Campbell Smith translation. Published by Slought Foundation, Philadelphia and the Syracuse University Humanities Center 2010, p. 22.

[14] Robert Castel, *From Manual Workers to Wage Laborers: Transformation of the Social Question* [orig. *Les métamorphoses de la question sociale. Une chronique du salariat*, 1995], translated and edited by Richard Boyd, New Brunswick, New Jersey: Transaction Publishers 2003, p. XIX.

[15] Ibid., p. 159 [translation modified].

[16] Kant struggles with this problem in his texts on cosmopolitanism, especially in *Perpetual Peace*; but the French Revolution also struggles with this problem: cf. Sophie Wahnich, *L'Impossible citoyen. L'étranger dans le discours de la Révolution française*, Paris: Albin Michel 1997.

[17] Cf. Yann Moulier Boutang, *De l'esclavage au salariat. Économie historique du salariat bridé*, Paris: PUF 1998, pp. 94–101.