

“Lost in Integration”: Compromising Immigrant Inclusion for the Sake of Stable Society in the European Union Countries”

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Abstract

Discourse on inclusion of immigrants in the European Union countries traditionally revolves around three core models: multiculturalism, assimilationism and differential incorporation. However, effectiveness of such classification is called in question due to dramatic transformations in economic, political, cultural priorities of receiving states. Competing stance of the European Union institutions (the European Commission) and of the nation-states influenced coordination and harmonization problems regarding responsibilities for integration of immigrants. Moreover, in order to ensure stability inside the receiving society, the member states started to introduce the so-called civic integration requirements which are criticized due to violation of immigrants’ fundamental rights. The point of debate lies in the following: whether to select those immigrants who demonstrate compliance with values and identities of the receiving community? And secondly, should immigrant rights be sacrificed in the name of protecting national identity of the EU member states? Therefore, the present article aims at examining a complicated nature of regulating immigrant integration policies. It analyzes approaches to civic integration programs in different EU countries, and the way, how they fit into models of immigrant incorporation.

Keywords: assimilation, civic integration, citizenship, European Union, models of inclusion, multiculturalism, residence permit, selection programs

Introduction

Discourse on inclusion of immigrants in the European Union countries traditionally revolves around three core models: multiculturalism, assimilationism and differential incorporation (Favell, 1998; Brubaker, 1992; Foblets, M.-C.&Yanasmayan, Z. 2009). In the core of multicultural model or, in other words, multiculturalism lies respect for cultural diversity and state support for identity preservation of each immigrant community on its territory. Among the devoted followers are Sweden, the Netherlands and UK. In contrast, assimilationist model of immigrant inclusion (it is also referred to as republican or universalist) assigns central role to the principle of homogeneity. Park and Burgess define assimilation in the following manner: “a process of interpenetration and fusion in which persons and groups acquire the memories, sentiments and attitudes of other persons and groups, and, by sharing the experience and history, are incorporated with them in a common life” (Kostakoupolou, 2010, p.831). In other words, a foreigner has to fully assimilate into the receiving society, accepting commonly recognized identity and values. The classical example of such a model is France. The third model, which is called separational or model of differential incorporation, is characterized by restrictive immigrant legislation. In order to receive the residence permit, a third-country na-

tional has to satisfy a number of strict preconditions. In addition, immigration policy of those countries, which follow the separationist model, is directed at ensuring temporary character of immigrant’s residence and extremely complicated way to naturalization. This type of policy is characteristic of Germany, Belgium, Austria and Switzerland (Switzerland is the member of the Schengen zone only and not the EU).

Functioning of the above mentioned models is based on two key points: firstly, the image of society they are looking forward to build; secondly, the type of link between integration and immigration policy. The second point essentially implies influence of internal integration strategies for foreigners on immigration policies of other member states of the European Union. As a result of transformations in economic, political, cultural priorities as well as resonance events, models of inclusion naturally exchange attributes. Indeed, approaches to immigrant incorporation are the result of combination between cultural globalization processes and tug-of-war between inter-governmentalists and supranationalists inside the European Union. The financial crisis of 2008-2009 reinforced pessimist moods regarding deepening of unification processes inside the organization. Revision of effectiveness of the models and search for inspiration in countries, which became more successful in integrating immigrants, is being caused by confusion, and

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in some cases disappointment, due to disparity between the chosen course of integration policies and its results. The point of debate lies in the following: whether to select those immigrants who demonstrate compliance with values and identities of the receiving community? And secondly, should immigrant rights be sacrificed in the name of protecting national identity of the EU member states?

In this context, firstly, the present article sheds light at a complicated nature of regulating immigrant integration policies resulting from competition between the European Commission and nation-states. Secondly, I will analyze approaches to civic integration programs in different EU countries, and how they fit into models of immigrant incorporation.

Has Multiculturalism Failed?

Despite optimistic beliefs in multiculturalism's firm future, turning blind eye to European New Right's increasing influence on changing public perceptions of heterogeneity and multicultural society is at least unreasonable. Party for Freedom in the Netherlands with charismatic Geert Wilders as its head, Marine Le Pen's National Front in France, relatively young Freedom Party in Germany, Hungary's Jobbik's 16% in 2010 parliamentary elections point to public support for introducing selection mechanisms for immigrants. Statistic data demonstrating increasing gap between foreigners and locals in the standard of living, security threats, tensions between immigrants and representatives of local population in Spain, Netherlands and Italy serve for many as evidence for failure of immigrant integration.

The book under the name "Germany Is Self-Destructing" by Thilo Sarrazin, member of Bundesbank Board of Directors; ironical statements by German Chancellor Angela Merkel in address of failure of "multiculti"; murder of the right-wing radical politician Pim Fortuyn and director Theo van Gogh in the Netherlands; the 2006 "cartoon scandal" in Denmark; heated debates on construction of minarets in Switzerland; voting in the French Parliament in favor of wearing hijab in public places in summer 2010; introduction of ban on wearing hijab in 2004; and finally President Sarkozy's call in May 2006 for regulated immigration (*immigration choisie*) instead of illegal (*immigration subie*) are only a few examples of loud and resonance events which stir up the European countries in last years (Bennhold, K. 2006, p.A3).

Notwithstanding pessimist moods regarding prospects of immigrant integration, to Gary Freeman's (1995) opinion, liberal democracies will strive for "expansionist and inclusive" immigration policies even under conditions of negative attitude of masses (Freeman, G.P., 1995, pp.881-902). He argues that public opinion does not possess tools for powerful influence in comparison to highly

organized lobby that gains profits from liberal immigration and integration policies. For instance, employers establish close links with those responsible for elaborating policy decisions and in this manner succeed behind the backs of the masses. Accordingly, immigration policies are free of moral consideration, it is nothing more than the result of lobbying by interested players of their own interests. In this respect, Stefan Jonsson's (2012) concept of "precariat" exposes, from the Marxist perspective, discriminative and exploitative nature of hiring migrants with residence permits of temporary character and gloomy prospects for receiving citizenship of the host country.

Between Two Fires: Who Stays in Charge for Immigrant Integration?

Existence of different models of immigrant incorporation influenced coordination and harmonization problems among member states on the supranational level. Indeed, it is impossible to ignore differences in transformation of the EU countries into receivers of immigrants: if the "Old Europe" "enjoys" this experience for decades, the case of South European states offers a completely different perspective due to recent character of their transformation into immigration countries nearly two decades. For the new EU members, it is even less. Since delegation of competences in the field of immigrant integration under common control of member states of the European Community in 1991, supranational institutions, especially the European Commission, exercise more pressure on the receiving countries in order to obtain power in this field. The reason lies in socio-economic origins of this organization and principle of free movement of people, goods, services and funds. In our case, the first element is of most interest – failure in integrating immigrants inside one of 27 members of the EU increases violability of other states. According to the provisions of the Schengen agreement, immigrant is entitled to free movement in the Schengen zone upon passing legalization procedure. Tensions arise due to lack of coordination between initiatives (it is especially true in case of Italy's and Spain's legalization campaigns) without consulting other member states.

Spain deserves special attention in this regard, due to record number of six regularization campaigns for unauthorized immigrants just in twenty years. Two of them, the 2000 and 2005 campaigns, caused serious concerns in the European Union, especially France and Germany. On June 1st 1999, the number of illegal immigrants for mass regularization in Catalonia alarmed the Spanish society: instead of forecasted 80-100 thousand, applications were received from 244 thousand illegals, of which 188 thousand was satisfied. The 2005 campaign, when 700 thousand immigrants applied for documents and 578 thousand received them, provoked protest moods in other European countries, since

Spain serves as the departing point for most immigrants in search of job opportunities in richer West and North European countries (Kleiner-Liebau, p.92).

From the point of view of the European Commission, unilateral actions complicate uneasy control of immigration by each of member states. That is the reason why common supervision of legalization measures in the framework of Justice, Freedom and Security area became the most important issue on the European Commission's agenda. Eventually, in the context of free movement, probability of security threats for the EU became higher due to vulnerability of marginalized migrants to criminal organizations, trafficking and smuggling networks. Fears grew in May 2011 when as a result of “the Arab Spring” in Tunisia refugees fled to Italy and France. Exactly during that time first calls emerged for cancellation of movement without passports at least for immigrants from Africa.

Above mentioned events gave impetus for deepening of competences in the sphere of immigrant integration and unification of the right to asylum, immigration and integration policies under one pillar. In accordance with the Amsterdam Treaty of 1997, immigration issues were transferred from Home and Justice Affairs policy area to the European Community (The Treaty of Amsterdam, 1997). Hence, heads of member states expressed support for cooperation on all stages of immigration starting from its pushing factors, policies of issuance of entry permit, policies of integration and return (Tampere European Council, 1999; the Hague Programme, 2004) during the 1999 Tampere European Council and 2004 Hague European Council.

Thereby, the European Union obtained competences in spheres which are vital for integration of immigrants; however, the privilege of taking final decisions still stays in the competence of member states. According to the conclusions of the EU Council in Thessaloniki, key competences in setting forth and implementing integration policies are allocated by taking into account judicial, economic, social and cultural differences. Nevertheless, these policies must be elaborated by consulting other member states of the EU in compliance with the Common key principles of immigrant integration (Thessaloniki European Council, 2003). As it was expected, they did not become obligatory and have only consultative character with the aim to assist member states in evaluating their own integration policies. At present, these principles laid fundament for exchange of experience between member states. Nevertheless, the European Commission does not abandon attempts to be actively involved in implementation of immigrant integration strategy by European governments. Of special interest is the 2005 Common framework for the integration of non-EU nationals which views “basic knowledge of the host society's language, history and institutions” as immigrant's obligation and openly supports pre-departure integration measures and civic integration programs (Common frame-

work for the integration of non-EU nationals, 2005).

Definition of Civic Integration and its Dimensions

If integration is defined by the European Commission as “a dynamic, two-way process of mutual accommodation by all immigrants and residents of EU countries” (European Commission, 2005), the concept of civic integration is a more demanding alternative for its traditional concept. Its essence lies in the introduction of integration courses and orientation programs for the third-country nationals with the aim to prove knowledge of language, respect for values and symbols of the receiving society. In the opinion of Eva Moravska, Christian Joppke and Rainer Bauböck (Bauböck, 1994), civic integration can be considered as a tool to solve controversial logic of contrasting assimilation and acculturation. Adjective “civic” demonstrates the required level of integration for deserving the right to reside in the country. Indeed, functional aspects of civic integration were transferred from citizenship prerequisites to immigration ones. In this manner, even if immigrants do not wish to refuse from their own identity and naturalize with the aim to become the ideal citizen of receiving state, they are obliged to observe a defined complex of values, traditions and principles in order to be considered legal (Carrera, 2009).

Analyzing application of civic integration requirements in the immigrant legislation of the European Union, we can single out two dimensions – internal and external. Internal dimension is presented as programs, courses or contracts which are obligatory upon entering the territory of the state and receiving the right to reside. In this context, civic integration affects newcomers as well as candidates for receiving residence permit, including family reunification. Likewise, the internal dimension of civic integration requires successful passing of programs and value exams for third-country nationals in order to avoid illegal and half-legal status. Internal dimension of civic integration stresses importance of access to social protection and secured residence inside the country. One of the most influential sanctions for failing integration tests is non-renewal of residence permit and deportation.

The external dimension of civic integration, or in other words, “integration abroad”, consists of evaluation and courses which are implemented by consular and diplomatic institutions in immigrant's sending state. The demand to start integration process goes beyond the borders of the receiving country, and civic integration tests turn into a tool of controlling and selecting potential immigrants. The essence of external dimension of civic integration lies in decreasing number of entrances, particularly on the grounds of family reunification. For the receiving state, “civic integration abroad” serves as insurance *sui generis* before giving a third-country national permission for visa and right

to enter the EU.

Consequently, integration is presented as additional criteria in internal as well as external dimensions on the way to legality of residence and guaranteed security for immigrants. It performs the function of state's additional privilege to govern, restrict, and choose legal channels of immigration and those selected individuals, who will receive access to social insurance and solidarity. In spite of cultural integration, the essence of which lies in harmonizing attitudes and behavior of immigrants with those of the locals, the aim of civic integration is not transformation of cultural belonging or assimilationist homogeneity. Its paramount task is support for immigrant's functional autonomy together with his inclusion into the receiving society, whereas the state receives guarantees from the negative consequences of immigrants' isolation. According to the former Great Britain's Prime Minister Tony Blair, "civic integration aims to establish a respect for diversity that is maintained by commitments to common values" (Goodman, 2010, p.754). Namely with this aim, most European countries put forward so-called demands of systemic enhancement of civic integration, including integration agreements, courses, tests and ceremonies. It should be stressed, that willing to enhance immigrants' inclusion into the receiving society is surely a positive development, however, demands which make certain legal status conditional, may have negative consequences. If we analyze the way in which broadening of necessity of integration tests is taking place, the following pattern can be observed: citizenship – settlement – family reunification – entry into country. However, often the real rhetoric is hidden behind the intention of the state to encourage more effective inclusion of newcomer into the receiving society and prevent his/her vulnerability. As compared with the obligation to respect and recognize «civic values» for applicants for citizenship in the US and Canada, in its European version these prerequisites are obligatory even for those who plan to reside in the country for long-time or short-time period, and in some cases even for entering its territory.

The key conflict line lies in the fact that the responsibility for integration is frequently viewed as immigrant's sole obligation, therefore, its result (whether successful or negative) is shifted to him too. Moreover, consent to integrate is turning into essential condition for becoming a full-fledged member of the receiving society. Potential immigrant has the following choice: either pass mandatory integration courses, or stay as marginalized member of the society with limited rights at best, at worst – he won't even receive the right to enter the country in order to reside in it. Perception of immigrants by the receiving state as a burden is extremely dangerous due to attractiveness of this idea to the general public, especially its part, which sees the roots of increasing economic crisis, rising unemployment, financial stringency, necessity to pull the society's belt and

growing isolation by some ethnic groups in the presence of immigrants. It is necessary to recognize the fact that apart from getting benefits from the receiving state, migrants invest their resources, first of all, labor force. In case of the Ukrainians in Portugal officials and high-ranking politicians constantly stress vitally important contribution of this group of immigrants to the Portuguese economic development, solving the problem of underqualification of locals and their low level of education.

Civic Integration Provisions in the EU Countries

Obligatory character of civic integration programs for obtaining citizenship and residence status in Germany or Denmark is not as striking as the unexpected surprise from the Netherlands, where the immigrant is not entitled to residence permit and social guarantees unless he passes integration exams. From the other side, in France where integration courses, according to the logic of assimilationist model, have to be obligatory, they are voluntary. However, after the date of signing agreement to participate in integration courses their non-attendance may negatively influence decision regarding issuance of long-term residence permit (Goodman, 2010). The first law explicitly stating obligatory character of civic integration was approved the 1998 Newcomer Integration Act in the Netherlands followed by the 2005 Act on Integration Abroad and 2007 Integration Act (Kostakopoulou, 2010, p.834). The case of the Netherlands is evidence of the new vision of integration which overcomes its traditional understanding and starts not inside the receiving country but even before potential immigrant enters its territory. "Integration of immigrants abroad", that implies refusal to enter the member state in case of unsatisfactory result in integration tests, is the most vivid example of the new trend to interdependence of state immigration policy and its integration programs.

Scholarship on immigrant integration emphasizes its successful outcome for both sides, foreigners and the receiving state, is naturalization and in case of impossibility or unwillingness of receiving citizenship – permanent residence permit, which ensures all rights for immigrant apart from political ones and considered as citizens' privilege in the European countries (exception is for the voting rights at local elections in some countries). Direct link between integration and citizenship acquisition can be observed in case of Great Britain. The 2002 Immigration, Asylum and Nationality Act amended the previous one by entering into force on November 1st, 2005 (the UK Nationality, Immigration and Asylum Act, 2002). According to its provisions, foreigner's naturalization provides for sufficient knowledge of life in Great Britain and, in addition, command of English or Welsh, Irish and Scottish depending on the place of residence. It should be mentioned, that some countries experienced difficulties in linking citizenship and

integration from one side, and integration with immigration on the other side, which did not prove effective.

The idea to introduce the integration tests in order to prevent isolation of certain immigrant communities inside the receiving state does not violate immigrant rights and the right to family reunification. However, difference is obvious in the case of the Netherlands, where passing the integration test costs over 4 000 €, Austria, with the fee of 350 € for language tests, or UK, where the settlement test is free only for immigrants, who resided on its territory at least for five years, and for EEA nationals (Goodman, 2010). 2009 Royal Assent of probationary citizenship, which introduced the qualification period of five to eight years in order to receive the right to naturalisation, raised concerns from the European Commission on Human Rights and the Refugee Convention as well as various NGOs. Moreover, this Bill received neither the unanimous approval of House Lords, nor of the Home Affairs Select Committee in the House of Commons (Van Oers, 2010, pp.51-62).

By far the most successful laboratory of enhancing immigrant integration is Portugal, which occupies the second place in MIPEX (Migrant Integration Policy Index) after Sweden, leaving Canada, Finland and USA behind. Regardless the fact that Portugal belongs to one of the least developed countries in the European Union and transformed into the receiver of immigrants around twenty years ago, its immigrant integration policies are recognized as the most progressive. According to republican (assimilationist) model of inclusion, legislation on immigration and integration requires knowledge of country's history, language and respect for core values. The immigrants are able to pass free of charge A2 language courses in the framework of “Portugues Para Todos” program, use the resources of CNAI centers, centers for immigrant entrepreneurship in order to pass the procedures of requalification (ACIDI, 2011). As for Sweden, it is by far the only country in the European Union, which did not restrict any of the immigrant rights in the name of protecting its own national identity.

Conclusion

Taking into account all arguments mentioned above, integration of immigrants turned into one of the key problems for liberal democracies. In Europe and outside of it, concerns about “failure of integration” of relatively young immigrant communities and those with a long history of residence in the receiving state are on the rise. In states, where the “jus sanguinis” principle is in effect, immigrant is left with delusive hopes for naturalization, and full-fledged membership in the receiving society. This leads, as in case of Germany, to situation when immigrant becomes interested only in improvement of its financial wellbeing,

and necessity for interaction with members of the receiving country stays in the background. Without existence of enhancing policy of immigrant inclusion, their chances for voluntary integration become less likely, and inclination to isolation inside their own ethnic community becomes greater. From the other perspective, countries where “ius soli” principle is in effect are more motivated to foster integration of immigrants into the receiving society. However, multicultural model alone did not save them from the problems of countries with republican and differential incorporation models. It may seem paradoxical, but delegation of special rights to ethnic communities even more conserves their “separate status” in society. In their turn, those immigrants, who stay out of social links with their own ethnic group, experience difficulties in solving personal problems, since the ethnic community performs a protective function of safe harbor during immigrant's first months in the receiving country.

In the light of foregoing discussion, we can single out three key dimensions, in which the concept of civic integration in the EU countries has transformed: vision of integration in each of the models of immigrant incorporation, relevance of mutual intersection of integration policies with immigration policies and, consequently, emergence of the new concept of “civic integration” for immigrants as well as “civic integration for immigrants abroad”. If previously pace of integration depended in higher degree on the will of immigrant to establish relations with the receiving society, new conceptualization of integration turned it into the form of agreement between immigrant (potential immigrant) and the state providing for the right to enter the country, legally reside in its territory, have a claim on social guarantees and immunity from exclusion and deportation. Finally, the European Union, which is looking forward to widening its competences in immigrant integration, plays the role of the third column apart from the immigrant and the receiving state. The questions remains open regarding violation of fundamental principles of common immigration policies of the EU, particularly, immigrant's right for family reunification. Besides, scholars, while researching the issue of civic integration, should consider its dual nature, and be analytically precise in defining relation between civic integration, immigration policies and citizenship.

References:

- Bauböck, R. (1994). *From Aliens to Citizens*. Aldershot: Avebury
- Bennhold, K. (2006, April 27). Sarkozy turns France to talk of immigration. *The New York Times*.
- Brubaker, R. (1992). *Citizenship and Nationhood in France and Germany*. Cambridge, MA: Harvard University Press.
- Carrera, S. (2009). *In Search of the Perfect Citizen? The Intersection between Integration, Immigration and Nationality in*

- the EU. Leiden: Martinus Nijhoff Publishers.
- Council of the European Union. (1999, October 15-16). Tampere European Council: Presidency Conclusions. Retrieved from http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/00200-r1.en9.htm
- Council of the European Union. (2004, November 5). The Hague Programme: Strengthening Freedom, Security and Justice in the European Union. Retrieved from [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005XG0303\(01\):EN:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005XG0303(01):EN:HTML)
- Council of the European Union. (2003, June 19-20). Thessaloniki European Council: Presidency Conclusions. Retrieved from http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/76279.pdf
- Favell, A. (1998). *Philosophies of integration: Immigration and the Idea of Citizenship in France and Britain*. London: Macmillan.
- Freeman, G. P. (1995). Modes of Immigration Politics in Liberal Democratic States. *International Migration Review*, 29(4).
- Foblets, M.-C. & Yanasmayan, Z. (2009) Country Report: Belgium. EUDO Citizenship Observatory. Retrieved from <http://eudo-citizenship.eu/docs/CountryReports/Belgium.pdf>
- Goodman, S.W. Integration Requirements for Integration's Sake? Identifying, Categorizing and Comparing Civic Integration Policies, *Journal of Ethnic and Migration Studies*, 36(5).
- High Commissariat for Integration and Intercultural Dialogue. Retrieved from <http://www.acidi.gov.pt>
- Jonsson, S. (2012, July 27). The Contained. Retrieved from <http://www.eurozine.com/articles/2012-07-27-jonsson-en.html>
- Kleiner-Liebau, D. (2009) Migration and the Construction of National Identity in Spain: Iberoamericana.
- Kostakoupolou, D. (2010, May) Matters of Control: Integration Tests, Naturalization Reform and Probationary Citizenship in the United Kingdom. *Journal of Ethnic and Migration Studies*, 36 (5).
- Nationality, Immigration and Asylum Act 2002. Retrieved from http://www.legislation.gov.uk/ukpga/2002/41/pdfs/ukpga_20020041_en.pdf
- Treaty of Amsterdam 2007, Article 63 (3). Retrieved from <http://www.unhcr.org/41b6ccc94.pdf>
- Van Oers, R. (2010) *A Re-Definition of Belonging?: Language and Integration Tests in Europe*. Leiden: Martinus Nijhoff Publishers.