

# Immigration Lawyers in Troubled Waters

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# Introduction

In France, as elsewhere in Europe, defending the rights of migrants entails exposure to multiple forms of risk. Practicing as a lawyer does not automatically provide protection compared to other non-specialist supporters; rather, it involves confronting a specific set of challenges. These include difficult working conditions and inadequate remuneration, rooted in a longstanding devaluation of this area of law and its association with so-called “poor people’s litigation.” They also derive from the constant stream of legislative and procedural reforms—both national and European—that progressively restrict migrants’ rights, their effective exercise, and the possibilities of meeting the conditions required to contest decisions that often render those rights illusory.

The present period, however, has also witnessed another challenge for immigration lawyers (and, at times, judges adjudicating related cases): orchestrated smear campaigns. These public attacks, disseminated through social media and certain magazines, go so far as to publish the names of the supposed “culprits of the migrant invasion, ” accused of creating a “pull factor, ” squandering public funds, and allegedly profiting from a “lucrative immigration business.”<sup>1</sup>

This paper therefore examines the social function performed by many migration lawyers in such dark times. Building on Liora Israël’s and Laurent Willemez work on the political mobilizations of law by lawyers and judges in contemporary France<sup>2</sup>, I focus on the relationship between immigration law in practice and social justice, by foregrounding the increasingly constrained role of lawyers as defenders of democratic principles under threat. More specifically, I seek to show how this social function is undermined in distinct but interconnected ways: first, through the constant reshaping of the legal framework; and second, through the material constraints under which the legal defense of migrants must be conducted. In conclusion, I argue that these two dynamics, which operate as obstacles to the defense of migrants and, more broadly, to the safeguarding of fundamental democratic principles now at risk, are further aggravated by a sociopolitical climate marked by heightened hostility towards certain groups, stigmatized as intellectuals, the “woke, ” or “human rights advocates.”

The research conducted focused on the professional routines and forms of commitment among immigration lawyers. What unites these professionals is their commitment to defending migrants’ access to legal rights, even if their areas of legal expertise may differ (public law, criminal law, etc.). Defending the rights of non-citizens is inherently difficult. First and foremost, this is because those rights are steadily diminishing, and the governments of an increasing number of

European countries appear firmly determined to narrow them even further. This is not the only common constraint: the conditions under which this profession must be practiced defending what remains of the rights of non-UE foreigners are themselves challenging due to a variety of economic, symbolic, and procedural constraints<sup>3</sup>. 25 interviews were carried out between 2018 and 2024, mainly in Lille, Bordeaux, Toulouse, Nice, and Boulogne-sur-Mer, with lawyers defending the rights of non-UE persons, as well as their associative and activist supporters. This inquiry was supplemented by courtroom observations in Boulogne-sur-Mer and Toulouse, and by observations during volunteer legal training sessions in the Roya Valley. The interviews sought to understand the meaning attributed by actors to moral and legal arguments in the defense of their clients' rights. Discussions with lawyers revolved around their professional daily life, their personal networks, their relationships with colleagues and judges, then with clients and the associative networks in which they are involved, and more generally around their trust in justice and in the "weapon" of law. Access to the case files of the interviewed lawyers proved invaluable, as it enabled insight into the construction of defense strategies and served as a basis for follow-up questioning.

The article is structured as follows. The first section situates the research question within the broader landscape of existing social science scholarship, at the intersection of studies on legal intermediaries and those on anti-intellectualism and anti-woke movements, before outlining the empirical design of the study and the materials on which it draws. The second section examines the first factor that undermines the work of these legal experts: the continual reconfiguration of the French legal framework. The third section, based on research into the professional practices and forms of mobilization among immigration lawyers in five French cities, illustrates the diverse material and symbolic challenges involved in defending the rights of foreign nationals. The final section addresses the reactionary strategies of intimidation and delegitimization aimed at lawyers and judges accused of defending unpopular causes and obstructing the increasingly unrestrained xenophobic agendas of right-wing movements and concludes by underlining the dangers for democratic societies of underestimating the threats to the social role of migration lawyers.

### **Lawyers in trouble waters: insights from literature**

The social science literature on cause lawyers has now become extensive. Building on the pioneering studies rooted in the Law and Society tradition<sup>4</sup>, as well as on the works that shaped its reception in Europe—and in France in particular<sup>5</sup>—numerous investigations have shed light on the trajectories and motivations of these legal professionals, their working conditions, and their professional and activist practices<sup>6</sup>, while also examining how these dimensions vary according to the country in which they practice, the causes they embrace, and the populations they defend<sup>7</sup>.

Numerous studies have examined the mobilization of law by social movements<sup>8</sup> and more specifically by movements advocating for the rights of foreign populations<sup>9</sup>. There is also a substantial body of literature on the relationships between legal experts and laypeople in the context of legal mobilizations<sup>10</sup> and on the figure of the “activist lawyer”<sup>11</sup>, as well as more recent contributions on laypeople’s relationship with the judicial system<sup>12</sup> or on the relationship between lawyers and legally trained actors engaged in activist litigation<sup>13</sup>.

This contribution, while building on this rich academic heritage, united by the conception of law as a social fact, aims to shed light on how the border regime<sup>14</sup> affects lawyers specialized in defending the rights of migrants and their legal consciousness<sup>15</sup> by undermining their social function in democratic societies. What do these forms of obstruction to their professional practice and credibility, and their strategies to resist, reveal about the social role they fulfill, within a democratic context under strain and highly polarized on immigration issues? To address this question, two bodies of academic work help to better contextualize the issue examined here: on the one hand, the literature on law intermediation in migration issues, and on the other hand, the literature on the sociology of anti-intellectualism and anti-woke movements.

Legal professions have unsurprisingly received particular attention within the academic production on legal intermediaries<sup>16</sup>. While the notion of intermediation was first used to study the processes and actors contributing to the specific forms taken by law and its application in certain legal domains<sup>17</sup> – especially in the regulation of economic activities and labor<sup>18</sup> – these intermediaries are defined as the actors who handle and mobilize legal rules in their professional, activist, or associative activities<sup>19</sup>. As in other fields, migration studies have examined legal intermediaries to shed light on the factors and interdependencies shaping access to rights and legal status for migrants. Indeed, these intermediaries are “street-level” actors with diverse statuses (administrative agents, judges, interpreters, lawyers, NGO employees, or activists) who implement, sometimes challenge, and in all cases contribute to producing and redefining migration law.

In their literature review, Bonizzoni and Odasso<sup>20</sup> stress the complexity of legislative and procedural landscapes and the discretionary nature of norm enforcement in the governance of migration. They highlight the decisive role of intermediaries – whether associative, professional, or activist – in ensuring migrants’ effective access to rights, at different scales of foreign population governance (local, national, international). While their centrality in processes of (non-)access to rights is beyond doubt, the literature rightly underscores another crucial point: the variability of practices, which reflect distinct ethical stances as well as differing political and strategic objectives depending on the intermediary. In this regard, the dynamics of power at play, along with the (de)politicization of

justice, are clearly brought into question<sup>21</sup>. Lawyers, within the landscape of legal intermediaries, are by default considered experts in the translation process from law-in-books to law-in-action. Unlike street-level bureaucrats, who represent the State and its interests at the local level, lawyers as legal intermediaries are private professionals interacting with foreign clients, public administrations, sometimes associations, and always the actors of the judicial system. Focusing on this category thus means paying attention to the procedural and relational dimensions of how migration law is implemented and produced “from below, ” at the intersection of legal texts, the moral norms guiding their interpretation, and the infrastructures that make rights (in)accessible—such as digital platforms for registering the data required in legal procedures.

In this article, I would shed light on the social role of these professional intermediaries in the context of obstacles that, far from being mere background conditions, appear to me as typical of an anti-intellectualism targeting the defense of minority rights<sup>22</sup>. The term “anti-wokism” refers to a diffuse and difficult-to-define constellation. It generally designates opposition to progressive claims advanced by movements such as feminism, LGBTQIA+ struggles, or critical race theories. For years, in the United States as well as in France and Belgium, campaigns against “wokism” and “Islam-leftism” have targeted not only minority politics but also critical knowledge on gender and race, and more broadly the academic world<sup>23</sup>. In dispensing with any demand for truth, this political anti-intellectualism<sup>24</sup> also attacks rights defenders such as lawyers, and even judges who must adjudicate disputes over divisive issues such as the presence of foreigners on the territory - and who sometimes publicly take positions on such matters.

I argue here that in this context—marked among other things by institutional changes that continuously restrict the room for maneuver of lawyers defending migrants’ causes, and by public smear campaigns against so-called “red” judges and lawyers - these professionals work by navigating both overt and more banal, invisible forms of attack. This is not without danger for the state of our democracies.

### **Lawyers facing the Legal War on Migrants**

Immigration is a field of public intervention where legal regulation is both frequent and constantly changing. On average, France has passed an immigration law every two years since the end of the Second World War, not counting the ordinances, decrees, ministerial orders, and circulars that accompany these measures. Thus, the recent Law No. 2024-42 of January 26, 2024, « on controlling immigration and improving integration »—commonly referred to as the 'Darmanin Law', from the name of the former Interior Minister —is the latest in a long series of legal and administrative texts, specifically 118 since 1945, aimed at regulating several

aspects of the lives of foreign nationals, such as their entry and residence in the national territory. These laws have a direct and significant impact on both the practice of immigration lawyers and the functioning of the judicial system they are dealing with.

From the burial of birthright citizenship in Mayotte to the drastic tightening of criteria for resident permits, the French executive and its parliamentary allies are increasingly asserting and embracing a combative stance against migration – depicted as a « submersion » – even at the cost of undermining the rule of law. This latter, as sentenced by the Minister of the former Interior Bruno Retailleau, should no longer be considered as « untouchable » or « sacred ». With the Darmanin Law, the French government, with the decisive support of the far right both in Parliament and in the Senate, has openly reaffirmed its intent to obstruct access to the national territory for newly arriving migrants, while further precarizing the legal status of those already present. This applies indiscriminately to workers, families, asylum seekers, minors, individuals with medical needs, and both men and women.

**Maître Loriol**<sup>25</sup>, a lawyer working in a firm that often handles residence and nationality law, notes with irony that working on immigration litigation means having to constantly train, update one’s knowledge, and also face political pressure: *“I told myself: in this field I won’t be bored, there will always be things to do, because since I started practicing exclusively in immigration law, about five or six years ago, there have already been five major legislative reforms that really overhauled everything. (...) We are also under a lot of pressure, particularly from the prefect’s office. My colleague X, who was very involved in immigration litigation in 2015 and 2016, ended up leaving the profession.”* (Maître Loriol, interview 11).

The list of provisions adopted and gradually implemented throughout 2024 and into 2025 is long. I will mention here only a few of those that have already proven their capacity to restrict either the scope or the effectiveness of migrants’ rights—measures that have the potential to significantly increase related litigation, well beyond the asylum field alone. These include conditioning the granting and renewal of residence permits on the concept of a « threat to public order », the obligation to sign a « commitment contract » pledging to uphold the principles of the French Republic, heightened « language and civic » requirements, the removal of all protections against *obligations to leave French territory* (OQTF), and the return of both extensive data profiling and the *double punishment* regime (which, incidentally, further expands the discretionary power of Prefects).

**Maître Lesage**, a lawyer working in a small firm specialized in immigration law, stresses the difficulties brought about by the latest reforms. Taking the example of administrative detention litigation, she highlights the increase in the number of

cases, which goes hand in hand with a “race against the clock”: *“You have to get the work done quickly within 48 hours, with consequences that are still quite significant (for the client), since detention periods are very long, and can also be extended... And unfortunately, there are not always grounds that can be raised.”* (Maître Lesage, interview 21).

**Maître Jourdain** shares with the previous interviewee the observation that administrative justice is increasingly serving an overt political objective i.e. reducing the number of foreigners legally residing in France: *“We’re dealing with an administrative machine that just keeps running. Because there are more and more migrants, the aim is to expel more of them, and ever faster. Even if it means extending detention periods. And in recent times, we haven’t held back: when it comes to detention periods, they’ve basically been doubled (with the latest reform, author). So, we’re in an administrative machinery of expulsion, the courts go along with it, and that is not normal.”* (Maître Jourdain, interview 16).

Visa restrictions also deserve particular attention—not only because, in light of the thousands of deaths at the internal and external borders of Europe, reducing the possibility of legally reaching the continent directly contributes to the worsening of this macabre phenomenon<sup>26</sup>, but also because, as Juliette Dupont demonstrates in her work on the politics of visas<sup>27</sup>, these selective (non-)approvals issued by French consulates—despite their bureaucratic façade and the existence of formal criteria for approval or denial—are in fact genuine instruments of diplomatic blackmail. They serve to increase the leeway of consular officers and their private contractors within this global market of the welcome and the unwanted.

It must also be said that the xenophobic winds blowing across Europe only serve to encourage these increasingly uninhibited national policy choices. The New European Pact on Asylum and Migration, adopted in the spring of 2024, has already sanctioned the reinforcement of controls at the European Union’s external borders, as well as the normalization of the detention and data profiling of migrants—all under the pretext of responding to “crisis and force majeure situations.”<sup>28</sup>. In this new framework, nearly anything seems permissible in the name of avoiding the dreaded “large numbers of irregular arrivals.” Cloaked in a remarkable degree of technical language spread across the ten legislative texts that comprise it, the Pact serves to weaken the right to asylum and undermine the principle of non-refoulement through a combination of deterrent measures (reinforced controls, systematic data collection) and punitive ones (encouragement of detention and deportation). Moreover, it enables member states that are hostile to receiving asylum-eligible foreigners to opt out of relocation mechanisms within the EU. They can bypass their obligation to take their part in the welcoming effort by a form of financial compensation—the so-called “solidarity mechanism” (sic).

These two examples of recent texts regulating immigration show how legislative

changes can not only restrict the rights of foreign nationals but also narrow the available legal remedies and further tighten the conditions that must be met to challenge administrative or judicial decisions and practices. Changing the rules of the game is a formidable tool for complicating the work of these professionals and, consequently, reducing the effective rights of foreign litigants.

### **The professional constraints of Immigration Lawyers**

It is within this politically hostile climate—both at the national and European levels—marked by a frenzy of legislative activity that forces them to continually update their knowledge, that immigration lawyers carry out their work.

First of all, Immigration Lawyers face financial constraints. These professionals are aware that they practice a law considered doubly “of the poor”: on the one hand, their clients often face financial difficulties, which explains why the remuneration of these lawyers frequently relies on Legal Aid (*Aide Juridictionnelle - AJ*), the amount of which is far from keeping pace with inflation<sup>29</sup>. This is a significant financial issue, as it is difficult to work exclusively on such cases for long periods: *“A frightening number of colleagues are leaving immigration law, particularly for financial reasons. It’s a field designed by the State to be structurally unprofitable, not financially viable.”* (Maître Nicolas, interview 22).

Furthermore, since most of the lawyers specialized in immigration law whom I interviewed work in small practices, this inevitably impacts the trade-offs they must make to keep their business running: practicing more lucrative areas of law in parallel (e.g., divorce proceedings); not always accepting Legal Aid; or pre-selecting cases based on their likelihood of success or legal interest. These strategies can also be combined: *“This is a field where you lose a lot of cases if you take them all on. (...) One strategy can be to select cases, but you need to be in a position to do that and have enough demand...legal aid is almost an automatic right for all removal measures, so we can work under legal aid, except that it’s quite insufficient (...) unless you tell yourself: ‘I’ll work under legal aid but only select the cases where I know I’m going to win’...I accept legal aid, but only for the cases I find interesting.”* (Maître Loriol, interview 11).

Moreover, this field is somewhat devalued by many of their colleagues and judges, as it is often seen as a political and second-rate area of law, giving rise to repetitive “mass” litigation (one might even say “dehumanizing”). In response, many of these lawyers highlight “the nobility” of this technical and demanding field: *“It is a law of the poor but that has a certain legal nobility, which means, I think, that we should not be ashamed to practice in this area, and it remains a field that is not accessible to everyone.”* (Maître Hesse, interview 15).

When it comes to procedural obstacles, the list is long. Whether it’s to challenge a

deportation order or the eviction of a camp, the lawyer's work must often be done quickly, in emergency situations. As a result, it usually depends on the support of already overwhelmed and exhausted volunteers from local organizations - those who are close to the field and therefore the only ones able to gather the many documents required for legal aid applications or to prove the violence suffered by clients during evictions or harsh arrests. On the essential collaboration with these volunteers, all interviewed lawyers agree: *"It's indispensable, because they're the ones on the ground, they're the ones who build the relationships, they're the ones who provide information - both to the lawyer and to the foreign client... It's essential to be able to manage things."* (Maître Hesse, interview 15)

While collaboration with grassroots volunteers and activists involved in the daily lives of migrants is considered crucial by all the lawyers interviewed, working together is not always straightforward and can represent a challenge<sup>30</sup>. Some lawyers, for example, may find it difficult to negotiate legal strategy with these partners, asserting their need for autonomy and to be the sole pilots in the cockpit: *"When an organization imposes arguments on you, it's hard... for me, there are some arguments that I just can't support because I find them indefensible. (...) So what do I do? Do I raise them? Do I not? If I do, my judge might say: 'she's making arguments that don't hold water!' Then I lose credibility."* (Maître Bardet, interview 19)

Reputational concerns therefore permeate this line of work: lawyers stake their reputation not only with peers and judges—who validate or reject their legal strategies—but also with clients, including activists. From the interviews, it emerges that the qualities required to be seen as a "good" lawyer in both legal and activist circles are not always the same, and sometimes even clash. Gaining respect from judges as a specialized immigration lawyer can also mean standing one's ground in the face of intimidating attitudes, beyond the legal reasoning itself: *"Everyone is afraid of Mrs Joliot. (...) The first time I appeared before her, she basically tried to rush me, and I told her, 'Sorry, but I will take the time needed to properly defend my client.' She didn't like that at all. But I made it clear she didn't have power over me. It's a power dynamic. But now she respects me. And I respect her too."* (Maître Lesage, interview 21)

Still, this power dynamic is difficult to reverse or even balance. Lawyers have every reason to take into account what might irritate judges who are making decisions about their clients. As for activist associations and collectives that may call upon them to defend one or several foreign nationals, a lawyer's reputation is also constantly at stake - but here it is based on their commitment to the cause, and their ability to make decisions jointly with activist jurists and with migrants themselves.

However, the activist ethos - emphasizing consultation and horizontality - can

come into conflict with the efficiency demands of legal procedures governed by rigid timelines. Entering the profession thus requires navigating different value systems and facing numerous financial and reputational challenges. And the reward? Not as often as one would hope. The many defeats inevitably erode these professionals' trust in the judicial system: *"Justice has been, and continues to be, heavily manipulated and instrumentalized—more and more. (...) By political power, by legislative power... in a masterful way! You see it at every level."* (Maître Jourdain, interview 16).

Disappointing rulings are frequent: sometimes because they come too late, after harm has already been done (detention, eviction...); sometimes because they allow abuses to go unpunished; sometimes even because, when they do favor the plaintiffs, they are not enforced by the prefectures or have little deterrent effect on recurring police or administrative practices - especially in border regions. *"No, I don't trust the justice system. Not at all. Less and less, in fact. But what keeps me going is that people still live in conditions where I think it's essential that they claim their rights, and that those rights be recognized."* (Maître Hesse, interview 15).

Thus, continuing to practice law in the field of immigration litigation is often a matter of principle, driven by the unbearable nature of injustice, and the need to at least try to contain systemic abuses by defending the right of foreigners to have rights.

### **Tarnishing the Reputation of Immigration Lawyers, Undermining Their Professionalism**

By showing that the practice of immigration law is hindered both by an ever-changing and increasingly restrictive legislative context and by working conditions that may ultimately discourage lawyers from engaging in such cases - or even threaten the financial survival of their firms - I sought to highlight the danger this poses to the defense of democratic values that should be protected but are now at risk. The fundamental rights and freedoms of everyone risk being eroded if lawyers taking on politically stigmatized cases can no longer follow through with them or are publicly attacked for doing so. And that is precisely my concluding point.

I have already emphasized the significant reputational stakes that permeate the lawyer' legal profession. This takes on an exacerbated dimension in these troubled times for lawyers working in the field of immigration law. Not only because their profession is inherently complex and relatively poorly paid; and not only because the range of rights to be defended is shrinking; but also, because the legal professionals are openly under threat.

The case of *Frontières* magazine<sup>31</sup>'s special issue no. 1 is emblematic of an

unabashed attitude aimed at discrediting lawyers, judges, and justice system professionals (alongside, of course, NGOs, associations, and “woke” academics), guilty of defending the rights of those whom the far-right online sphere would rather erase from the category of legal subjects: foreigners. This discredit turns into actual danger when the names, first names, job titles, and workplaces of these so-called “enemies to be eliminated” are publicly revealed. Indeed, those accused of being responsible for “migrant chaos” are explicitly identified in these pages. More precisely, several dozen lawyers described as “activists” supposedly profiting from Legal Aid cases to “vacation in the sun year-round” are directly targeted. Judges are not spared either and are similarly singled out in this witch hunt.

Several alarm bells have been rung, from the Council of Bars and Law Societies of Europe (CCBE) to the High Council of Administrative Courts and Administrative Appeal Courts (*Conseil supérieur des tribunaux administratifs et des cours administratives d'appel*, CSTA). The latter, an institution attached to the *Conseil d'État* and usually discreet, spoke out publicly on 11 February 2025 to unambiguously denounce the insults and threats directly made against lawyers and judges by *Frontières* and its supporters on social media. The CSTA also condemned the undermining of the independence and impartiality of administrative justice, stating that “all criminal proceedings that may be initiated must be pursued.” There appears to be no shortage of grounds: in the past, magistrates have already filed criminal complaints with civil action, some of which are still ongoing. But in the face of increasingly violent attacks against “red judges,” several courts are organizing to grant official protective status to their staff. And that is a very worrying sign.

Despite Gérard Darmanin’s public support for the threatened lawyers and judges in his new role as Minister of Justice, his former stance as Minister of the Interior resurfaces: one that denounces the supposed “confiscation of normative power” by European or national courts. By defending the legitimacy of disregarding laws deemed incompatible with national principles, a further breach has been opened – echoed by Bruno Retailleau, who declared, “We must change the law. Today, we have countless legal rules that no longer protect French society.”<sup>32</sup> One may reasonably suspect that Gérard Darmanin shares this logic, since he previously authorized the expulsion of an Uzbek national suspected of radicalization, despite a contrary ruling by the European Court of Human Rights (ECHR)—only to be overruled by the *Conseil d'État*’s summary judge, who ordered the man’s readmission to French territory. Judicial oversight, increasingly portrayed by elected officials and violent online users as excessive and harmful to law enforcement efficiency, is thus being challenged. It is only a short step from there to branding “culpable” lawyers and judges – seen as hindering the government’s security agenda – as internal enemies.

The more optimistic among us may still view the Constitutional Council as the last

bastion against executive interference with the judiciary. But what can we expect from this institution and its impartiality when we know that the « Sages » in France are often, for example, former political professionals, poorly or untrained in law? Richard Ferrand, who was appointed in February 2025, is a perfect example.

History will tell us. In the meantime, it would be wise to protect the social function performed by many migration lawyers in such dark times: the safeguarding of fundamental democratic principles.

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1. [https://www.liberation.fr/politique/un-magazine-dextreme-droite-liste-les-avocats-coupables-de-linvasion-migratoire-20250130\\_4BFQKR3YTVEJLPI3ZKJFE4ML7Y/](https://www.liberation.fr/politique/un-magazine-dextreme-droite-liste-les-avocats-coupables-de-linvasion-migratoire-20250130_4BFQKR3YTVEJLPI3ZKJFE4ML7Y/) ↵
  2. Willemez Laurent. Engagement professionnel et fidélités militantes. Les avocats travaillistes dans la défense judiciaire des salariés. *Politix*, vol. 16, n°62, 2003, pp. 145-164 ; Liora Israël, À la gauche du droit. Mobilisations politiques du droit et de la justice en France (1968-1981), Paris, EHESS, coll. « En temps et lieux », 2020. ↵
  3. For a discussion on the specificities of collective litigation and the issues surrounding collaboration between lawyers and grassroots/activist legal professionals, see: Lamarche K., Lendaro A. (2024), L'arme du droit et ses coûts : réflexions autour de l'expertise juridique à Calais. *Gouverner les exilés aux frontières*, Éditions du Croquant, p. 179-202. ↵
  4. Calavita, K. (2016). *Invitation to law and society*, second edition: An introduction to the study of real law. Chicago Series in Law and Society. University of Chicago Press. ↵
  5. Israël, L. et Péliasse, J. (2004). Quelques éléments sur les conditions d'une « importation » (Note liminaire à la traduction du texte de S. Silbey et P. Ewick) *Terrains & travaux*, 6(1), 101-111.; Ewick, Patricia, et Susan Silbey. 2004. « La construction sociale de la légalité. *Terrains travaux* n° 6 (1): 112-38. ↵
  6. Austin Sarat, Stuart Scheingold (eds.), *Cause Lawyering and the State in a Global Era*, Oxford, New York, Oxford University Press, 2001; Israël, L. (2001). Usages militants du droit dans l'arène judiciaire : le cause lawyering. *Droit et société*, 49(3), 793-824 ; Leslie C. Levin and Lynn Mather. *Lawyers in practice. Ethical Decision Making in Context*, Chicago, University of Chicago Press, 2012; Willemez L., op.cit. ↵
  7. Austin SARAT, Stuart A. SCHEINGOLD (eds.), *The Worlds Cause Lawyers Make: Structure and Agency in Legal Practice*, Stanford University Press, 2005; ↵
  8. Calliope Spanou, « Le droit instrument de la contestation sociale ? Les nouveaux mouvements sociaux face au droit », in Curapp, *Les usages sociaux du droit*, Paris, PUF, 1989, p. 32-43 ; Michael McCann (ed.), *Law and social movements*, 2006, Londres, Routledge ; Danièle Lochak, « Les usages militants du droit », *Revue des Droits de l'Homme*, n° 10, 2016. ↵
  9. Liora Israël, « Faire émerger le droit des étrangers en le contestant, ou l'histoire paradoxale des premières années du GISTI », *Politix*, vol. 16, n° 62, 2003, p. 115-143 ; Eric Agrikoliansky, « Usages choisis du droit : le service juridique de la Ligue des Droits de l'Homme (1970-1990) », *Sociétés contemporaines*, vol. 4, n° 52, 2003, p. 61-84 ; Nicolas Fischer, « Une frontière « négociée ». L'assistance juridique associative aux étrangers placés en rétention administrative », *Politix*, vol. 3, n° 87, 2009, p. 71-92. ↵
  10. Liora Israël, « Cause lawyering », in Olivier Fillieule, Lilian Mathieu et Cécile Péchu (dir.), *Dictionnaire des mouvements sociaux*, Paris, Presses de Sciences Po, 2009, p. 94-100 ; Laurent Willemez, « Engagement professionnel et fidélités militantes. Les avocats travaillistes dans la défense judiciaire des salariés », *Politix*, vol. 2, n° 62, 2003, p. 145-164. ↵
  11. Jean-Philippe Tonneau, « L'"avocat militant" au prisme des traces politique et professionnelle », *Encyclo. Revue de l'école doctorale Sciences des Sociétés*, 2015, p. 15-34. ↵

12. Aude Lejeune et Alexis Spire, « Profanes en justice », *Genèses*, vol. 3, n° 128, 2022, p. 3-9 ; Cécile Vigour, Bartolomeo Cappellina, Laurence Dumoulin, Virginie Gautron (dir.), *La justice en examen. Attentes et expériences citoyennes*, Paris, Presses universitaires de France, 2022. ←
13. Karine Lamarche, Annalisa Lendaro. L'arme du droit et ses coûts : réflexions autour de l'expertise juridique à Calais. Editions du Croquant. Gouverner les exilés aux frontières, p. 179-202, 2024. ←
14. Nicholas De Genova uses the concept of Border regime to refer to a changing and dynamic combination of practices (ex. Pushbacks), institutions (ex. Frontex), discourses (ex. Humanitarian and securitarian rethorics), and technologies (ex. Drones) that collectively produce, manage, and contest borders — not just as physical lines, but as social and political relations of power. See De Genova, N. (2016). The "crisis" of the European border regime: Towards a Marxist theory of borders. *International Socialism*, 150, 31-54. ←
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25. All names, first names, and places are fictitious in order to guarantee the anonymity of the research participants. ←
26. For further insight into the Franco-British border, see the work of Maël Galisson, in particular his research on legal practices and migration control in the Calais region. <https://lesjours.fr/obsessions/calais-migrants-morts/>; See also <https://missingmigrants.iom.int/fr/>; Cuttitta P., Last B. (2019), *Border Deaths*, Amsterdam University Press. ←
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29. This is a lump-sum allowance covered by the State, intended to at least cover the legal fees that low-income litigants would otherwise have to pay their lawyer. ←
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31. *Frontières* is a French far-right, identitarian magazine that explicitly promotes anti-immigration, nationalist, and conservative themes, often staging provocative investigations accusing NGOs, associations, journalists and left-wing actors of betraying "the national interest." Its audience is principally conservative to far-right readers who are skeptical of immigration, and feel distrust toward mainstream media and progressive or leftist political actors. ←

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