

WP 2

THE NATIONAL POLICY FRAMES FOR THE INTEGRATION OF NEWCOMERS COMPARATIVE REPORT

by

Bernhard Perchinig (ICMPD) (principal author)

with

Christina Hollomey, Albert Kraler, Alfred Wöger (ICMPD), Karolína Babická (IES); Berta Güell, Roisin Davis, Olga Jubany and Núria Mutilva (ESRU-University of Barcelona); P.W.A. Scholten, Han Entzinger (Erasmus University Rotterdam) and Sawitri Saharso (University of Twente); Brigitte Suter (MIM) and Martin Qvist; Elena Vaccelli, Eleonore Kofman, Alessio D'Angelo and Hannah Lewis (Middlesex University); Maren Borkert (University of Vienna) in collaboration with Maegan Hendow and Madalina Rogoz (ICMPD); Claudia Lechner (efms); Tiziana Caponio and Giovanna Zincone (FIERI)

International Centre for Migration Policy Development (ICMPD) and University of Vienna (AT)

Institute for European Studies (IES) (BE)

European Forum for Migration Studies (efms) (DE)

European Social Research Unit, University of Barcelona (ESRU) (ES)

Forum Internazionale ed Europeo di Ricerche sull'Immigrazione (FIERI)(IT)

Social Policy Research Centre, University of Middlesex (GB)

Erasmus University Rotterdam and School of Management and Governance, Social Risks and Safety Studies, University of Twente (NL)

Malmö Institute for Studies of Migration, University of Malmö (MIM) (SE)

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About the Project

While integration policies as such are not new, and in some countries date back to the 1980s and beyond, there have been important shifts in the debates on integration and in related re-configurations of integration policymaking in the past decade or so. One of the main recent trends is the linkage of integration policy with admission policy and the related focus on recent immigrants. A second trend is the increasing use of obligatory integration measures and integration conditions in admission policy, and third, integration policymaking is increasingly influenced by European developments, both through vertical (more or less binding regulations, directives etc.) and through horizontal processes (policy learning between states) of policy convergence.

An increasing number of EU Member States have, in fact, adopted integration related measures as part of their admission policy, while the impact of such measures on integration processes of immigrants is far less clear. In addition, Member States' policies follow different, partly contradictory logics, in integration policy shifts by conceptualising (1) integration as rights based inclusion, (2) as a prerequisite for admission residence rights, with rights interpreted as conditional, and (3) integration as commitment to values and certain cultural traits of the host society.

The objective of *PROSINT* is to *evaluate the impact* of admission related integration policies on the integration of newcomers, to *analyse the different logics* underlying integration policymaking and to *investigate the main target groups* of compulsory and voluntary integration measures.

The project investigated different aspects of these questions along five distinct workpackages,. These analysed (1) the **European policy framework on migrant integration** (WP1), (2) the **different national policy frameworks for the integration of newcomers** in the 9 countries covered by the research (WP2), **the admission-integration nexus at the local** level in studied in 13 localities across the 9 countries covered by the research (WP3), **the perception and impacts of mandatory pre-arrival measures** in four of the nine countries covered (WP4) and a methodologically oriented study **of the impact of admission related integration measures** (WP5). The countries covered by the project were Austria, the Czech Republic, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland and the United Kingdom.

For more information about the project visit <http://research.icmpd.org/1429.html>.

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I Introduction

This report focuses on the overall policy frames for the integration of newcomers the 9 European countries covered by the PROSINT projects (Austria, the Czech Republic, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland and the UK). In particular, the report investigates the introduction of post- and pre-entry¹ integration measures in some of these countries. The report focuses on the development of the nexus between admission and integration, the policy discourses around migration and integration, the position of the stakeholders of the debates, the interactions of national and EU policies in this field and the implementation of pre- and post-entry integration policies.

The country reports prepared under WP2 followed a common template elaborated by the work package coordinator² and were designed for the purpose of the comparative report. Although country reports can also be read as standalone documents, the reports were not designed as such, but essentially as input for the comparative analysis. The research reflects the state of affairs as of December 2010.

The report is structured into eight major sections. Section II discusses the development of the concept of integration until the 1990s. Section III focuses on the development of the nexus between migration and integration since the 1990s in the countries covered by the study, whereas Section IV discusses the linkages between EU policies and member state policies in this field. Sections V and VI focus on the development and implementation of post-entry and pre-entry policies respectively. Sections VII and VIII analyse the national discourses on migration and integration and the position of the main stakeholders in the debate, and section IX presents the conclusions of the report.

In terms of research design, this report follows standard approaches to public policy analysis triangulating information from academic research, interviews with stakeholders and actors and the analysis of policy documents and legal acts. As the target of public policy research is to allow an understanding of the process of policy development and the motives and interests of stakeholders, it is not restricted to the analysis of legal developments, but includes the analysis of the policy process, focusing on different viewpoints of actors, turning points in policy development and the framing of policy discourses. Thus a detailed description of the development in the countries covered by the project is not the main target of this report, but rather the analysis of commonalities and differences. Readers interested in the historical developments in certain are thus asked to consult the country reports.

This report is based on the country-reports written in the framework of the project, which are available at the project-website and the analysis of policy documents, academic publications and research studies. In writing the report, parts of the country-reports have been used either verbally or in parentheses. For reasons of readability these parts have not been marked as citations, but all authors of the country reports have been mentioned as co-authors of the report. The principle author has the sole responsibility for errors originating in the editing process.

¹ A more detailed analysis of pre-entry tests is provided in the comparative report on PROSINT work package 4 (Scholten et al. 2012).

² The WP coordinator was Maren Borkert (University of Vienna and formerly with ICMPD).

II The policy frame at the end of the 1990s

At the end of the 1990s, the “integration of immigrants” had been established as an important issue in the political debate in all countries analysed in the project. Nevertheless, policies aimed at the inclusion of immigrants into the society of the host country have a much longer history and, depending on country, reach back to the 1970s and 1980s. Most often they were not framed in terms of integration, but, depending on the country-specific policy trajectory, in terms of e.g. “minority-policies” (Netherlands), “race-relations policies” (UK) or “Ausländerpolitik” (Austria, Germany and Switzerland), whereas in Sweden the term “integration” continuously was used since the 1970s.

In the United Kingdom, in the 1980s and 1990s policies aiming at the societal inclusion of immigrants were largely framed in the terms of “race relations”, which were rooted in the distinct influence of the colonial tradition of the British Empire on post-war migration policies. In this framing, ethnicity and skin colour, and not migration, were the central analytical focus and the main categories driving concrete policies (Goulbourne 1998). Since the first Race Relations Act of 1968, an elaborated legal and institutional antidiscrimination policy framework had been established, focusing on measures against direct and indirect discrimination based on ethnicity and skin colour. This approach was supplemented by a liberal acceptance of cultural diversity and the development of an understanding of the UK as a multicultural society, which cherished ethnic diversity and understood ethnic groups and organisations as an important interlocutor between the state and society and as a target of community relations policies.

It was the UK, where the term “integration” first was used in the immigration debate in Europe. In 1967 the then Home Secretary Roy Jenkins coined the famous definition of integration as “equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance”:

“Integration is perhaps a rather loose word. I do not regard it as meaning the loss, by immigrants, of their own national characteristics and culture. I do not think that we need in this country a ‘melting pot’, which will turn everybody out in a common mould, as one of a series of carbon copies of someone’s misplaced vision of the stereotyped Englishman... It would deprive us of most of the positive benefits of immigration that I believe to be very great indeed. I define integration, therefore, not a flattening process of assimilation but as equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance.” (Jenkins 1967, 267).

Despite its early usage, the term vanished from the debate in the 1970s and 1980s and was replaced by multiculturalist concepts. It returned in the 1980s in the field of refugee reception, and was linked to the broader migration debates only in the 1990s and 2000s. Nevertheless, the paradigms established in the 1970s and 1980s, - antidiscrimination and race relations policies - still dominated in the 1990s and have not been questioned by the renewed focus on integration which still tends to dominate only the field of refugee policies, whereas “social cohesion” often is used for policy aspects discussed under the heading of “integration” elsewhere.

In the Netherlands, in the 1980s migrants’ policies were reframed as ethnic minority policies focusing on ethnicity as policy guiding paradigm. This frame stressed the permanent position of immigrants as a minority within Dutch society, and also appealed

to the Dutch legacy of pillarisation with its social and religious national minorities. In the early 1990s ethnic minorities policies made place for an integration policy that focused less on specific migrant groups and more on individual migrants and on their integration in social and economic spheres such as labour, education and housing. Finally, in 1998 a law was enacted that regulated the integration of newcomers into Dutch society by obliging them to participate in civic integration courses. This marked the formal beginning of the now so renowned Dutch integration policy, which in the new millenium gave up the long established group oriented multiculturalism and turned towards a more assimilationist approach (Scholten 2011).

In Sweden, since the 1970s integration was basically understood as a combination of legal equality of immigrants and citizens combined with strict immigration control. In the 1980s multicultural approaches gained more influence, and the preservation of cultural diversity was defined as a part of integration, which should accompany legal equality. Unlike in the Netherlands, the UK or Canada, however, Sweden never developed a group-oriented model of multiculturalism giving ethnic organisation the role of the intermediary between the state and the individual, but from the beginning the individual was the point of reference (Parussel 2009, 8).

As in other European countries, also in Sweden the 1990s marked a period of revision of the prevailing paradigms of migration and integration policy. The main thrust of the debate focused on the missing incentives for immigrants to find a job and economic independence and their high dependency on social support payments. In consequence of this debate, the government in 1997 adopted a policy statement on integration policy, entitled "Sweden, the future and diversity - from immigration policy to integration policy." This document for the first time clearly linked the two policy fields and defined sustainable labour market integration and self-reliance of the immigrants as major goal of integration policies in Sweden. Nevertheless, the principle of integration based on the equality of the individual and access to the welfare state was still upheld until the new millennium (Lemaitre 2007)

In three countries integration policies had been developed at the local level a time before integration became a policy issue at the central level. In Austria, Germany and Switzerland integration had become an important political issue at the local and provincial level already in the 1990s. Since then, a large variety of integration policies and practices had been developed at the provincial or municipal level. At the national level integration became established as a distinct policy area involving political responsibilities and specialised institutions only in the beginning of the new millennium.

Austria, Germany and Switzerland do not only share a common history of "guestworker" – policies, but are also federal states granting their provinces or regions a certain degree of autonomy, in particular in the field of education and social policy. Thus regional or even municipal governments may find it easier to develop their own measures for immigrants in absence of state policies, and the pressure on the state government to develop policies is lower than in centralised states. On the other hand, in these three countries integration activists could find job opportunities at the local and regional level and were able to develop competence in the field and to influence the public discourse. Integration thus was established as a policy field on the regional and local level quite some time before the state developed integration policies and institutions. In these cases, the establishment of state policies and institutions often was

accompanied by a conflict between the Ministries of the Interior, which focused on security concerns, and regional and local governments, who focused on social integration and whose outlook included issues of migrants' empowerment and antidiscrimination.

Neither in the Czech Republic, nor in Italy and Spain integration was an established policy issue in the 1990s. Since the mid 1990s, one could find an integration regime in the making, with an emerging political debate on the development of integration policies and legislation at the political level, combined with a dominance of ad-hoc measures in practice and little or no institutionalization. In particular in Italy and Spain, (more or less) regular regularisations were the main tools to legally integrate irregular immigrants; a measure, which was accompanied by a practice, but not by a policy of open borders. For these states, the developing integration policies at the European level – including both the activities of the Council of Europe as of the European Commission – were instrumental for the development of national integration programmes and policies.

We also do find rather different patterns of interaction between the state and regional and municipal policy making. Integration policy paradigms at the state level were well established in the Netherlands, the UK and Sweden in the 1990s, whereas in the other countries either integration policies were developed primarily at the regional or local level, or had not been established at all.

In all analysed countries, the relationship between the local/provincial and the state level developed differently. Both in Italy as in the Czech Republic, integration policies began to be developed in the new millennium as well at the state as at the local level. In Spain, Sweden and the UK, integration policies from the outset had been developed at the state level, with the municipal and regional governments acting mainly as implementing authorities, albeit, like in the case of Spain, with a high degree of regional autonomy. Also in the Netherlands, the municipalities mainly acted as implementing authorities, although in the larger cities (Amsterdam and Rotterdam) distinct urban policies already were in the making (Scheve 2000).

In the UK, up to the end of the 1990s, the race relations framework was implemented by state authorities, only since the devolution of Northern Ireland, Scotland and Wales regional implementation structures have developed. Nevertheless, already in the 1980s the local level gained importance. Several local authorities had developed “race relations councils” and set up “race equality” departments in the administration, and in particular during the time of the Thatcher-governments, the “local politics of race” had become an area of fierce party competition, but these policies did not focus on language tuition or social integration, but on the implementation of antidiscrimination measures into local administration (Ben-Tovim 1986).

Municipal or regional integration policies in Austria, Germany, and partly Switzerland focused on a rights-based approach fostering participation of immigrants independently of their legal status and on pragmatic solutions for day-to-day issues, involving migrant organisations or individual migrants as actors in the implementation of concrete measures, whereas state politics at the end of the 1990s only concerned border- and migration management. In all three countries, this grass-roots approach has led to conflicts with the state authorities in the field of migration control, in all cases the respective ministries of the interior. Comparable conflicts have not been reported in

countries where integration policies were developed at the municipal and the state level at the same time.

As migration became an issue of competence for the European Union only since 1998, EU programmes only indirectly influenced national integration policies up to the 1990s. In this context, programmes funded by the European Social Funds were of paramount importance. As these programmes aimed at the integration of groups in risk of exclusion into the labour market, they also encompassed immigrants and had defined them as target groups since the 1990s. Thus programmes like YOUTHSTART, INTEGRA, EQUA, but also the URBAN – programme funded by the European Regional Funds, had given funding opportunities for municipalities and NGOs active in the field of integration and fostered exchange and policy learning even before continuous EU support for integration programmes and activities was developed with the implementation of the European Funds for Integration in 2007. Furthermore, the General Directorate V of the European Commission, which dealt with labour market and social policies, had already implemented a network of experts on migration and integration called RIMET (Resseau d'information sur les migrations des etats tiers) in 1992, which delivered annual reports on migration and integration issues to the European Commission between 1993 and 1998 and can be considered as a forerunner to the European Migration Network established in 2005.

III Admission policies and the evolution of the nexus between admission and integration

III.1 The development of voluntary and compulsory integration measures

Whereas in the 1990s “integration” mainly was debated in terms of labour market and social policies, at the end of the 1990s policies implementing voluntary or compulsory measures aimed at the individual migrant – language training and testing and training and testing about the history and political system of the country of residence – were implemented and defined as core of “integration policies”. Language testing and testing the knowledge about the history and polity of the country of residence had been established in the naturalisation policies of many countries and now were transferred to the field of residence, as participation in courses and tests became a precondition of access to a permanent residence status in a growing number of countries. In four countries of the sample (Austria, Germany, the Netherlands, UK), language acquisition abroad also became a precondition for admission for family reunification, and in Austria and the UK for admission as a qualified worker.

The following chapter will analyse the development and main characteristics of pre- and post-entry politics in the countries analysed and identify communalities and differences. As post-entry politics were developed first, it will start with an overview of the development in this field

III.1.1 The development of post-entry policies

Voluntary integration measures had already been implemented in Sweden in 1965, granting workers and employees the right to attend free language courses during working time. Also in Austria, Germany and the Netherlands voluntary language courses were a part of integration activities organised by municipalities, NGOs and churches since the 1980s. As they were organised and financed most often the local or regional level, hardly any analysis on their impact can be found.

Mandatory post-entry measures were first introduced in the Netherlands in 1998 as a result of an advice of the Scientific Council on Government Policies, but hardly were implemented by the municipal administrations. They were motivated by labour market considerations: Young immigrants from Morocco and Turkey would display much lower labour market participation rates than their native peers, and this low labour market participation would be mainly due to their bad command of Dutch, the study argued. Thus compulsory language training should help to improve their labour market participation.

In the context of the 2003 Memorandum on the “Revision of the Civic Integration Regime” was implemented strictly by the Civil Integration Newcomers Act (Wet Inburgering Nieuwkomers, hereafter WIN), which came into force in 2004 and obliged all newly arrived third country immigrants to follow an integration trajectory based on courses in Dutch at the level A2 of the Common European Framework of Reference for Languages (CEFR)³ and vocational orientation and counselling. The courses were paid

³ Information on the CEFR can be found at http://www.coe.int/t/dg4/linguistic/cadre_en.asp.

by the government, attendance of the programme was made a precondition for access to social support payments. On January 1, 2007, a reformed Civil Integration Act came into force, which extended the obligation to participate in an integration programme to migrants already living in the Netherlands for a long time (including holders of a permanent residence permit)⁴. On 1 April 2010, a further reform made passing the integration test a condition for permanent residence. The test now also counts towards naturalisation, the naturalisation test was abolished. The examination has to be passed within a time frame of 3,5 years by all immigrants who passed the integration abroad test and within five years by long term residents,

In practice, all migrants obliged to fulfil the agreement are informed about their obligations by a letter from the municipality of their residence and invited to an appointment with the respective local civic integration unit. At the appointment, a screening regarding the educational and professional background and the level of knowledge of Dutch is done, and consequently a programme including a timetable for the course offered and the concluding civic integration exam is agreed. The test consists of two parts: a practice part, assessing language skills, which have to be at least at the level A2, and a part assessing knowledge of the Dutch society. The migrants themselves have to carry the financial responsibility for these integration courses; the government would however provide specific loan facilities and a specific reimbursement if the post-entry integration exam is passed successfully.

From 2010, the practice part is not done by standardized testing, but by role plays at an assessment centre. A further possibility to prove the knowledge of Dutch is to submit a "portfolio" of 20 proofs of written and oral skills collected by the candidate, which show that the candidate has written and spoken Dutch in certain situations. Candidates can choose from four different portfolios: 'work', 'education, health care and upbringing', 'entrepreneurship' and 'social participation'. To collect proofs of oral language skills, the conversation partner will need to complete and sign a form giving his/her name, telephone number and function, the date of the conversation and answers to questions on the language competencies of the partner. A further possibility to fulfil the practice part is a mixture of the portfolio method and the assessment centre.

The knowledge of Dutch society exists of approximately 43 questions. The test is taken on a computer and does not only test factual knowledge, but also knowledge about norms and values. The test does not only check knowledge, but also asks for behaviour deemed to be in line with the Dutch way of life (Strik et al 2010, 14). There is no preparation material available, and the list of questions is not publicly available. If a migrant proves knowledge of Dutch at the level B1 by a certificate of a recognized testing institute, s/he has fulfilled the integration conditions without taking the exam.

The Netherlands served as a role model for the introduction of the "Integration Agreement" in Austria in 2003. Like in the Netherlands, requirements for the fulfilment of the agreement were raised since then. From 2003 to 2005 the agreement was fulfilled through the obligatory attendance of an integration course and a test of knowledge of German at the level A1. As due to the large number of exceptions only few people attended the courses, in 2005 the "Integration Agreement" was reformed, and the required level of language knowledge raised to A2, to be fulfilled within five years of

⁴ According to a decision of the Highest Court, Turkish citizens protected by the EC Turkey Association Agreement are exempt from the duty to take the test.

residence. The duty to attend a course was abolished, but at the same time the Austrian Integration Funds established a programme of integration courses leading to the exam. A further amendment in 2010 implemented pre-entry language conditions and increased the level of language competency needed to fulfil the integration contract to A2 after two years of residence and B1 after five years. A positive test at the B1 level is a precondition for access to a permanent residence permit. There is no duty to attend any course, but only the duty to prove language knowledge by a test at a certified test institute. In practice, most people attend a German integration course offered by a vast array of different providers. After successful completion of the test, up to 50% of the costs of the courses (for up to 75 hours for literacy courses and up to 300 hours for language courses for the level A2) are refunded, with a cap set at Euro 750.- per person. There is no public funding for the test at the B1-level, and there is no test on knowledge about society.

In chronological terms, Germany was the next country to implement compulsory post-arrival integration measures. The Immigration Act of 1 January 2005 established a national integration course programme, consisting of a language and an orientation course aiming at the acquisition of German at the B1 level of the CEFR and basic knowledge about the German society. The newly founded Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF) was made responsible for the organisation of the courses.

The German integration course model comprises two components, a language course and an orientation course (civic education). A regular integration course consists of a maximum of 645 teaching units at 45 minutes in German language and comprises two components:

(1) a language course with 600 teaching units of language instruction (divided into a basic language course with 300 and an intermediate language course with 300 teaching units⁵) and

(2) a so-called orientation course containing 45 teaching units of instruction about social and legal topics.⁶

The integration course is usually offered as a fulltime class. The attendance of part-time classes is possible in case the employment of the participant or other important reasons (e.g. child care) require for it. Currently approximately 40 % of the general integration courses and about 60 % of the illiterate courses are conducted as part-time classes (less than 20 TU per week). The government prefers full-time classes as part-time classes cause higher costs, particularly with respect to costs for child care and travel expenses (Deutscher Bundestag 2010, BT-DS 17/1536, 12). Besides the 'general' integration course, a growing number of specialist integration courses⁷ are offered to special target

⁵ Initially the orientation course consisted only of 30 TUs, but with regard to the "ambitious curriculum" (Beauftragte der Bundesregierung 2005, 210), the number of TUs has been increased to 45 TUs with the introduction of the new version of the *Ordinance on Integration Courses (IntV)* on 8 December 2007 (§ 12 Abs. 1 IntV) (BAMF 2008, 8; BAMF 2009, 10). Both, the basic language course as well as the intermediate language course are further departed into 3 modules of 100 TUs each.

⁶ With respect to its format, thus, the German integration course was to a great extent a copy of the Dutch '*inburgeringsprogramma*', which had been implemented in the Netherlands in 1998 (Michalowski 2009, 267).

⁷ The majority of participants attend a general integration course. However, the trend towards specialist courses is increasing. In 2009 the proportion of new course beginners who attended a specialist course

groups, e.g. to parents and women, young people and young adults or illiterates (BAMF 2008, 10). For these special course offers the language course component has been extended to 900 teaching units. Particularly aimed at participants with learning experiences are intensive courses with 430 teaching units which give the opportunity to prepare for the final examination in a shorter period of time (BAMF 2009, 10).

A positive final examination is the prerequisite for the fulfilment of the integration requirements. Since 1 January 2009, also the orientation course is terminated by a standard nationwide orientation course test which has the form of a multiple choice knowledge test. A cost-free download-version of the General Catalogue of orientation course test questions containing all 250 questions is available on the website of the Federal Office for Migration and Refugees. (Carrera/Wiesbrock 2009, 28).

As a rule, attendees pay one euro for each lesson, thus, the total costs amount to 645 € for each course participant of a course comprising 645 lessons (the one-off attendance at the final test is free of charge). Exemptions from this financial contribution are made in certain circumstances, e. g. for recipients of social benefits.⁸ Ethnic German repatriates can in principle attend one complete integration course free of charge.⁹

In the United Kingdom, there have historically been almost no policies and provisions for the integration of third country nationals after arrival, except of refugees, who were supported with language acquisition and labour market integration. Immigrants' policies concentrated on antidiscrimination legislation. As the vast majority of immigrants originated from former colonies, where English was (one of the) official language(s), not debate on language acquisition existed until the late 1990s. The debate on "integration" entered the scene only at the beginning of the new millennium, when immigration from Eastern Europe rose and for the first time a large group of immigrants from non-English-speaking areas entered the country. The debate first affected on naturalisation: In 2004, a "Life in the UK" test was introduced in the naturalisation procedure to secure, that naturalisation only was granted to those with sufficient knowledge of English and of the written and unwritten rules governing life in Britain. In 2007, passing the "Life in the UK test" was made a precondition to be granted "indefinitive leave to remain", the most important permanent residence status. This computerised test covers a broad variety of information about living in the UK, ranging from main characteristics of society over customs and traditions to basic information about the political system¹⁰.

In Switzerland, the cantons have been entitled to make the attendance of integration courses a mandatory precondition for a permanent residence in 2005. In addition, the degree of integration has to be taken into consideration when issuing a permanent residence permit and in cases of expulsion and denials. This option has been set in practice by the Regulation on the Integration of Foreigners in 2007 and has been used

was 33.5 %. The proportion of women who began to attend an integration course in 2009 was 64,2 % (ibid.).

⁸ In 2009 a total of 99,128 applications for exemptions from the course fee were approved (2008: 97,628) (BAMF 2010, 7).

⁹ http://www.integration-in-deutschland.de/cln_110/nn_284232/SubSites/Integration/EN/01_Ueberblick/Angebote/Integrationskurse/TeilnehmerAnbieter/teilnehmeranbieter-node.html?_nnn=true

¹⁰ Information about the test can be found at <http://lifeintheuktest.ukba.homeoffice.gov.uk/>

since 1 January 2008. (Prodoliet 2009, 50). In practice, the civil servant in charge decides based on the evidence of each case.

In the Czech Republic, knowledge of the Czech language at the level A1 of the Common Reference Framework has to be proven as condition for permanent residence since January 1, 2009. The test has to be taken in writing. Immigrants holding a permit under the “Pilot Project Selection of Qualified Workers” – scheme do not have to fulfil the language requirement to be granted permanent residence.

In Italy, law n. 94/2009 introduced the so called “Integration Agreement”, to be undersigned by the immigrant at the moment of the issuing of the residence permit, and which commits him to achieve specific integration goals at the expiry of his residence permit. According to the law, the agreement should be articulated in a number of credits: in case of loss of all the credits, the resident permit will be revoked and expulsion enforced. Moreover, it is posited that the signing of the agreement is a necessary condition for the issuing of the residence permit.

In Spain, post-arrival language courses are offered as incentive by local government and are most often not compulsory. The understanding of integration is characterised by a sharp left/right division, which prevented the development of a common conception of integration. Since 2009, “integration” has been defined as a positive factor when deciding about the renewal of a residence permit or family reunification. Recent legislation has transferred competencies to the regional governments. In the autonomous communities of Catalonia and Valencia, which follow distinct paths of language policies either fostering the regional language at the cost of Spanish (Catalonia), a bilingual approach (Valencia) the regulations were implemented in a specific way granting persons holding a certificates of the knowledge of Catalan and Catalan culture in Catalonia and Valencian and Spanish in the Comunitat Valenciana privileged access to a permanent residence title.

Both Catalonia and the Valencia enjoy a specific status of regional autonomy and are bilingual, with Catalan as the first and Spanish as the second official language in Catalonia and both Valencian and Spanish as official languages in Valencia. In recent years, a vigorous policy of support for the Catalan language has been developed in Catalonia which intends to atone for the oppression of Catalan during the Franco-regime. These policies include the right of parents to choose between schools teaching in Catalan and schools teaching in Castilian, whereby the regional government fosters primarily Catalan schools. Furthermore, fluency in Catalan is a precondition for access to jobs in the regional and local administration. In the Valencia there is also strong support for learning Valencian, and fluency in Valencian also is a precondition for access to jobs in the regional and local administration. The early implementation of language related integration measures in these provinces have to be understood under this specific pretext, which led to an instrumental linkage between immigrant integration and demands for extended regional autonomy (Davies 2008, 2010).

In Sweden, persons having been admitted to stay in Sweden permanently, newly arrived refugees, persons on other protection statuses, and their family members arriving within two years from the issuing of residence permit have the right to benefit from an introduction programme that consists of three fundamental pillars, including a Swedish language course, civic education and activities facilitating entry into the labour market. The latest reform came into effect on 1 December 2010. Participants now have to agree on an individual establishment plan with the Employment Services and will be

supported by a personal coach. Upon fulfilment of their individual establishment plan they will receive an allowance.

III.1.2 Main characteristics of post-entry programmes

The existing post-entry programmes differ widely with regard to the requested requirements, in particular the level of language knowledge, the way of testing and the duty to course attendance. The following table gives an overview about the main characteristics of the post-entry programmes.

In six of the eight countries (Austria, Czech Republic, Germany, Italy, the Netherlands, UK) the requested level of language knowledge has to be proven by a test of a certified testing institute. In Spain and Switzerland, the level of language knowledge is examined by an interview with a civil servant, who has a high degree of discretion in his/her decision. In Sweden, the establishment plan including, if necessary, language courses, is negotiated with each applicant, but no language test is demanded.

In most countries requiring a language test, the level A2 of the Common European Reference Framework is set as condition for passing the exam. In the Czech Republic, the required level is A1, and in Germany B1. In Austria, the level A2 has to be proven after two years of residence as condition for the renewal of the temporary permit and the level B1 after five years as precondition for a permit granting the status of a long term resident third country nationals.

In all other countries demanding a test, applicants have five years to fulfil this condition. In Spain, Sweden and Switzerland the decision on the time available for fulfilment of the condition is taken on a case by case base. In the UK, the level is also set at B1, but immigrants below that level are only obliged to take a course and to improve their knowledge of English by at least one level. For Spain and Switzerland also large regional differences and a high degree of discretion of the authorities has been reported. Germany, Italy, the Netherland and the UK also demand the passing of a test about knowledge of society; in Switzerland knowledge of society is tested during an interview.

Germany, Italy and the UK do not only demand the proof of language fluency, but also demand the attendance of a language and integration course from immigrants not fluent in the language of the country at the required level. In the Netherlands, Spain and Switzerland the authorities may oblige the immigrant to attend a course: and in Sweden an individual establishment plan is agreed, which also in most cases may include a language course. In Austria and the Czech Republic there is no formal requirement to course attendance, although in Austria in practice the vast majority of applicants do attend a course.

Summing up, one can discern a highly unequal level of conditions for access to permanent residence, ranging between individual choice of targets for integration to fixed levels of language knowledge, which itself vary from A1 to B1, translated into everyday language, from simple touristic language knowledge to knowledge at the secondary and postsecondary level. Even more striking is the difference between demands regarding knowledge of society, which range from nil to a level similar to naturalisation requirements like in the UK. It is quite obvious, that there is no common understanding of integration beyond the acquisition of language knowledge between the countries. Given the fact, that post-entry measures condition access to a genuine

European status, the status of Long Term Residence, which should lead to a common status of long term resident third country nationals comparable to those of Union Citizens, one has to wonder, if the huge differences with regard to access to this status still are reconcilable with the policy goals defined by the respective directives.

Country	Year of implementation	Requirements	Language/ Integration course	Language level for permanent residence	Test of knowledge of society
Austria	2003, 2005, 2010	Test	Formally: no, in practice in most cases: yes.	A2 after 2 years, B1 after 5 years	No
Czech Republic	2009	Test	No	A1	No
Germany	2005	Test	Yes	B1	Yes
Italy	2010, 2011	Test	Yes	A2	Yes
Netherlands	1998, 2002, 2007	Test	Authorities may oblige immigrant	A2	Yes
Spain	2004, 2009	Interview	Authorities may oblige immigrant	Case by case decision	Interview
Sweden	1996, 2010	No	Individual establishment plan	Case by case decision	No
Switzerland	2005	Interview	Authorities may oblige immigrant	Case by case decision, cantonal	Interview
UK	2007	Test	Yes, if English is below B1	B1, or course + one level	Yes

Target groups

Target groups differ from country to country. In all countries, EU/EEA members are exempt from the duty to attend post-entry measures, which reflects the legal regulations on Union Citizenship granting freedom of movement without further conditions. Due to EU freedom of movement regulations, also the family members of Union Citizens living in an EU member state other than their own are exempt from the duty to take a test or attend a course. In the Netherlands, broadly speaking, also nationals of “Western” OECD member states are exempt. In the UK, exemptions also extend to parents, grandparents or other dependent relative of a British citizen or settled person.

Labour migrants are usually not excluded from the duty to take the test or participate in integration measures if they want to get a permanent residence permit, but they need not comply with the measures as long they hold a temporary permit. In Austria, within the points-based-system of the “Red-White-Red-Card”, immigrants holding a card for the category “exceptionally highly qualified” are exempt from the duty to prove knowledge of German. In the United Kingdom, Turkish businesspersons recognised under the association agreement with Turkey are exempt from the ‘Life in the UK’ test. Specific provisions for religious teachers (and teachers of immigrant languages) exist in the Netherlands requiring them to complete an integration course. In Switzerland, the

decision to oblige immigrants to attend integration measures is taken on a case-by-case base; there are no legal definitions of the target group, which has been defined as a) migrants coming for family reunification, b) resident migrant who, due to their own behaviour, are at risk of not being able to renew their permit and b) religious tutors, teachers of migrant languages and other persons engaged in supervision or teaching.

In all countries immigrating spouses from third countries are included in the target group. They have to attend the measures independently from their residence status. In all countries exemptions exist with regard to medical conditions, disability or age, and with regard to persons having completed schooling in the respective country. Recognised refugees are not required to pass an integration test or complete an integration programme in Austria and the United Kingdom. Thus the measures clearly focus on spouses of settled third country nationals from outside the European Union or, in the Netherlands and the UK; from outside the “Western” OECD-countries or from outside the English-speaking world.

In Germany, the Netherlands and Switzerland legal provisions allow to extend the duty to attend a course to resident immigrants, who are deemed insufficiently integrated or are receiving unemployment or social assistance benefits (with the exception of Turkish citizens falling under the standstill-clause of the Ankara-agreement). Here the link is made with lack of sustainable integration in the labour market and lack of knowledge of the language of the country. Thus integration is linked to migration policies of the past, trying to “correct” previous shortcomings in integration policies.

Perceived impacts

In Austria, there is no evaluation of the effects of compulsory post-integration measures on integration trajectories available yet. In 2009 the Austrian Integration Funds published a study on ‘Quality Monitoring on the Implementation of the Integration Agreement’ based on interviews with representatives of settlement authorities, representatives of literacy and German integration course providers, and course participants. According to the results of the study, 91% of the interviewed course participants had a positive attitude towards the integration agreement (70% very good and 21% rather good) (Austrian Integration Fund 2009, 7). 79% of the course participants judged the quality of the German courses as positive. The majority of former course participants, who already successfully completed the German integration course, gave the information to speak German frequently in their everyday life; while more than one third pointed out that they rarely speak German (Austrian Integration Fund 2009,8). The INTEC-study on integration and naturalisation programs (Perchinig 2010) revealed that the language courses were received positively by the migrants attending them. Course teachers criticised the “one size fits all” - approach of the integration agreement and demanded a higher degree of flexibility and adaption of the course curriculum to the learning capabilities of the students. Furthermore course providers suggested to improve the linkage with labour market integration, in particular by offering courses aimed at the acquisition of vocational German, which would not be possible in a one size fits all model. Therefore, they suggested replacing the existing models, which would neglect the learning experiences and individual needs to a more individualised and modular approach of language acquisition with a stronger focus on labour related aspects.

In Germany, the Federal Ministry of the Interior commissioned Rambøll Management in 2006 to elaborate an expertise on potentials for improving the implementation of the integration courses. A key finding of the study was that a proportion of approximately 40 % of all integration course participants was not able to achieve language skills at level B1 within 600 teaching units. Thus, one recommendation for improvement was to work with a flexible amount of teaching units, differentiating according to the learning progress and previous knowledge of the participants (Rambøll Management 2006, iv and 174). The results of the evaluation report as well as of the results elaborated for the National Integration Plan (2007) entered into the amendment of the Residence Act (August 2007) and the revision of the Ordinance on Integration Courses (IntV) (December 2007) (BAMF 2009, 8). Rambøll Management also advised to establish an 'integration panel' to regularly evaluate the impact of the courses on integration trajectories.

Against this background, the evaluation-project "Integration Trajectories of Integration Course Participants (Integration Panel)" was initiated in 2007, designed as a longitudinal study which has not yet been finished. The overall objective of the empirical study is to assess the effectiveness and sustainability of the integration courses (Rother 2008, 6).

The Federal Office for Migration and Refugees has so far published three working papers on this evaluation study (Rother 2008, 2009, 2010), mainly focussing on the development of language skills during and after the course. The final report (release not yet known) will comprise more information with respect to mid-and long-term impacts of the integration courses on socio-economic integration processes.

In the Netherlands, a first evaluation of the new Civic Integration Act (Significant, 2010) revealed that indeed the implementation of the new Act had serious difficulties in the first year, but that significant improvements have been made in the years 2008 and 2009. Due to the adjustments made in the context of the Deltaplan Civic Integration, the number of participants to the civic integration courses increased rapidly. By December 2009, 127.000 migrants had been reached for whom participation would be mandatory, of whom 83.000 took part in civic integration courses, a further 44.000 did not receive any 'provision' in terms of a civic integration course, but were assumed to prepare for the integration test in another way. About 60000 migrants had received an official exemption for taking part in the civic integration tests. At least 80.000 migrants for whom participation in the integration programs could be mandatory, had not been reached yet nor has their integration obligation formally been established (Significant 2010, 16).

By the end of 2009, about 20.000 migrants had participated in civic integration programs on a voluntary basis. Almost everyone eventually passes the test in three times, and on average about 80% passes the test at once (ibid, 28). However, it is important to note in this respect that large numbers of immigrants have still not taken part in the tests.

However, little is known of the more enduring effects on the participation or integration of those who have passed the post-entry (and in some cases already also the pre-entry) integration tests.¹¹ A small-scale (only 29 participants and 29 professionals involved in post-entry integration programs) and mainly qualitative analysis has been made of the

¹¹ This was a key impression from the focus group on 8-12-2010.

effects of these civic integration programs on the participation in society of migrants who have passed the post-entry tests (B&A, 2010). The outcomes of this analysis were strongly differentiated and highly tentative. It showed that some facilities or 'tracks' remained underdeveloped or relatively little used (at least in the cities examined), specifically the tracks that focused on language apprehension and on entrepreneurship. The labour-market oriented track did (in the examined case-city Enschede) lead for over 50% of the participants to a job within reasonable time after completing the post-entry program. However, this effect is diminishing with the overall economic decline over recent years (ibid, 7-9). The track for parent carers did seem to increase parent involvement with schools and voluntary organisations. The effects of the track that leads specific migrants toward a state-exam for acquiring a formal language apprehension diploma are difficult to establish, as many participants of this track already have jobs (ibid, 9). No analyses have been made of the effects of the civic integration programs on cultural attitudes of migrants, in spite of this cultural aspects being of such central importance to the political discourse on civic integration.¹²

It must be observed that very little is known about the effects of the pre- and post-entry measures in terms of promoting social-cultural integration. Also, no attempts are currently being made to map this part of the integration process, which has nonetheless been an important factor in the development of the new pre- and post-entry policies.

In Switzerland, a recent evaluation of the five cantons where integration agreements have been installed (Tov et al. 2010a) pointed at a low level of standardisation and high arbitrariness of the duties assigned to immigrants in the agreements. The period of evaluation lasted from April 2009 and March 2010 and aimed at providing a systematic overview on the administrative implementation (execution) of the integration agreements in the five cantons mentioned above, i.e. Aargau, Basel-City, Basel-County, Solothurn and Zurich. The evaluation of the integration agreements show a high degree of variation between the various cantons - with regard to target groups, objectives, measures and the installed arrangements for the procedure of integration agreements as well as for the conversation settings leading to the stipulation on integration agreements - as well as differences between the federal guidelines and the cantonal implementation (Tov et al 2010b, 2).

There were large differences between the cantons concerning the definition of target groups with which integration agreements are to be completed. The federal government recommends that integration agreements should be made first and foremost with persons from third countries entering Switzerland for family reunification. As the second most important target group migrant 'old comers' with strong integration deficits are identified (BFM 2007). Against this background the canton of Aargau in a first phase concluded integration agreements only with family newcomers. While also focusing on family newcomers as a major target group, integration agreements in the cantons of Basel-Region, Solothurn and Zurich also targeted settled migrants showing 'integration deficits'. In the canton of Basel-City integration agreements were only concluded with 'old comers' - who show integration deficits and where other integration measures have remained ineffective (Tov et al. 2010b, 3). Basel-region shows, furthermore, a particular attention on domestic violence and thus identifies

¹² Interview with researcher from SCP; attempts are being made to couple databases so as to be able to monitor the social-economic participation of migrants who previously participated in civic integration programs.

migrants engaged in domestic violence as a primary target group (Tov et al. 2010a, 66). The study moreover shows divergent perceptions with regard to the effect of integration agreements: While interviewed officials and stakeholders report positive experiences with the integration agreements which would be experienced as a motivation to integrate, this view is not shared by those who are the targets of these agreements. On the contrary, the study reveals that for those migrants who are long established in Switzerland the integration agreements cause multiple social stress (Tov et al. 2010b, 3).

No evaluation reports are available for the Czech Republic, Italy, Spain, Sweden and the United Kingdom.

Summing up, one can note an astonishing lack of evaluation of the long term effects of post-entry integration measures on the socio-economic and societal integration of immigrants and their families and the long term effects on knowledge and usage of the language spoken in the respective country. Wherever evaluations are available, they show mixed results and pinpoint to the need for individually tailored language acquisition measures. As well the Dutch as the German evaluations give the picture, that courses were well received by the target group, whereas the Swiss studies report discontent on the side of the participants. Given the high importance ascribed to language acquisition in the public discourses on integration and the high costs involved, there is a pressing need for comparative evaluation as to develop efficient, sustainable and user-friendly post-entry integration measures.

IV Relations with EU policies

IV.1 Country overview

In Austria, integration debates have been mainly driven by domestic political debates. The introduction of the Integration Agreement in 2002 and its revision in 2005 was clearly a result of domestic political debates, and EU policies or directives did not play a major role. By contrast, the 2005 amendment of the alien law was in general necessary to bring Austrian legislation in line with EU legislation regarding the rights of long-term settled TCN, family migrants, and the freedom of movement of EU citizens¹³. In this context, also the integration agreement was amended.

In regard to family reunification EU policies set a frame within which the Member states may manage immigration in a limited way. According to a government representative, the EU would drive a too generous immigration policy in this context that does not take into account the capacities of domestic labour markets.¹⁴ Thus, integration requirements were seen as an alternative way for EU states to manage family migration, and thus Austria made use of these possibilities implementing integration requirements and income thresholds. In relation to the introduction of pre-entry language tests, a close link of Austrian policies to other European states was more prominent than the developments at the EU level. In this respect, Austria followed the models of Germany, the Netherlands, France, or Denmark.

When Austria reformed its immigration legislation in 2011 and introduced a points-based scheme, the so-called Red-White-Red Card, in order to attract highly skilled immigrants or immigrants with highly demanded professions, the reform was clearly connected to the Blue Card at EU-level, but in a negative way, as the regulations of the Blue Card at EU-level were deemed unattractive for Austria's needs. Actually, the 2011 amendment to the alien legislation also introduced the Blue Card EU according to the obligation derived from the Council Directive 2009/50/EC that defined common standards for entry and residence for highly qualified workers from third countries who want to work in a EU country.¹⁵ Thus, instead of integrating the Blue Card into the newly introduced criteria-based immigration system, it was introduced as an additional work permit regulated by different conditions. The Minister of Interior argued though that the Red-White-Red Card would be far more attractive than the Blue Card and so reduce the importance of the EU Blue Card.¹⁶

Summing up, Austria's integration policy developments were mainly influenced by domestic policy making, although the EU migration acquis defined the frame for legal regulations. As can be seen with the introduction of the Red-White-Red card, Austria continued to develop her own solutions even when comparable models were available at the EU-level.

While Switzerland is neither a member state of the European Union nor of the European Economic Area (EEA), the country has progressively moved closer to the European

¹³ Directive on long term residents (2003/109/EC), Directive on family reunion (2003/86/EC), and Directive on freedom of movement of Union citizens and their family members (2004/38/EC).

¹⁴ Interview Expert S3, 11

¹⁵ See also Explanation report to the draft law amendment of Settlement and Residence Act, available at: http://www.parlament.gv.at/PAKT/VHG/XXIV/ME/ME_00251/index.shtml (30.3.2011).

¹⁶ Ministry of the Interior Maria Fekter in Der Standard, 10.12.2010

Union in the past decade. In particular, Switzerland concluded several bilateral agreements with the European Union which effectively have turned Switzerland into an associated country with a status similar to countries within the EEA framework. The European Union thus now has a direct impact on policymaking through binding regulations. In addition, Europeanisation is also reflected in the travelling of ideas and the model character of individual EU countries' approaches towards integration for Swiss policy making as well as the role of EU policymaking.

Historically, the entry into force of binding regulations, first and foremost, the bilateral agreement on the free movement of persons between Switzerland and the European Union of 1999, marked a changing point in Swiss migration policy: It entered into force on 1 June 2002 and, after a transitional period, it provided for the abolition of all quotas for EU work forces. Based on the Free Movement Agreement Switzerland installed a dual admission scheme. According to the latter, EU nationals enjoy the right of free movement and settlement within Swiss territory, while the migration and admission of non-EU nationals is restricted on the ground of their contribution to Swiss economy (qualification, investment) and linked to their potential integration performance. With respect to the admission of non-EU nationals to Switzerland several interview partner highlighted that this policy affects particularly (Muslim) women who enter the country for family reunification: According to them (Muslim) women from non-EU countries are the main target group for signing integration agreements which, in some cases, might lead to a situation of disadvantage when the women is requested to take care for the children and the household and comply with the requirements stipulated in the agreement, mainly to learn the local language and integrate in the labour market.¹⁷

Besides affecting Swiss admission policy, the signature of the free movement agreement between Switzerland and the European Union, indeed, also impacted on Swiss integration policy, as it excluded the possibility to introduce compulsory integration measures for EU nationals – even if deemed desirable. It is a paradox of Swiss migration policy that compulsory integration measures cannot be applied to the largest group of immigrants in Switzerland, EU nationals. The perceived necessity to integrate EU-nationals becomes most manifest at the cantonal and local level: In the canton of Zurich, for instance, the integration department launched an initiative where public poster invited migrants from Germany to learn and adapt to the Swiss-German way of communication.

Even if Switzerland is not formally integrated in EU arenas where migration policymaking takes place, the European Union, and particularly European countries such as Germany and the Netherlands, served as a constant frame of reference. These references ranged from laws on citizenship to (recent changes in) approaches on integration and the comparison of institutional settings (namely, the competences of the German Ministry for Migration and Refugees with regard to language courses in contrast to the Swiss Federal Office for Migration).¹⁸ Particularly Germany and the Netherlands constitute a kind of learning mask which introduce learning processes that are taken up later as happened with the recent restriction in migration and integration policy.¹⁹

¹⁷ Interviews with CH-G2, CH-NG1 and CH-E0.

¹⁸ Interviews with CH-G1, CH-G2, CH-G3, CH-E0, CH-E1.

¹⁹ Interview with CH-E1.

When trying to make a rough comparison of the Czech and European integration concepts, is much more limited than in other Member States and in the EU, taking into account program documents and 11 integration principles²⁰. According to the experts interviewed, integration in the Czech Republic is perceived mainly as integration on the labour market, and thus there is virtually no discussion on societal integration.

Nevertheless, European institutions and their legal framework became a useful instrument for the establishment of Czech migration policy. Generally speaking, the Czech accession to the EU and consequently the impact of EU directives and regulations brought some positive changes in Czech policies and improvement of the situation of migrants. According to experts,²¹ the Czech political documents could not have emerged or would not be in the current shape without the influence of the EU law. The influence of international cooperation and dialogue has certainly been very strong; however, it remains only one of the aspects that influence Czech migration and integration legislation.²²

The EU policies had a direct influence on the formulation of the Principles on Integration (1999) and on the Concept on Immigrant Integration (2000). The Principles more or less copied the EU Common basic principles on integration. In this respect, EU policies had massively influenced the definition of the target group in the Concept on Immigrant Integration in the Czech Republic.²³ The former condition of at least one year stay in the country has been abolished, and on the other hand refugees were excluded from access to integration programs, as they are not defined as target group in the EU Common Basic Principles.

Perception of integration target groups also differs among the Member States. Recently, some countries initiated discussions about including EU citizens (with immigration background) into the integration measures target groups²⁴. The Ministry of the Interior,²⁵ however, asserted that the EU legal basis does not allow it and that target groups are clearly defined, only as legally residing citizens from third countries.

Both the Long Term Residence Directive and the Family Reunification Directive led to liberal amendments to the Czech Alien Act. A direct consequence of the implementation of the EU directives was the increase of the rights of migrants, and not only in area of residency status but also regarding their social rights.²⁶ These changes strengthened the status of permanent residency and gave immigrants more legal certainty.

Apart from the Alien Act, other laws have been amended during the implementation of the directive. The long-term residents were given the same legal status as EU citizens in the area of education and university scholarships, and in the area of recognition of

²⁰ Common basic principles on the integration of immigrants in the EU, the Council, November 9, 2004

²¹ Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010.

²² Ibid.; Jelínková, M., Multicultural Centre Prague, Interview May 24, 2010.

²³ Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, Interview June 7, 2010

²⁴ As Kepka suggests, some Member States have long immigration history and in some cases people who were granted citizenship in these countries not have been well integrated into the society. Now these states feel the need for integrating a larger group (e.g. persons born abroad, or those whose parent was a foreigner, etc.). However, this is not the case of the Czech Republic. Kepka, J., 2010, *ibid.*

²⁵ Kepka, J., 2010, *ibid.*

²⁶ Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010.

qualification and with regard to equal treatment in access to employment and the rights to saving for building purchases.

Secondly, the Council Directive 2003/86/EC on the right to family reunification²⁷ also had an important impact on the Czech legislation. Conditions for family reunification have been put in conformity with the directive. Namely, restrictions for entering the country for the purpose of family reunification were limited.

Consultations with and visiting a country which is realizing an already functioning measure is a common practice of the Czech Ministry of the Interior. For instance, the condition to pass a Czech language exam on the A1 level for some groups was inspired by the EU legislation²⁸; the preparation of the language exam requirement was influenced by the German legal system.

Summing up, the effect of the EU on Czech integration policy making could be described as an increased presence supporting the current nexus of migration and integration in the Czech Republic. The influence of EU institutions has encouraged public discussion and in raising awareness about migration topics, which has further influenced Czech immigration legislation.

In Germany, the discussion on the future common European migration and integration policy in the European Commission and the Council was followed closely by the Federal Government Commissioner for Migration, Refugees, and Integration, Marieluise Beck (Greens), who in the “Sixth Report on the Situation of Foreigners in Germany” published in June 2005, directly referred to the definition of integration in the European Commission’s “Communication on Immigration, Integration and Employment”²⁹. According to Beck, the holistic approach on integration with the key elements being labour market integration, access to education and language, to housing, health and social services, the involvement of the social and cultural environment, access to nationality and civic citizenship and respect for diversity would corresponded with the Federal Government Commissioner’s view on integration policy (Beauftragte der Bundesregierung 2005, 174).

However, the negotiations about the migration and integration-related EU-Directives between 2000 and 2003 revealed that the German understanding of integration indeed differed from the EU approach on integration. Besides that, Germany strongly insisted on preserving national sovereignty on questions of integration, which can be illustrated by a statement of Wolfgang Schäuble, Federal Minister of the Interior, made in spring 2006: “Integration is a question which cannot be mastered centrally on a European level, but has to be done on-the-spot in the responsibility of the member states and even beyond that in the responsibility of the regions and communities as well as the civil society” (Schäuble 2006, 222).

Germany did not only insist on preserving national sovereignty in the field of integration, but also was a forerunner in linking migration control and integration and the development of an associated understanding of integration, which considers the lack of integration or an assumed inability for integration as a ground for refusal of admission in the country. This position was developed on national level and particularly

²⁷ Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification

²⁸ Ibid.

²⁹ European Commission COM (336) 2003.

supported by the troika of the Netherlands, Germany and Austria in the European Council (Groenendijk 2004, 124, 129). However, once this more exclusionary conception of integration, which was actually in contrast to the European concept of integration, had infused EU-law, the latter was in turn used to legitimize the implementation of new regulations, particularly of further restrictions on national level (Carrera/Wiesbrock 2009, 34). This was particularly the case for the introduction of the pre-entry requirement for immigrating spouses to demonstrate a basic knowledge of the German language. But European harmonisation was also an argument that was put forward by the Independent Commission on Migration to Germany, when recommending the introduction of post-arrival integration courses:

„In the past few years, the rising number of immigrants has led to a growing debate on state-devised integration measures in many European countries. Some countries in the European Union have taken new actions and have gained some initial experience in implementing them. In the course of European agreement and communitisation, as decided in the Treaty of Amsterdam, national integration policy is neither conceivable nor possible outside the European context. To avoid disproportionate immigration to EU countries that offer generous integration assistance, harmonisation of these benefits is desirable” (Independent Commission on Migration to Germany 2001, p. 247; emphasis added).

The introduction of the provision for subsequently immigrating spouses from abroad to demonstrate a basic knowledge of the German language by passing a pre-entry language test was justified by article 7 (2), an optional clause of the Directive 2003/86/EC on the right to family reunification, which enables member states to require that third country nationals comply with integration measures. However, it has to be considered in this context that this optional clause had neither been included in the initial proposal of the directive of December 1999 (COM (1999) 638 final) nor in the amending proposal of May 2002 (COM (2002) 225 final). With the initial directive proposal (of 1999), the Commission had made a serious effort to transpose the Tampere mission to guarantee rights and responsibilities for third-country nationals that are as near as possible to those of EU citizens. But relatively soon after its publication, it was regarded as being too liberal by some member states which resulted in two amending proposals. Following requests from the Netherlands, Germany and Austria the optional requirement for third country nationals to comply with integration measures was incorporated in November 2002 (Rat der Europäischen Union 2002, p. 13 Footnote 2; Groenendijk 2004, 127). Thus Germany made an instrumental use of EU legislation massively influenced by German interests to legitimate policies, which had been developed at the national level and might have been at conflict with European legislation.

In Spain, the concept of integration was largely imported from EU documents. The EU has been applying a ‘holistic approach’ in referring to the term ‘integration’ (SOS Racismo, 2009), including not only economic and social spheres, but also the acquisition of formal equality which is linked to cultural and religious diversity, citizenship, participation and political rights. This holistic approach is observable both also in Spanish legal documents, which refer to the mainstreaming of integration in all policies, emphasising the language and the knowledge of the country. The Strategic Plan on Citizenship and Integration (PECI) in Spain also uses a concept of integration which is gathered from the “Basic Principles of Integration” approved by the Council of Ministers of Justice and Foreign Affairs in Brussels in 2004 which adopt the concept of ‘holistic integration’. However, ‘holistic integration’ is increasingly mixed with ‘coercive

integration' (SOS Racismo, 2009), requiring an effort only from the immigrant population to learn the language of the country and unilaterally adapt to the way of life.

A coercive understanding of integration has been largely fostered by policy learning from the influence of some EU member States' policies and the inclusion of Spain into networks of exchange and information subsidised by the European Union. Policy learning mainly occurs in exchange with other EU member states, and not with the European institutions. In this respect, the most influential European country has been France, above all, in regard to the debate on the 'immigration contract'. This has been reflected in the national debate in the Parliament between 2008 and 2009. In contrast, the policies carried out in Austria, Holland or Denmark do not appear to have had a direct impact on Spain, with the exception of Catalonia, which emphasises the importance of the Catalan language and culture and has introduced the facto compulsory language training in Catalan. In this sense, Catalonia is heading in the direction of adopting measures more and more compulsory similar to the tests of integration put forward in Holland or in Germany.

Nevertheless, the overall linkage between admission and integration in Spain may be considered as inexistent or very 'soft' in comparison to other countries. The concept of integration in immigration policies is still very much oriented towards the provision of rights and services to migrants to support their autonomy and to foster greater social cohesion in the host society.

At the EU level, Spain did not exert particular influence in the development of EU migration policies, like e.g. Austria, Germany or the Netherlands. However, in the negotiations of the European Pact on Immigration and Asylum (EPIA) in 2008, Spain has positioned herself clearly against the introduction of a clause related to the compulsory signature of an immigration contract and has succeeded with this position.

The Dutch case has been closely monitored internationally for of its relation to international and European law. In Dutch political and public discourse, this relation also played a central role. At times, the Dutch government has tried to push the boundaries of the international and European legal setting in which it operates (which has also been framed openly as such in national political and public debates). Also, the international setting has often been framed as an obstacle to the Dutch discretion in limiting immigration. At the same time, the Dutch have been very active as well in voicing their preferences at the European level. This way, Dutch government has been trying to expand the boundaries within which it can toughen its approach to immigrant integration and immigration.

Several key issues played a central role in this intractable relationship between the Dutch and the EU in particular. First of all, the pre-entry tests have been closely watched in terms of their potential discriminatory effects on specific groups or categories. In the Netherlands, there is a common understanding that that imposing pre-entry conditions is in broad terms in agreement with Art. 8 ECHR. (Lodder, 2009, 38; De Vries, 2006, 8).

Perhaps one of the most distinct instances where Dutch policies were challenged not by EU legal agencies but by a European NGO, was in a report from Human Rights Watch (2008) that called for the abolition of the new Civic Integration Abroad Act. However, not long before publication of this report, a Dutch court ruled that Dutch policy was not out of bounds in this respect (Strik et al. 2010, 17), as the protection of economic

relations with specific countries was a justified reason for exempting specific categories from the general obligation of civic integration abroad.³⁰

Another central issue is the relation between the pre-entry test and Article 14 of ECHR, which bans all forms of racial discrimination and Article 7 of the European Family Reunification Directive. If the pre-entry exams would form a much more severe obstacle for specific groups than for others, this could be a form of discrimination. A central concern here is the proportionality of the imposed measure in relation to the goal of the measure (Lodder 2009, 40). The ECHR seems to provide countries with a large margin of appreciation when it comes to differentiating between migrants with different residence statuses. The Dutch government legitimated its selection of categories that are obliged to take part in the pre-entry tests without direct reference to specific nationalities (see above); at the same time, it explicitly singled out a number of western countries, based on the argument that these are social-economically, socially and politically similar to the Netherlands (see above).

So far it has remained unclear if the pre-entry tests have an impact on the migrants' integration process after they have settled in the Netherlands. In principle, the imposed measures could be ruled as disproportionate (and in violation with art 7 of the Family Reunification Directive) if no significant positive effect is found on the integration of those who passed the test. However, thus far there seems to be too little data (due to the recent launch of the pre-entry tests) to determine such effects.

There have been only very few instances where EU court rulings actually led to the cancellation of specific policy measures. One of the most significant cases has been the Chakroun case, in which the Dutch government was forced to abandon its 120% of minimum wage level condition for admission. Another regulation that has significantly curtailed the government scope of action in imposing a civic integration requirement to Turkish migrants in the Netherlands is the Associate Membership Treaty between the EU and Turkey and the so-called Standstill Agreement for Turkish accession to the EU. These regulations imply that government cannot impose new and stricter measures on the integration of Turkish 'oldcomers' in Dutch society.

The Dutch government has also become increasingly pro-active in voicing its preferences at the EU level. This applies in particular to the debates in the European Commission on changes in the European Family Reunification Directive. Even before new proposals are presented, the Dutch governments 'tries to encourage Europe to take measures in the harmonisation of immigration and integration criteria (..) so that already at an early stage, efforts can be made to create support for Dutch measures in the next stage of harmonisation of family migration'.³¹

An important example of this pro-active attitude is the so-called The Hague program of the European Council on 'Freedom, Liberty and Law in the EU', which was for a large part based on a Dutch initiative. During the Dutch presidency of the European Union, Minister Ms. Verdonk presided a ministerial conference in November 2004, which focused on civic integration programmes. This set the contours for more European co-ordination of integration policies, which put much stress on the preservation of national competencies. This case clearly reveals how the Dutch government has actively tried to

³⁰ *The Hague Court*, 23 April 2008, AWB 07/35128, JV 2008/282.

³¹ TK 2009-2010, 32175, nr.1: 12.

take the role of a guiding country when it comes to civic integration.³² This The Hague Programme laid the foundations for the Common Basic Principles for Integration which provided a basic set of principles to guide the development of immigrant integration policies in various European countries.³³

In Italy European Union policy developments in the field of integration in general only played a minor role, domestic policies were dominant. Nevertheless, in the debate on the recent legal changes, in particular the Security Law, which implemented the criminal offences of irregular entry and residence, the European Union intervened directly.

The discourse on this law was dominated by the Northern League. According to the intentions of Minister Maroni and of the Northern League Senators, in the first phases of the parliamentary debate concerning the Law, irregular entry and stay was supposed to be punished by imprisonment. In September 2008 though, the European Commission, and in particular JLS Commissioner Barrot, expressed their concern on this point of the law, considered in contrast with EU legislation.³⁴ Despite his opposition to such a stance, Minister Maroni accepted to revise the norm: instead of imprisonment, a fine of 5,000 up to 10,000 Euros was introduced to punish immigrants found to be illegally staying in Italy.³⁵

On the issue of integration, on the other hand, no direct influence of the EU has emerged. A more indirect kind of influence, linked to the former function of the Minister of the Interior as EU Commissioner, can be pointed out though.

Minister of the Interior Giuliano Amato had actively taken part, as Vice-president, to the European Convention charged with the drafting of the European Constitution. As Minister of the Interior, he appointed the Commission for the drafting of the Charter of the Values of Citizenship and Integration. This Commission undertook a review of integration policies in 4 EU receiving countries, i.e. UK, the Netherlands, France and Belgium, with a particular attention to introduction courses and language tests. In the premise to such a study, the EU Commission "Common Agenda for Integration"³⁶ was mentioned as a general reference frame for EU member states, despite the different strategies and instruments concretely undertaken. According to this review, the French *Contract d'Accueil and Intégration* was identified as a possible benchmark for Italy since it would have allowed the building of a clear path of integration, encompassing both the learning of the Italian language and the commitment to a basic set of common values and principles as those declared in the Charter of the Values of Citizenship and Integration.

However, the parliamentary debate on the Integration Agreement did not explicitly mention the EU Common Agenda, while references to other member states policies were very vague and superficial. Also the report produced by the Committee for the drafting of the Charter of the Values of Citizenship and Integration was not considered.

³² 'Dwang is Nederlands stokpaardje', in NRC Handelsblad, November 11 2004.

³³ Interview with policymaker from Justice Department.

³⁴ Other controversial points indicated by Barrot were the norms on the expulsion of EU citizens and on undocumented status as an aggravating penal circumstance.

³⁵ *Maroni ci ripensa, solo multe ai clandestini*, la Repubblica, 16th October 2008, A. Custodero, p. 17.

³⁶ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, *A Common Agenda for Integration. Framework for the Integration of Third Country Nationals in the European Union*, COM (2005) 389, Brussels 1st September 2005.

This might be explained with the fact that actually integration was not a major point of the Security Law, which focused on issues of irregular entry and stay and criminality.

Although also Sweden was influenced by the European trend to redefine integration in terms of duties and demands on immigrants, Swedish integration policies show peculiar characteristics. On the one hand Sweden has chosen to focus on incentives instead of demands, and the few demands that exist have not been coupled to access to residence bit to access to allowances. Where other countries have started to demand a certain level of language skills, Sweden has chosen to introduce the so-called a bonus for those passing the courses within a certain amount of time. These differences can be explained by the tradition of Swedish policy making focusing on the improvement of earlier legislation. Thus migration policy making in Sweden is strongly path-dependent and has not been massively influenced by developments in the European Union or its member states. Furthermore, unlike the rest of Europe, religion (i.e. Islam) does not dominate debates on integration.

Up until 2010, the linking of integration and migration control in other EU member states had little to none effect on the situation in Sweden. In parliamentary debates, the Swedish core value of integration policies, namely to avoid special measures for a certain group of people was held high together with another important Swedish core value, equality. However, with the entering of the far-right, anti-immigrant party Sweden Democrats into parliament in September 2010 it remains to be seen for how long these core values are going to be fundamental argumentation in integration political debates. Nevertheless, EU policies indirectly impacted on family reunifications policies. The introduction of an income criterion as condition for family reunification was largely argued with the fact that all other EU countries had already introduced such a system, which would lead to “family reunification shopping” if Sweden would not follow.

Regarding integration policies, the impact of EU guidelines is negligible. Nevertheless, Sweden’s conception of integration reflects the rights-based approach to be found in parts of the Common Basic Principles on Integration. In this respect, in the respective Council of Minister meetings Sweden clearly argued against the introduction of the notion of “European values”, as mentioned in article 2 of the Common Basic Principles. Sweden’s standpoint (in contrast to other member states) was that universal values should stand on universal grounds, such as human rights.

The venues for policy learning are first and foremost the network of the National Contact Points on Integration, which is arranged by the EU commission 5-6 times a year.

In general, the United Kingdom has opted out of European directives which would in any way open up uncontrolled mobility from within the EU and thus reduce its sovereignty in relation to border control and the regulation of numbers of migrants entering the UK. It has thus opted out of the family reunification (2003/86/EC), the rights of long-term residents (2003/109/EC) as well as the Blue Card for the purpose of highly qualified employed (2009/50/EC)). Opting out from family reunification probably stemmed from a more general antagonism to loss of sovereignty. The UK imposes housing and income conditions for family members and in fact allows spouses to work upon entry. Yet in terms of restrictive legislation on spouses (raising the age of marriage and pre-entry tests for spouses), it has looked to other European countries such as the Netherlands.

In terms of the Blue Card, the UK was concerned about the ability the directive gave to move to another EU country after 18 months and further argued that it already had a skilled migration route recruited through the Points Based System for which Australia and Canada has been the inspiration.

Recent UK thinking about integration has been fairly consistent with the EU Framework of Common Basic Principles for Integration. The UK multi-annual programme 2007-2013 for the European Integration Fund for Third Country Nationals stated clearly that its view of integration was one of “supporting and enabling people to integrate into UK society rather than having absolute requirements to conform to a set of cultural norms”. The European Integration Funds has been important in getting the UK to clarify its integration policies which include ensuring that only those migrants that have the skills that enhance the UK economy are admitted. To this end, the UK Border Agency appropriated the major part of EIF funding in 2007-8 to develop its admissions policy, especially for managed migration.

IV.2 Summary

European Union policy developments in the field of integration have impacted differently on the analysed countries. In general, policy developments of other EU member states have been more influential than policy developments at the EU level, which in turn was massively influenced by three member states – Austria, Germany and the Netherlands – which succeeded in implementing integration conditions into the directives on long term residence and family reunification, which originally had intended to approximate the status of third country nationals to that of Union Citizens, and thus had not included any integration conditions. Nevertheless, integration policies in these three countries were mainly developed at the domestic level. The EU directives on migration framed the legal developments, but also were bypassed with domestic legislation, e.g. in the case of Austria’s Red-White-Red-card, which was implemented side by side with the EU Blue Card as an instrument to attract qualified immigrants.

Despite not being a member state of the EU, agreements with the European Union with regard to immigration have made Switzerland to a kind of external member state in this field. These agreements granting free movement to Union Citizens have massively altered the framing of Swiss migration policies, and in particular integration policies. Despite a discourse on the need for compulsory integration measures for Union Citizens, they cannot be obliged to attend integration courses and have recently become the target of intense debates on integration, led by far right parties. In this sense, Switzerland shares a commonality with Austria and Italy, where integration also is a policy issue with a long history of the involvement of far right parties.

Also for Switzerland, Germany and the Netherlands serve as reference countries with regard to integration measures, and there is constant exchange between the governments of these countries, also with regard to EU policies.

EU thinking on integration only punctually influenced integration policy making in Italy and Spain. Like in Austria and the Netherlands, the discourse on integration in Italy was mainly pushed forward by a far-right party, the Northern League, and did not make much reference to EU documents. On the contrary, the EU intervened to prevent punishments for irregular entry and stay not compatible with EU legislation. Also in

Italy, policy learning from other member states has been more important than policy learning from the EU level. This policy learning followed the traditional links to other Roman speaking countries: In a study commissioned by the government, the French, and not the Dutch integration model was presented as a blueprint for Italy.

In Spain, the tradition of a rights-based understanding of integration linked well into the rights-based elements of EU integration definitions, but there was very little influence of EU policy making on the national level. Interestingly, a duty-based understanding linked with specific topics of Spanish regionalism, in particular the position of the Catalan language in Catalonia. Here, de-facto compulsory language tuition for immigrants was implemented, also with reference to the French model, supporting an old language-based European divide. On the other hand, Spain opposed the introduction of compulsory integration contracts at the EU level and thus followed a rights-based understanding of integration still dominant in the Southern European countries.

The Czech Republic, Sweden and the UK each follow distinct patterns. In the Czech Republic the EU directives on family reunification and on the status of long term residents became instrumental in a liberalisation of the former more restrictive provisions. The EU – and also Council of Europe – documents on integration served as a guideline for the development of the Czech integration documents, albeit due to inconsistent implementation the practical influence of EU integration policy making is weak. Also in the Czech Republic, policy learning through exchange with other member states, like e.g. Austria and Germany, has proven to be of higher importance than exchange with the European institutions.

Swedish policy making still is dominantly path-dependent on the long history of Swedish integration policies. Sweden did not implement coercive integration policies, but instead focused on incentives. In Sweden, policy exchange in most areas did not lead to an adaptation of policies, but to an evolution of the traditional focus on equality and labour market inclusion. Nevertheless, EU policies indirectly effected on family reunification policies, as they supported the introduction of a maintenance requirement for family reunification.

In the United Kingdom, which has opted out from the EU migration acquis, the discourse on integration nevertheless has been influenced by exchange with other member states and the EU. In particular the renewed focus on language acquisition has travelled from the continent to the UK, as has the focus on migration governance fostering the immigration of highly qualified.

V Post-entry policies

V.1 Policy design and guiding paradigms

Post-entry policies targeting the process of societal inclusion of immigrants can take a large variety of forms.

At a first stage, it is possible to discern policies targeting directly target individual migrants or migrant groups (targeted post-entry integration policies) from general policies which also target immigrants, but where immigrants are not a specific target group. Among the first category, policies regarding the legal position of immigrants with regard to security of residence, access to the labour market and to public services, and access to naturalisation massively impact on the settlement and integration process, as they define the conditions of access to public goods providing material and immaterial resources for the positioning in society. Until the 1990s, the understanding of integration focused strongly on these policy areas. Policies aimed at furnishing immigrants with competencies necessary for labour market inclusion and participation in societal life – in particular language training and information about the written and unwritten rules of society and politics – form a second element of targeted integration policies.

Integration and inclusion processes are also largely influenced by policies targeting the whole population. Education policies strongly impact on immigrants' children educational trajectories; the degree of regulation of the labour market impacts on immigrants' possibilities to get a job, and spatial planning and housing policies may prevent or foster regional concentration and/or segregation of immigrants.

This study will neither touch upon integration measures in the school system nor in the labour market or in urban planning as described above, but will focus on the development of the link between migration control and post-arrival integration measures, courses and tests aiming at improving the individual migrant's knowledge of the language of the target country and of its society, which are implemented in connection with access to a permanent resident title. It will analyse the development of these policies in the context of the broader development of migration policies and analyse the main paradigms and frames used in the debate. Despite focusing on policies developed at the national level, it will, however, make reference to the relationship between state and local integration policies and the context of policy making in a multilevel framework reaching from the local level to the state and the European Union.

V.2 The development of post-entry policies in the selected countries since the early 1990s

In the midst of the 1990s, the socioeconomic position and the living conditions of settled immigrant groups became an area of concern at least in the larger European immigration countries. The debate started in the Netherlands and later spread to Germany, Austria, Switzerland and the United Kingdom.

In the Netherlands, the debate was triggered by research of state agencies and academic research about the labour market participation and educational success rates of migrants' children, which had become an area of concern only in the late 1980s. Already

in 1989, a report on migrants' policies of the Scientific Council for Government Policy ("Wetenschappelijke Raad voor het Regeringsbeleid", WRR) had pointed to the fact, that there was a risk of the development of an ethnic underclass, which - as lack of proficiency in Dutch was regarded the main obstacle for participation in the labour market - should be counteracted by the implementation of compulsory language training for immigrants. Furthermore, the report advised to give priority to labour market integration and to downplay the collective cultural emancipation defined as a target of migrants' policies in previous documents. (WRR 1989, XII, Mahnig 1998, 76). This idea was repeated in the report of the Ministry of the Interior about the situation of immigrants (Ministerie van Binnelandse Zaken 1994), which also for the first time positively used the term "assimilation" and suggested to decentralize integration and make it a responsibility of the municipal administration.

Whereas there was no comparable debate on compulsory integration courses in Germany at this time, the low educational access rates of children from migrant families and the costs of non-integration into the labour market had become an area of concern for several provincial governments already in the late 1980s and the 1990s. Already in 1984, the City (and province) of Hamburg published its first report about the "Living Conditions of Foreigners and the Families (Freie und Hansestadt Hamburg 1984) suggesting early support of children to acquire knowledge of German. In its second report of 1993, the City for the first time defined the lack of knowledge of German as a major problem for integration and committed itself to offer a sufficient number of language courses in German, but also reported a growing interest of immigrants to attend these courses (Freie und Hansestadt Hamburg 1993). In 1995, the provincial government of Nordrhein-Westphalia commissioned a study about the costs of non-integration of immigrants (von Loeffelholz/Thränhardt 1996), which argued for measures to improve the educational attainment of the "second generation" and adult education measures, including language training, targeting the settled migrant population in order to improve their position on the labour market and their social integration.

In the United Kingdom, the Policy Studies Institute of Westminster University since the 1960s regularly published studies about the social conditions of ethnic minorities. The fourth report of 1995, "Ethnic Minorities in Britain - Diversity and Disadvantage", directed by Tariq Modood, for the first time gave a clear account of the underrepresentation of minority members in the upper echelons of the labour market and triggered a debate on the successes and failures of the British race-relations-approach, which in 2001 led to a detailed survey of research on the integration of immigrants and refugees on behalf of the Home Office (Castles, Korac, Vasta and Vertovec 2002) and the establishment of a research unit focusing on migrants' integration within the Home Office (Boswell 2011).

Whereas the early reports on the status of immigrants in the school system and the labour market highlighted their underprivileged position, the existing models of integration governance in the respective countries were not tackled. Nevertheless, the growing academic interest in integration and the growing evidence of shortcomings in this field also triggered a debate on the effects of the prevailing models of integration. In Germany, a reform of the nationality law in 2000 and the establishment of the "Süssmuth - Commission" which was assigned the task to develop a new model for migration and integration policies, marked the end of "guestworker" - policies and its paradigms. In the Netherlands, the Dutch anthropologist Jan Rath already in 1997 had

argued, that the Dutch ethnic minority policy model would not contribute to equality, but to exclusion of immigrants (Rath 1991). On January 29, 2000, Paul Scheffer, a renowned public intellectual in the Netherlands, published an article titled "The Multicultural Drama of the Netherlands" in the "Handelsblad", one of the most renowned Dutch newspapers, claiming that the Dutch model of multiculturalism had failed. According to his analyses, the high level of tolerance towards ethnic minorities had overshadowed their poor socio-economic integration and had prevented an open debate about the socio-economic stalemate within immigrant groups. Scheffer suggested that social mobility and socio-economic integration should become top political priority, even at the cost of demanding a higher level of assimilation.

In the following years, "failed integration" became a keyword of the integration debates in Europe. In particular the high uptake rate of unemployment benefits and social assistance payments by (certain groups) of immigrants was seen as an indicator of "immigration into the welfare-system". In this debate, the question of the costs of immigration, in particular the relation between the contributions of immigrants to and payments received out of the social security systems became an area of concern. At the same time, most European welfare states experienced a shift towards activation and workfare instead of support in case of hardship. In this pretext, persons supported by social assistance or unemployment benefits were committed to actively participate in programs enhancing their human capital. This logic of activation was transferred into the debate on integration, defining integration as a duty of the immigrant to take all necessary steps to rely on own income and not to depend on social assistance. In this vein, integration was redefined as a personal duty of the immigrant, and not as a duty of society (Bommes 2006).

A further issue debated in the context of "failed integration" were gender relations within immigrant communities, in particular with regard to forced and arranged marriages and the role of women in the family. In this respect, a double issue transfer took place. First, arranged and forced marriages were debated as a threat to the level of gender equality reached in the target countries. This debate linked integration firmly with the issue of women's emancipation. In this respect, a generally weak position of immigrant women within the family, the decline of labour market participation of women and a growing influence of a traditional understanding of gender roles within immigrant communities originating from the Arabic world and Turkey stood at the focus of the debate.

The lack of knowledge of the country's language, institutions and of women's and children's rights in the country of residence was seen as a main hindrance for emancipation and as a precondition to allow oppression within the family and the community. Language acquisition and acquisition of knowledge of the society thus was defined as a means not only to improve chances of labour market integration, but also as means to strengthen the social position of immigrant women and their position within the family. As in many cases the husbands would prevent women from taking part in language trainings, a duty to attend the courses as a condition for the granting of a permanent residence status was suggested by politicians mainly from the conservative parties, but also by social-democratic politicians and by representatives of women's organisations. According to their view, obligatory language training would be a necessary means to foster the emancipation of immigrant women. According to Joppke (2007, 1) a shared feature of civic integration courses was to pursue "*liberal goals with illiberal means, making it an instance of repressive liberalism*". In parentheses

to this quote one could also speak about “*repressive emancipation*”, making use of coercion in order to foster gender equality.

Secondly, the debate focused on arranged or even forced marriages and their negative impact on women and children. Here two strands of discussion emerged: On the one hand, arranged and forced marriages were clearly depicted as a violation of the fundamental principle of personal liberty and human rights, in particular the right to free choice of partners and gender equality. On the other hand, the effects of arranged marriages of men of the second and third generation raised in the respective country with women immigrating from the country of origin of the parents and grandparents on integration and child rearing were debated critically. This type of marriage would most often involve young and lowly educated, often even illiterate women from a rural and conservative context, who would neither know about life in a modern and urbanized society nor speak the language of the country properly. Further to impeding a proper education of the woman, which would allow her to successfully integrate into the labour market, child rearing would be influenced negatively. As in traditional families, raising children would be the more or less exclusive duty of mothers, who in this case would neither speak the language of the country nor have sufficient knowledge about the society, the school system and other institutions, the children would neither practice the language of the country at home nor receive the necessary guidance with regard to participation in the educational system and knowledge of the unwritten rules of society. Thus their chances to succeed in the school system and in wider society would be diminished, which would further raise the costs of integration and prevent making full use of the potential of immigrants. In this vein, the issue of family formation was linked with the debate on the costs of (non)integration of the “second generation”.

In several countries, this debate was accompanied by a critical reappraisal of the role of migrant communities and migrant organisations. In particular in the Netherlands, but also in the UK, where migrant or ethnic minority organisations had played an important role as interlocutors between the state and the individual migrant and had received funding under this pretext, a clear shift towards a more individualistic understanding of integration can be noticed. This shift was accompanied by a growing relevance of the idea of mainstreaming and a negative evaluation of ethnically specific organisations, schools or services, which had been understood as a means of integration previously. In the Netherlands, this individualistic turn went together with a critical appraisal of affirmative action and of ethnic monitoring, which was criticised as essentialist and was ended in 1998. In the UK, the debate on ethnic monitoring only started in the end of the 1990s, but has not led to its abolishment.

So overall, a shift of the meaning of integration could be noted. Whereas in the 1980s and 1990s integration had been associated primarily with equality of rights of the immigrant, participation in the society and a duty of the major societal institutions to adapt to immigration and a multicultural reality, integration now was redefined as a personal duty of the individual immigrant to acquire the skills and knowledge necessary to not only sustain an economically independent life, but also to participate in the wider society. In this context, poor knowledge of the language of the country was identified as a major obstacle to successful and sustainable labour market participation, but also as an impediment to the emancipation of women, and as a reason for conflicts and misunderstanding with the inborn population, which would fuel anti-immigrant resentments. This pragmatic view of language as a means of communication and tool for social integration partly overlapped with a culturalisation of the debate, which depicted

language as a major element of national identity and of belonging. Thus a new frame for integration was erected which found acceptance among not only the political elites of the left and the right, but also among the resident population.

The economic rationale did not only fuel the integration debate, but also gained momentum in the discourse on immigration. Since the 1990s, the migration management of established immigration countries like the Canada and Australia gained interest among policy makers and experts in Europe. Both countries, which select immigrants by a points-system heavily biased towards academically qualified applicants and thus follow a model of migrant selection by human capital endowment, were contrasted with the migration management systems in Europe, which largely lacked any moment of selection of immigrants by qualification. At the end of the 1990s, a debate on selective migration management developed in Germany. The “Süssmuth – Commission” suggested to implement a system of migration control akin to the Canadian model, a suggestion later rejected by the political decision makers. Other countries followed: In the UK a points-based system crediting education and work experience was suggested in 2006 and implemented in 2008. A points-based system also implemented in the Czech Republic in 2006, but failed to attract the target group. In Austria, the opposition Green Party had suggested a points-based immigration system already in 2006. Following suggestion of the Association of Industrialists in 2008, a points-based system was introduced in 2011.

Whereas attracting and privileging qualified migrants were the main goals, it was also expected, that qualified migrants would more easily integrate into society and thus the costs of integration would be lowered. In the debate, both raising the average qualification of labour migrants by privileging qualified immigrants and a reduction of marriage migration with lowly educated women were seen as main tools to improve integration. In this context, the idea to oblige immigrants to acquire the necessary means to independently function in society, in particular language, paved the way towards the imposition of obligatory integration measures as condition for permanent residence.

After 9/11 and the terroristic attacks in London and Madrid, which were accomplished by “home-grown” Islamic terrorists, the economically inspired “thickening of integration” (Kostakopoulou 2010, 2) described above got linked with security concerns. In this debate male Muslim immigrants were the main target group. Here the focus did not lie on economic aspects, but on culture and religion, and in particular the compatibility of the Islam with “European values”, depicting in particular Muslim immigrants as a group, whose willingness to integrate was questioned. In this way, the integration debate linked to the debate on the identity of Europe, which had gained prominence with the enlargement of the European Union and the decrease of public support of European integration in the old member states.

On the political level, the end of the 1990s saw a rising support for right wing populist movements and parties, which, despite national differences, were connected by a position from critical to hostile towards immigration and in particular towards Islam. In particular in the Netherlands, where the murder of the film-maker Van Gogh had raised a fierce debate on the role of Islam in society - but also in Denmark, Germany, Austria, Italy and France - the tone of the debate aggravated. Now not only Islamism was denounced as threat towards democracy and peace, but the compatibility of Islam and society started to be questioned. In many EU member states, this anti-immigrant

rhetoric was taken up and supported by mainstream parties. This shift towards a critical, if not negative public perception of immigration further supported the introduction of compulsory integration measures.

V.3 Country by country overviews

V.3.1 Austria

In Austria, the term ‘integration’ was already used in the 1950s in the discussion of labour market access rights and facilitated naturalisation regulations for the large group of ethnic Germans (“Volksdeutsche”), who had been dispersed from Czechoslovakia after the end of World War II (Perchinig 2009, 229). Since the 1960s, the term disappeared from discourse and was mainly used with regard to the integration of persons with disabilities and European integration, and only re-entered the scene in the 1990s.

In the 1960s and 1970s Austria established a system of guest-worker recruitment based on temporary work and residence permits and introduced a sharp legal division between citizens and foreigners, in particular with regard to labour market access and social rights. Despite the guiding paradigm to foster rotation and prevent settlement, family reunification rose since the late 1970s, and guest workers de facto turned to immigrants (Bauböck/Perchinig 2006). This development was not reflected by politics until the end of the 1980s, when immigration politics became an issue of parliamentary debates advanced by the two smaller parties, the Greens and the Freedom Party (FPÖ), who both had not been linked to the Austrian corporate system of Social Partnership, which had governed decision making in migration policy since the 1960s. Whereas the Greens demanded to improve the position of settled migrants and ease immigration, the Freedom Party developed a clear anti-immigrant stance, since the late Jörg Haider had become party leader in 1986 (Perchinig 2009, 235.).

In the late 1980s and early 1990s, the geopolitical changes in Europe, which involved three³⁷ of the then seven neighbouring states of Austria and fundamentally changed Austria’s geopolitical position, led to a reappraisal of effects on future immigration on the country. The political elites soon agreed that the existing model of migration governance by controlling access to the labour market through a system of labour permits would not fit into the changed geopolitical frame any more, and that a new model of migration management had to be developed. In the early nineties, this debate was accompanied by a discussion about “compensatory immigration”, demanding regulated immigration to compensate for demographic ageing. Annual immigration quotas should replace the existing regulations based on labour permits, and the legal position of immigrants should be improved. Despite support from the then chancellor Franz Vranitzky (SPÖ), the concept first failed because of resistance of the trade unions, but in 1993 was implemented by a new Residence Act, which implemented a system of annually set maximum numbers for residence permits for different types of immigration (Perchinig 2009, 236).

The new Residence Act of 1992 implemented minimum income and housing criteria as precondition for a residence permit, and applied these conditions to newly arriving

³⁷ At that time, Czechoslovakia comprised the territory of the Czech Republic and Slovakia.

immigrants as well as to settled immigrants renewing their permit, and did not exclude new born children from being counted towards the annual maximum. The act also for the first time included a paragraph on “integration support”, which should be provided to immigrants working in Austria, their family members and recognized refugees in order to reach their inclusion into the Austrian economic, cultural and societal life³⁸. In practice, in the following years no concrete integration programmes were installed at the national level. Integration measures were left basically to private, humanitarian, religious, and welfare organisations, and municipalities,³⁹ who were free to initiate integration measures, but were not obliged to do so.

In view of sustained criticism and serious problems with the implementation of the law the Austrian parliament approved a major amendment to the aliens law (Aliens Act, Foreigners’ Employment Act and the Asylum Act)⁴⁰ in June 1997. This reform was called ‘integration package’ and marked the linking of migration and integration in the political discourse. The package was presented under the keyword “Integration vor Zuwanderung” (“integration before immigration”), meaning that integration of those immigrants already settled in the country should be given priority before allowing new immigration. Thus integration was discursively linked to the restriction of new immigration (Bauböck/Perchinig 2006, 284). The amendment considerably improved the residence status of long-term settled migrants by allowing for a consolidation of residence and removed some of the legal barriers to wider socio-economic integration, but restricted new immigration by lowering the annual maxima (ICMPD 2005, 20). Furthermore, the law foresaw an “Integration Advisory Council” to be installed to advice the Ministry of Interior in questions of integration, but in practice the council did not become active. Nevertheless, the “integration package” has been interpreted “*as a first step towards a more proactive integration policy*”⁴¹. Concrete programs however, remained focused mainly on recognized refugees. Thus the first link of the issues mainly took (the lack of) integration as an argument to restrict immigration.

In 2000, the newly formed coalition government between the Austrian People’s Party (ÖVP) and Freedom Party (FPÖ) published its governmental program including a chapter on ‘comprehensive integration’. It called for concrete measures facilitating the integration of immigrants with a focus on language acquisition and also foresaw a mandatory ‘integration package’ for newcomers⁴². The agreement put special emphasis on the acquisition of basic German language skills and marked a clear policy shift: on the one hand, it represented the first coordinated federal measure for the integration of third country nationals apart from refugees. At the same time, the agreement clearly shifted the responsibility for integration on migrants who were obliged to learn the national language in a specified time period. (Perchinig 2010, 25).

The idea of committing immigrants to fulfilling specific integration measures had first been mentioned by the former Chairman of the parliamentary faction of the Freedom Party (FPÖ), Peter Westenthaler, who, at a press conference in April 2001, first suggested restricting access to a permanent residence permit to immigrants who could

³⁸ Residence Law of 1992 (Aufenthaltsgesetz 1992) §11.

³⁹ Ibid.

⁴⁰ *Fremdengesetz, Ausländerbeschäftigungsgesetz, Asylgesetz.*

⁴¹ Ibid., 20.

⁴² See Regierungsprogramm ÖVP/FPÖ 2000-2003, p 50f, available at: <http://www.bka.gv.at/2004/4/7/Regprogr.pdf> (28.2.2011).

demonstrate a certain level of knowledge of German and of Austria's history in order to distinguish between immigrants ready to integrate and those refusing integration. Immigrants should be obliged to sign an 'integration contract', including the obligation to attend a language and integration course as a precondition for a permanent residence permit and the rights associated with that status. (Rohsmann 2003, 68).

In fact, the idea to understand integration as a means to select immigrations ready to integrate did not materialize, as in the Residence Act of 2003, which introduced the "Integration Agreement", integration was defined as the duty to attend an integration course of 100 hours and to prove knowledge of German at the level A1 of the Common European Reference Framework on Languages. Thus, the agreement depicted language acquisition as the sole criterion for integration. The agreement was amended in 2006, when the level of language competence necessary for a permanent residence permit for all immigrants except "key personnel" was raised to the level A2. The reform also entitled the authorities to under certain conditions initiate expulsion procedures in case of non-fulfilment of the agreement in time. In practice, not passing the integration agreement after five years in practice most often has led to administrative fines, but rarely to deportation, as according to the case law of the Austrian Constitutional Court, which demands severe reasons for deportation, solely the failure to fulfil the integration agreement would not be seen as a sufficient reason for deportation (Perchinig 2010, 42). Nevertheless, access to the status of a long term resident third country national, which includes the right to equal treatment at the labour market and in the field of social rights, is restricted only to those having fulfilled the contract. In 2010, a further reform reduced the minimum time period for proving language knowledge at the level A2 (EFRL) to two years, and raised the level of language proficiency necessary for acquiring a permanent residence permit to B1 (EFRL). This level has to be reached within five years as a precondition for access to a permit as a long term resident third country national. Furthermore, income requirements were raised considerably.

Whereas integration had been an issue of political debates since the 1990s, it took until 2008, to anchor the field in governmental policy making. In 2008, the government proclaimed to develop a National Action Plan on Integration (NAPI), which should coordinate all actors in the field, enhance cooperation and develop a new mode of integration governance (Bundeskanzleramt 2008, 108). Between April and July 2009 the Ministry of Interior organised monthly steering group meetings bringing together representatives from the Federal Chancellery, all Austrian ministries, federal state governments, social partners, the Austrian Association of Cities and Towns, the Austrian Association of Municipalities, the Federation of Austrian Industries and the NGOs in the field of migration and integration deemed to be of utmost importance (Caritas, Diakonie, Hilfswerk, Red Cross and Volkshilfe). In addition, several expert meetings on different topics were organised. In spring 2011, the position of a State Secretary for Integration within the Ministry of the Interior was established. Thus the policy field became finally institutionalised within the government system.

On 18 January 2010, the National Action Plan on Integration (NAPI) was finally published by the Ministry of Interior. In the document, integration is defined as *"(...) a reciprocal process, characterized by mutual appreciation and respect, in which clear rules ensure societal cohesion and social peace."* According to the document, *"successful integration" is reached, when the person has sufficient German language skills to participate in working life, training, further education and for communication with public administrations, s/he can fund his/her life, and the Austrian and European legal order and*

values are accepted and recognized. An “integrated society” is characterised by “openness and social permeability” and allows “the individual to lead one’s life on his or her own responsibility without being discriminated because of his or her origins, language or skin colour.” Overall, “integration” is understood as aiming “to ensure the participation in economic, social, political and cultural processes and the compliance with duties associated to these processes” (BMI 2010, 36).

The formulation of the NAPI links integration at the individual level to knowledge of German, economic self-reliance and acceptance of the Austrian and European legal order and values. It defines integration at the societal level as participation in economic, social, political and cultural life of the society without discrimination based on origin and does not contain any link with migration control. Although this link has been prominent in the development of the migration-integration nexus, it has not been reiterated in the recent political documents on integration, but was instrumental in permanently establishing integration as a policy field.

Despite the long negligence at the federal level, as well at the local as at the provincial level integration policies were invented and institutionalised since the early 1990s. In particular Vienna and Vorarlberg, the two provinces with the highest share of immigrant population, had become forerunners for regional integration policies. Furthermore in the early 2000s, the EU funded programme “EQUAL” supported several projects developing local integration strategies in four smaller towns in Lower Austria and in a town in Styria⁴³.

In Vienna, the first attempts to develop a municipal infrastructure reach back to the 1970s, when the “Zuwandererfonds”⁴⁴ was founded in 1973 to assist labour migrants from the other province, but also from abroad, to manage life in Vienna, and in particular to find adequate housing. In 1992, the City of Vienna set up the ‘Viennese Integration Funds’ with the duty to develop concrete measures for the integration of immigrants in the city and to advice the government with regard to integration policies. The fund was set up following consultations with the City of Frankfurt, where an “Office for Multicultural Affairs” had been established under the head of the then City Councillor and later MEP Daniel Cohn-Bendit. The fund, which was headed by the late Viennese mayor Helmut Zilk (SPÖ), should comprise representatives of all parties in the city Council in order to prevent migration becoming the topic of political competition but the FPÖ rejected the invitation to participate. Despite the fact, that the Viennese Funds for Integration was no legal part of the city government, it was the main means of the city to implement integration measures, mainly by running advice centres for immigrants in several districts, by mediating intercultural conflicts in the public space, and by funding integration related projects. The documents and press releases issued by the fund focused on a structural understanding of integration as improvement of the legal position of immigrants. In practice, the Funds soon was to position itself as a clear opponent to the Federal Ministry of the Interior – despite the fact, that both the Ministry of the Interior and the Mayor of Vienna belonged to the Social Democratic Party. At the

⁴³ Information on these projects may be found at

http://www.bka.gv.at/site/cob_33498/6640/default.aspx.

⁴⁴ “Immigrant” can be translated both as “Einwanderer” and as “Zuwanderer”, the latter denoting as less permanent form of immigration. The Funds still exists as a housing cooperation offering cheap flats for immigrants mainly from the Austrian provinces. See: http://www.zuwanderer-fonds.at/Wer_wir_sind.html (23.3.2011).

same time, the City of Vienna - which is also is a federal state and thus had some administrative leeway in the implementation of the nationality law - reduced the waiting periods for naturalisation to four years and eased naturalisation, which was sharply criticised by the FPÖ.

Following a report on urban integration policies by a consultancy organisation closely related to the City government, in particular the planning department (europaforum 2002)⁴⁵, which pointed to the need to anchor integration policies within the regular administration structure, the Viennese Funds for Integration was dissolved in 2004 and a “Department for Integration and Diversity” founded within the city government. Thus the city included integration in its day to day administration framing the issue as a task to be managed by regular administration.

In Vorarlberg, the westernmost province of Austria bordering to Germany and Switzerland, regional integration policies were strongly influenced by policy-learning from Switzerland through political entrepreneurship of integration activists and policy consultants: In Switzerland, the City of Basel had developed a municipal mission statement on integration in a multilevel consultation process already in 1999⁴⁶, other Swiss cities followed. One of the authors of the mission statement, who had moved to Vorarlberg, succeeded in convincing the Municipality of Dornbirn in Vorarlberg to start a public consultation on integration for Dornbirn, which lead to the development of a mission statement for integration, which was written by the same actors as in Basel⁴⁷ and laid its focus on participation and the possible positive impacts of immigration for society.

This process led to the formation of an association called “okay.zusammen.leben” embracing most NGO-actors active in this field, which was entrusted with the implementation of regional integration projects by the provincial government in 2001 and implemented a broad series of integration measures ranging from language training to public lectures and debates and capacity building seminars for public officials in the towns and villages of Vorarlberg. In 2010, the provincial parliament of Vorarlberg unanimously passed a mission statement on integration (Güngör/Perchinig 2010), reflecting a broad consensus of the local political elites on this topic. Thus in Vorarlberg, integration policies were implemented as a public-private-partnership comparable to one already established in the area of health and social services since the late 1980s, whereas in Vienna, after a short interlude of policy making by means of a city-controlled funds, the long tradition of policy making through municipal administration set the frame for integration policies.

While the legal competencies for migration and integration in Austria clearly rest with the federal level, this has not lead to a shared understanding of the roles the local, provincial and federal bodies have in relation to integration policies (Wewerka 2009, 36). At the same time, there have been continuous struggles between the federal level, specifically the Ministry of the Interior, and the provincial level to define the dominant integration approach. The city (and at the same time federal state) of Vienna for example, has always been a strong critic of federal integration policies. As a result, Austrian integration policies are highly fragmented. The different actors (different

⁴⁵ The Elderman for City Planning is the statutory chairman of the europaforum Wien.

⁴⁶ <http://www.welcome-to-basel.bs.ch/leitbild.htm>.

⁴⁷ <http://www.dornbirn.at/Integrationsleitbild-der-Stadt.537.0.html>, <http://www.think-difference.org/PDF/Integrationsleitbild%20Dornbirn.pdf>

ministries at the federal level/federal states/cities) each make their own policies, without often explicitly referring to integration (Wewerka 2009, 36). Therefore, according to integration experts at the national and the local level different approaches towards integration have developed.⁴⁸ Individual municipalities have established a coordinated approach to integration on the city level much earlier than the federal government. The first initiative was taken in Vienna with the Viennese Integration Fund, which was founded by the city of Vienna in 1992. In 2009, 5 of 9 federal states and 19 of 25 cities with more than 20,000 inhabitants had independently developed integration frameworks (Integrationsleitbilder) (Antalovsky 2009, 4). As stated by several interview partners, provinces and municipalities are more important actors with regard to actual integration programmes than the federal government. However, exchange and cooperation between the various local approaches has only recently developed, as is reflected by the establishment of an expert committee on integration in the Austrian Association of Cities and Towns in 2008.⁴⁹

At the federal level, the adoption of the National Action Plan for Integration represents a first step towards improving the coordination of the different actors and programmes in the area of integration. According to a representative of the Ministry of the Interior, the Action Plan marks the beginning of a 'sustainable integration process' by establishing structural competencies and coordination.⁵⁰ By contrast, other stakeholders stated that integration policies at the federal level still lack a sustainable long-term strategy and are largely of symbolic nature.⁵¹

As the interviews with local-level experts in the cities of Innsbruck and Vienna showed, integration at the local level tends to be framed rather as a social matter and a matter of equal opportunities. The primary aim of local integration policies is to maintain social cohesion. Accordingly, local integration policies are more inclusive and involve various stakeholders including migrant organisations, which were underrepresented in the consultation processes organized by the Ministry of the Interior.⁵² Similarly, an integration expert confirmed this view by highlighting that federal policies and legal regulations are highly differentiated with regard to different target groups (e.g. highly-skilled vs. low-skilled), while local integration policies do not target specific groups but are broader in their conception. In addition, federal policies show a stronger link to immigration policies and considerations than local policies do.⁵³

The differences between the federal and the local level may be partly explained also by different recruitment structures and professional backgrounds of the actors. In the Ministry of the Interior, the vast majority of civil servants consist of lawyers, often recruited from the police forces. Most actors in the integration field working for NGOs or municipal governments have a social science or social works background. In the late 1990s, they were eagerly following the developments in the field at the EU level, which at that time had a much stronger focus on equality and antidiscrimination than the national debates in Austria, and thus the European Commission was welcomed as ally. At the level of the European Council, the Ministry of the Interior on the contrary

⁴⁸ Interview Expert L4.

⁴⁹ Interview Expert N3.

⁵⁰ Interview with Representative of the MoI.

⁵¹ Expert Interview with Experts L4, O3, R3; see also Jawhari (2000).

⁵² Case Study Reports Innsbruck and Vienna.

⁵³ Interview Expert L4.

established itself as a hardliner trying to prevent harmonisation of EU policies as far as possible. Thus the structural tension between the European Commission and the Council in this field was reflected in the tension between state and regional policies.

In this way, an “epistemic community” developed at the local level, whose framing of integration was much more akin to the EU than to the predominantly security oriented approach of the Ministry of the Interior. These two “cultures” both have their strongholds in the political-administrative system and are able to transform a ideological conflict into a conflict between local and federal governments. Thus it is unlikely, that a common understanding of integration will easily develop in the future (Perchinig 2010, 31ff).

V.3.2 Switzerland

Historically, post war migration policies in Switzerland have been shaped by the seasonal worker statute, which remained a central tool of Swiss migration policy for over 60 years from 1934⁵⁴ until the late 1990s. The policy aimed at temporarily attracting foreign workers to the Swiss economy (manufacturing, the building sector and tourism industry) without granting any rights to permanent settlement. After the experiences of worldwide economic recession and international conflict (WWII) the seasonal worker statute was believed to function as an economic buffer against economic crisis including the possibility to deport unemployed foreign workers, if needed (Katzenstein 1987).⁵⁵ Only in 1999 Switzerland introduced a first article on integration, article 25a, into federal immigration law which marked the beginning of a more integration-oriented migration policy in Switzerland. The seasonal worker regulations were finally abolished in 2002 when the bilateral agreements with the European Union on free movement entered into force.

According to the logic of seasonal recruitment, integration was not an issue. Nevertheless, in the late 1960s the Swiss government gradually began to open its policy to family reunification under increasing pressure from the Italian government as well as international organisations: Seasonal workers who managed to serve out the full nine month four years in a row, were granted the right to family reunification which subsequently lead to the settlement of former guest workers and the emergence of immigrant communities (Schneider 2004).

In the context of labour recruitment, integration, however, was seen largely as an economic issue, with employment being the most central element. Social integration became increasingly relevant only with the establishment of the right of family reunification and the related increasing inflows of family members and the resulting emergence of immigrant communities. Within the framework, though, integration was not seen as a responsibility of the Swiss government, but rather considered a private obligation of both the immigrants and employers in terms of a duty to supply information.

⁵⁴ The Federal Law on the Residence and Residence of Aliens was issued in 1931 and entered into force with the seasonal worker statute in 1934.

⁵⁵ The legal basis was the *Bundesgesetz über Aufenthalt und Niederlassung der Ausländer* vom 26. März 1931 (ANAG).

The history of Swiss integration policy cannot be properly understood, however, without taken into consideration its close connection to Swiss immigration policy which, on her side, has always been determined to a large extent by labour market needs (TAK 2009, 8, Wicker 2009, 35). In this sense the turning point for integration can be dated back to the end of the 1980s when the Federal Council (“Bundesrat”) decided the gradual abolition of recruitment opportunities for low or unqualified workers to prefer the immigration of skilled workers. The idea to foster integration by limiting the number of immigrants admitted to the country culminated in the instalment of the “three circle model” in the 1990s⁵⁶ and the two tier admission policy in 1998 which gave preference to EU and EFTA nationals, while entry and stay of non-EU/EFTA nationals (so called “third country nationals”) was restricted (EKR 1996, EKR 2003, Prodolliet 2009, 48; Wicker 2009, 35). This shift in Swiss integration policies, from focusing on guestworkers to qualified immigrants from the EU/EFTA states introduced two components into Swiss migration policies which showed long-lasting effects: Primarily, the idea that integration would be facilitated by restricting immigration and, then, the assumption that immigrants from the EU and the EFTA could be easier integrated, while immigrants from outside the EU and EFTA had to be evaluated with regard to their “integration potential” (EKR 1996, EKR 2003, Prodolliet 2009, 48, Wicker 2009, 35).

On 13 September 2000 the “Regulation on the Integration of Foreigners” was issued. The Regulation lays down a) the principles and objectives of the integration of foreigners; b) establishes the tasks and the organisation of the Federal Commission for Foreigners, the tasks of the Federal Office for Migration and the relationship between the Federal Commission and the Federal Office; c) regulates the granting of federal financial assistance. This Regulation was revised and partly amended in 2005 and entered into force on 1 January 2008. EU-nationals and nationals from EFTA countries are largely exempted from the regulations contained herein. Together with the “Federal Law on Foreigners” from 2008 the revised “Regulation of the Integration of Foreigners”, issued on 24 October 2007, constitutes the legal basis for integration in Switzerland until today (AUG 2005, D’Amato 2011, 174; Wicker 2009, 36).

During the 1990s, the Swiss cities and communities were faced with increasing numbers of foreigners permanently settling in Switzerland, but at the same time with economic recession leading to rising unemployment which hit unskilled foreign workers most. In this situation the larger Swiss cities which were responsible for welfare services and inclusion, urged the federal government to take action towards extended integration facilities for immigrant workers (D’Amato 2011, D’Amato and Gerber 2005). Even before that, the issue of integration had pressured local actors such as civil society associations (associations and churches) as well as single cantons, cities

⁵⁶ With its Report on the Immigration and Refugee Policy of 15 May 1991 (BBI III, 291/FF III, 316) the Federal Council installed the so-called three-circle-immigration-model which introduced a recruitment scheme for foreign workers based on geographical-cultural, political and economic criteria: While persons from the first circle (EU and EFTA) enjoyed free movement, persons from the second circle (USA, Canada, Australia and New Zealand), entitled “traditional recruitment countries”, could be recruited to a limited extend. From the third circle (all other countries) recruitment was not allowed – with the exception of highly qualified professionals. The ‘three-circle-model’ was criticised particularly with regard to the potential discrimination of persons from developing countries and the assignment of countries of origin to the second and third circle which was not governed by regulation but decided by the Federal Council. Based on its decision migrants from former Yugoslavia moved to the third circle, even if they were once officially recruited (EKR 1996).

and towns to adopt concrete measures to foster the integration of foreign nationals in the territory: Some cities and larger towns, particularly in the German speaking Switzerland, set up “foreigner committees” where immigrants could bring forward their concerns. Some municipalities of the Romandie (French-speaking Switzerland), instead, tried to shift participation beyond the consultative level and to strengthen active political participation. The French-speaking canton of Neuchâtel served as a role model in this regard: Neuchâtel introduced active and passive voting rights for resident foreigners already in 1849. In 1979 the canton of Jura followed⁵⁷ (TAK 2009, 9, Wicker 2009, 34). In the 1990s, six cantons (BS, JU, NE, LU, VD and ZH) had already established cantonal integration policies and implemented cantonal “integration commissions”. While at that time a federal policy on integration was still missing, local communities in Switzerland had begun to recognize the state’s mandate for integration: In 1977 the canton of Jura issued the first constitution which established integration as a governmental task⁵⁸. In 1984 the canton of Basel-Country, in 1986 the canton Solothurn and in 1988 the canton Glarus succeeded (TAK 2009, 9).

By doing so, the cantons stimulated the development of a new admission policy which “combined the evolving needs of a new economy with those of migration control” (D’Amato 2011, 4). But whereas in cities like Basel already in the 1990s local integration frameworks were developed, a clarification on the substance and understanding of integration at the federal level did not materialize until 2000, when the “Regulation on the Integration of Foreigners” was issued (Piñeiro et al. 2009, 11; Prodolliet 2009, 48).

Another important actor besides the federal level and the cantons are the Swiss municipalities. Municipalities have traditionally been an important actor with regard to citizenship policy and have been key players in shaping local naturalisation procedures (see Helbling 2008). Even if the different municipalities’ approaches are versatile, a common element is constituted by their focus on the access of increase of equal opportunities, particularly for the second generation. Language acquisition, education, labour market inclusion and access to health form the core of such policies. According to Wicker this demonstrates an understanding of integration based on civil rights and political participation, as a cross-cutting issue which all municipality institutions are responsible for (Wicker 2009, 40). Others highlight that Swiss municipality bears the burden of accommodation of asylum seekers and refugees as well as social welfare costs for regular immigrants which, they claim, is not sufficiently taken into consideration by the cantons and the federal government (D’Amato 2011, 6).

V.3.3 Czech Republic

During more than 40 years of the socialist era, migration to and from the country was restricted and the Czech society stayed very homogenous. In the years 1948-1989 the

⁵⁷ Since its foundation in 1979 the canton Jura grants active and passive voting rights to immigrants who reside in the canton for a minimum of ten years.

⁵⁸ The constitution of the canton Jura was approved by the Federal Parliament in 1977 and ratified by Swiss plebiscite in 1978. On 1 January 1979 the canton won its sovereignty (François Kohler (2010), „Die Schaffung des Kantons Jura (1974-1978)“, in Historisches Lexikon der Schweiz: Bern, <http://www.hls-dhs-dss.ch/textes/d/D7399-1-13.php?PHPSESSID=15a24b2ffa0dafd1f40b25f7dd75948f>, Last access: 17.08.2011).

Czech Republic (in that time Czechoslovakia) did not have any “classic” international migrants. There was only a vast illegal emigration of Czech citizens out of the country and some state controlled and regulated immigration (mostly students and workers) from other socialist countries (Drbohlav 2008). After 1989, the borders opened and the country established itself as a transit and soon also immigration country.

In the first phase after 1989, without any experiences on how to control migration flows and migrant integration, the newly established democracy applied a very liberal migration policy that lasted until 1997. The Czech migration policy was initially and largely a product of ad hoc solutions to particular events or situations; however, from 2000 to 2004 the competent state bodies and institutions engaged more on issues of international migration and new migration laws came into legal force (Drbohlav 2003).

After the accession of the Czech Republic to the EU in 2004, a new period evolved and since that year, the approach towards migrants has differentiated. After entry into the EU, the number of foreigners entitled to free movement to and from the Czech Republic and to access to the labour market without a permit increased (Hofirek, Nekorjak 2008). Moreover, deeper involvement of the Czech Republic in the global economy structures has brought some international investors and has further driven the flow of foreign workers into the country.⁵⁹

The process of accession to the European Union gradually influenced and prioritized the objectives of the Czech migration policy this past decade. These included combating illegal migration, defining a comprehensive asylum policy and harmonizing migration policy with common standards of the EU. The importance of migrant integration was recognized only in 1999, when the first governmental documents on this issue were adopted.⁶⁰ These were the “Principles for the Concept of Immigrant Integration in the Territory of the Czech Republic” (further “the Principles”) followed by the “Concept of Immigrant Integration” (further “the Concept”) endorsed by the government in December 2000. Both documents were the first to discuss immigrant integration⁶¹. Their understanding of integration was massively influenced by the Council of Europe and EU- documents in this field.

According to the Principles, the integration policy shall aim to ensure protection of foreigners and their access to basic human rights and freedoms (Principle 4).⁶² Principle 5 describes integration as “*a natural consequence of migration*” and, further, as: “...*the process of progressive immigrant integration to social structures and ties of the home population. Integration is a complex phenomenon, which has its specific conditions and political, legal, economic, social, cultural, psychological and religious aspects*”.⁶³

The implementation of the principles only started since 2000. Since then, annual reports on the realization of the concept are published.

⁵⁹ In 2002 foreigners in the Czech Republic made 1,8% of the population, in 2005 already 2,5%. Today it is more than 3,5%.

⁶⁰ The Principles for the concept of immigrant integration in the territory of the Czech Republic, 1999

⁶¹ Jelínková, M., Multicultural Centre Prague, interview May 24, 2010.

⁶² The Principles for the Concept of Immigrant Integration in the Territory of the Czech Republic, July 7, 1999; (Usnesení vlády ČR č. 689 ze dne 7. 7. 1999 o Zásadách koncepce integrace cizinců na území České republiky a o přípravě realizace této koncepce).

⁶³ Ibid

In 2005, the Concept on Integration was updated and altered from the existing approach to integration. Although the updated Concept declares continuity with the Principles and the Concept in 2000, it stresses individual attitude and self-responsibility of immigrants and their own effort to civic integration. The rhetoric and background of the Updated Concept⁶⁴ strongly differs from the Principles in 1999. On the other hand, the Updated Concept stresses that the immigrants are members of communities that are members of the society. It also underlines rights and equal access to rights of migrants. According to some experts,⁶⁵ it shifts the public integration policy towards “communitarian multiculturalism”.

Compared to the Principles (1999) the Concept has been tighten up towards migrants and now reflects the need for more migrant responsibility for themselves. Whereas the Principles from 1999 accentuated cultural enrichment; the updated Concept stresses the economic contribution of a foreigner to the Czech state. The Updated Concept is therefore mainly focused on participation of immigrants on the labour market and their independence from the state.⁶⁶

The definition of an integrated person in the updated Concept is: *...especially someone who maintains contacts with other members of society, is able to provide by himself/herself or with the help of members of his/her family necessities of life for himself/herself and identifies himself/herself with the essential values of the society he/she lives in.*⁶⁷

The Updated Concept in 2005 identified four key prerequisites for successful immigrant integration under the conditions of the Czech Republic. Those are:

- knowledge of the Czech language
- immigrant’s economic self-sufficiency
- immigrant’s orientation in society
- immigrant’s relations with members of the majority society.

To sum up, although the Updated Concept stresses the cultural dimension (common values, intercultural understanding) and social dimension (protection from the risks on the labour market),⁶⁸ it is largely oriented on employment and not so much on protection from/against social exclusion.⁶⁹ The Concept on Integration aims to integrate foreigners that already live in the Czech Republic for more than a year. The Concept formally encourages foreigners’ civic participation, but reality is different from the political papers. The political dimension of integration stays completely aside in any political document on integration, because political rights and representation, including

⁶⁴ The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV).

⁶⁵ Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010.

⁶⁶ Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010.

⁶⁷ The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV), 18.

⁶⁸ The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV).

⁶⁹ Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010.

a possibility to promote interests of migrant groups are not present in any of the Concepts.

A requirement of knowledge of the Czech Language as a precondition to the access to a permanent residence permit has been added in the political documents as a key point of integration in 2004 together with the economic self-sufficiency, orientation in the society and the relations with the majority population.

The condition was implemented only from January 1st, 2009, since than it is obligatory for immigrants aiming to receive permanent residence permit to prove knowledge of the Czech language at the level A1 in a written test. The first exam is for free, second and other trials have to be paid by the foreigners themselves (1500 CZK = 57 EUR).⁷⁰ Courses are offered case to case by language schools and NGOs. This condition does not apply for persons below the age of 15 and above the age of 60, but also not in the case of family reunification, which, according to some experts,⁷¹ may not have been the best decision, as family members often lack the language knowledge and which is quite outstanding compared to the implementation of language requirements in other European countries. Furthermore, workers coming through the Pilot project Selection of Qualified Foreign Workers⁷² are exempt from fulfilling this condition in order to receive the permanent residence.⁷³

According to the Government decree, the Ministry of Education is supposed to apply/develop/introduce legislative measures for a free preparation in Czech language of children from third country immigrants as well. This has not been fulfilled so far. There is some free Czech language education on primary schools but financed only by the EU.⁷⁴

The changes in the concept of integration have been accompanied by frequent changes of the institutional setting. Until 2003, the Ministry of the Interior was entrusted with co-ordination and supervision of activities aimed at immigrant integration. In 2004, the coordination of the implementation of the Integration Concept was transferred to a new Department for Migration and Integration of Foreigners at the Ministry of Labour and Social Affairs in order to emphasize the social dimension of integration. Moving the integration coordination back to the Ministry of the Interior in 2008 has been justified by the need to link immigration with integration policy and for ensuring effective legal migration management and the other integration measure (Dluhošová 2009). As such, this transfer of authority was based on an interest on the part of the Ministry of the Interior's Department of Asylum and Migration Policy to better interconnect immigration and immigrant policy. This need has subsequently been explained by concerns over growing immigration tensions appearing in some urban areas with a high amount of foreign manual labour, especially in the automotive industry, and by the need for change in the integration strategy.⁷⁵

⁷⁰ Report on the realization of the Concept on Integration, Ministry of Interior, 1/2010.

⁷¹ Honusková, V., Department of International Law, Charles University, interview June 8, 2010.

⁷² Ministry of Labour and Social Affairs, the Pilot project Selection of Qualified Foreign Workers, 2003 (Pilot project).

⁷³ Ošmera, R., Podoba zkoušky z českého jazyka pro účely získání trvalého pobytu, www.migraceonline.cz, 2009.

⁷⁴ Report on the realization of the Concept on Integration, Ministry of Interior, 1/2010.

⁷⁵ Ministry of Interior, 2009, cited by: Čaněk, M., migration expert, Interview May 27, 2010.

Czech integration policy has been implemented since 2000 and this relatively short period of implementation, among other factors, accounts for a gap that still exists between the policy and the practice. While the policy is relatively well designed, its implementation lags behind.⁷⁶ Despite the fact, that local governments should be key actors in the field, policies fail on the local level and are not being fulfilled. Thus relevant NGOs criticise that the problematic aspects of the Czech integration policies do not lie in their quality but rather in their realization.

V.3.4 Germany

Until the end of the 1990s Germany did not understand herself to be a country of immigration. Nevertheless, the reform of the Aliens Act in 1991 improved the position of legally resident aliens and introduced a statutory right to a permanent residence permit after five years of stay for all foreigners who participated in the labour market and were able to make an easy way to communicate in German, and possessed of sufficient living space. Likewise, a legal claim was introduced to a work permit after five years of employment within the last eight years.

In 1998, the Red-Green government started a major reform of immigration- and integration policy. The reform of the Nationality Law was the first step of the reform. The reformed citizenship law of 2000 bid farewell to the principle of "ius sanguinis" and introduced the principle of - tied to conditions - "ius soli". Now all children born in Germany of foreign parents were entitled to a German passport if one parent had lived at least eight years legally in Germany. Although a general toleration of multiple nationality was rejected by the opposition, the law provided, however, a large number of exceptions, so that in almost half of all naturalized citizens could keep their nationality (Focus Migration 2007, 4).

In the beginning of the new millennium, a shift in the previously prevailing normative framing of integration could be observed. While multicultural approaches were forced into a defensive posture, there repeatedly were references to terms such as 'Leitkultur' or 'norms and values'. Calls for the migrants to learn the German language and to respect the democratic basic values were expressed more offensively and have come to be regarded as the politically realistic view of the integration problem (Michalowski 2006b, 147).

An important leading actor in advocating the linkage between migration and integration policy was the Independent Commission on Migration to Germany (the so-called Süßmuth-Kommission), established on 12 September 2000 by Otto Schily, at that time Federal Minister of the Interior.

In its report "Structuring Immigration – Fostering Integration"⁷⁷ the Commission framed integration as a political responsibility which aims at facilitating *"the equal participation of immigrants in social, economic, cultural and political life, while respecting cultural diversity at the same time"* (Independent Commission on Migration to Germany 2001, 196). In this respect, integration was clearly distinguished from expectations of a

⁷⁶ Jelínková, M., Multicultural Centre Prague, interview May 24, 2010.

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http://www.bmi.bund.de/cae/servlet/contentblob/123154/publicationFile/15100/Structuring_Immigration_-_Fostering_Id_14625_en.pdf.

one-sided ethnic and cultural assimilation, but was defined as a two-way process, requiring efforts on both sides:

“The term integration describes a process that depends on reciprocal contributions which both the host and the immigrant society make. Both sides are an integral part of the whole. The antonym of integration is segmentation: both parts existing side by side without any connection” (ibid.).

The report furthermore rejected the division between migration and integration, which had characterised the policies of the 1980s and 1990s. Stressing, that *“[i]mmigration cannot be successful unless the people who have been living in Germany for some time and those who are new arrivals in Germany integrate successfully into German society”*, the commission further stated that *“(…) Integration cannot be successful without immigration control and limitation”* (ibid., 262). Thus the first link between migration and integration clearly defined migration limitation and control as a condition of integration – nearly in the same words as Roy Hattersley did in the UK in 1966.

Following the suggestions of the Süßmuth Commission, the Immigration Act of 2005 (amended in 2007) clearly linked the two issues and addressed both migration limitation and regulation and integration in a single law. This link also was expressed in the law’s official title *“Law for the Regulation and Limitation of Immigration and for the Regularisation of the Residency and Integration of EU Nationals and Foreigners”*. The aim of the law was *„to control and restrict the influx of foreigners into Germany as well as to enable and organise immigration with due regard to the capacities for admission and integration and the interests of Germany’s economy and labour market and humanitarian obligations“*.

Moreover, integration was for the first time defined as a federal responsibility, as stated by the Federal Ministry of the Interior: *“To ensure successful integration, the state offers all immigrants basic integration measures to support their own efforts to become a part of our society”*⁷⁸. This should be ensured by a legal entitlement and the duty to participate in “federal integration courses”. Integration was defined as a combination of demanding and promoting (“Fordern und Fördern”), with the immigrants as the sole targets of integration, who at least partly would have to be pressured by sanctions to take part in integration programmes offered.

With the new *Immigration Act* entering into force on 1 January 2005, state-run statutory integration measures were introduced in Germany. The core element of this coordinated integration policy is the national integration course programme in the responsibility of the Federal Office for Migration and Refugees (BAMF). The German integration course model comprises two components, a language course and an orientation course (civic education). The primary target group of the integration courses are third country national newcomers who are eligible for permanent residency and ethnic German repatriates as well as recipients of social benefits, in case they do not have sufficient German language skills. Besides that, also settled migrants who have already been living in Germany for several years can be entitled, provided that course capacities allow for it. Since the amendment of the Immigration Act has come into force on 28 August 2007 also German nationals and EU-citizens can be provided an entitlement for attending an integration course. Due to a decrease in the number of

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http://www.zuwanderung.de/nn_1068562/EN/ImmigrationFuture/Integration/_node.html?__nnn=true

newcomers to Germany since 2005 and a strong interest and demand in course participation of settled migrants and German nationals, the proportion of newcomers in all integration course participants amounts only to about 30 % (BAMF 2010, 3).

Particularly the fact that the law refers to *demands* which have to be fulfilled by migrants reflects a change of the public normative frame of integration policy which has been considered as a “return of assimilation” (Brubaker 2001) by the scientific community (Michalowski 2006a, 63). Bommers remarked in this context, that this was not a renewal of the former assimilation programmes of the European national states, but an activation of the individuals’ ability to include into the education system and the labour market and further into the fields of health, right and politics (Bommers 2006, 66). Against the background of an eroding welfare state it was no longer only centre-right parties, who claimed that newcomers should seek to integrate into the receiving society in an adequate manner, e.g. by acquiring language skills but also NGOs and migrant organisations who considered the acquisition of language skills to be an absolute necessity (Michalowski 2006b, 148). Concerning TCN newcomers and particularly those who are immigrating for family reasons, insufficient equipment with human capital is regarded as being the main impediment for rapid labour market integration. Especially lacking language proficiencies are seen as an obstacle with regard to integration into the labour market as well as into other fields of society. According to Michalowski, this is the central reason for the fact that a number of European member states, including Germany, introduced a so called ‘integration programme’ for newcomers at the turn of the millennium (Michalowski 2006b, 143).

By specifying migration and migrants as a problem and a responsibility of the welfare state during the 1990s, the German state put itself politically under pressure to act. Against the background of a quite unspecified definition of integration⁷⁹ and therefore rather diffuse expectations, the government was confronted with the problem of how to practically implement ‘integration’. Bommers points out that one possibility for solving impossible tasks like the fulfilment of diffuse expectations was to build up solutions on the basis of already existing resources. With the implementation of integration courses that primarily consist of language tuition, the government did not only follow the advice, *the Independent Commission on Migration to Germany* had given in 2001 (254), but also mobilised existing organisational and financial structures (Bommers 2006, 71):

With the continuing decrease in asylum migration after the legal changes in 1993, the former *Federal Office for the Recognition of Foreign Refugees* (Bundesamt für die Anerkennung ausländischer Flüchtlinge (BAFL)) increasingly had become oversized and therefore had free facilities that could be used for the implementation of the integration programme. By renaming the Federal Office into *Federal Office for Migration and Refugees (BAMF)* and by assigning it the task of promoting integration at national level, new opportunities emerged for organisational expansion and restructuring as well as a reformulation of responsibilities and competences, which also involved new chances for personnel recruitment and fundraising. At the same time, by merging the tasks of integration policy at national level and delegating the responsibility for it to the Federal Office which is linked to the Federal Ministry of the Interior, this consequently

⁷⁹ The Independent Commission on Migration to Germany had specified in 2001: “The objective of integration as a political responsibility is to facilitate the equal participation of immigrants in social, economic, cultural and political life, while respecting cultural diversity at the same time” (Independent Commission on Migration to Germany 2001, 196).

also led to an organisational linkage between migration and integration policy, as the Federal Ministry of the Interior stands in the tradition of restrictively conceptualising issues of migration in terms of issues of internal security and particularly has built up competences for organising restrictions of migration and inclusion (Bommes 2006, 72).

Also with regard to the content and the organisation of the integration courses, it was possible to build upon previous models and existing structures. Already in 1974, the so-called *Language Association* (Sprachverband) had been founded which organised language courses for labour migrants and their families (Schönwälder et al. 2005, 35). Besides that, also a language programme for ethnic German repatriates existed, but this was restricted to this migrant group and could not be attended by other migrants. In general, the course offers which established during the 70s, 80s und 90s were not part of a comprehensive and coordinate integration policy but were spread over a wide range of providers and were addressed to different groups of migrants (ibid). These already existing programmes and organisational structures as well as financial resources were merged to the newly created integration courses in 2005 and since then organised by the Federal Office for Migration and Refugees (Bommes 2006, 74). A merger was also conducted with regard to the existing counselling services. The previously separate offers for foreigners (“Ausländersozialberatung”) and for ethnic German repatriates (“Beratung und Betreuung von Spätaussiedlern”) were brought together to one counselling service for migrants (Migrationserstberatung) in 2005 (ibid., 73). However, a direct institutional link between this counselling service for migrants and the integration courses does not exist (Schönwälder et al. 2005, 37).

Finally, the role models given by the Netherlands, Sweden and France provided a frame for a relatively easy reorganisation of already existing resources under the symbol of an ‘integration programme’ (Bommes 2006, 71). The Independent Commission on Migration to Germany examined the models for resettlement assistance that had been implemented in the Netherlands and in Sweden and assessed both models as being “of considerable value” (Independent Commission on Migration to Germany 2001, 247ff.). However, the fact that it took almost four years for the law to be elaborated and enter into force, led to “a paradoxical difference between Germany and its neighbouring countries” as stated by Michalowski: “while France profoundly modified its first reception platform and the Netherlands was discussing the abolition of its 1998 programme, Germany was only starting to implement its own national programme” (Michalowski 2009, 266f.).

Taking all these aspects into account, the introduction of the German integration courses was, according to Bommes, not so much ‘the final implementation of an old insight’ but rather the attempt to work off a politically self-constructed problem (Bommes 2006, 71). And this solution took more the form of a reorganisation of the existing ‘landscape of integration’ in Germany than of a real innovation (Michalowski 2009, 264).

After the implementation of the law, a considerable decrease in immigration figures was registered. Against this background, the Minister of the Interior (Wolfgang Schäuble, CDU) stated in May 2006: “*Immigration is no longer our problem; our problem is integration*”, thereby proclaiming a shift in emphasis in the German migration and integration policy (Baringhorst et al 2007, 9). This stronger focus on integration led – with the revision of the Immigration Act in 2007 – to the introduction of the provision for spouses who seek to immigrate within the scheme of family reunification to

demonstrate preliminary integration efforts before entering the country as a prerequisite for a permanent residency in Germany. Moreover, new regulations concerning immigrants for humanitarian reasons were introduced, which link integration efforts to the possibility of acquiring a residence permit (sections 22 to 26 and sections 104a and b of the Residence Act).

In the following years, migration control and social integration have become the two key components of the German migration and integration policy, which were intrinsically linked with each other – just as the commission stated: *“Immigration and integration are two sides of the same coin – both aspects must be fully acknowledged”* (Independent Commission on Migration to Germany 2001, 262). Moreover, the regulations for immigration into Germany were strengthened, on the one hand implying an opening up towards competitive migrants (highly skilled workers, entrepreneurs, students) while on the other hand restricting the possibilities for immigration for humanitarian and family reasons (Bommes 2006, 64).

Although at the federal level integration policies only was implemented in the new millennium, provincial and municipal integration policies in Germany reach back to the 1980s, when in several larger cities of immigration “Commissioners for Foreigners” (Ausländerbeauftragte) had been established. In Berlin – as well a province as a city – the Senate had established the Commissioner for Foreigners already in 1981 and entrusted her with the task to counsel immigrants in the process of settlement, to inform the public about immigration and its effects on the city and to counsel the city government in the field of integration. Cities like Hamburg, Munich or Bonn followed, and in 1989 the City of Frankfurt implemented the “Amt für Multikulturelle Angelegenheiten” (Office for Multicultural Affairs), directed by the later MEP of the Green Party Daniel Cohn-Bendit. These offices implemented a wide variety of local integration measures and formed the breeding ground for the development of municipal expertise in the field of integration. Already in the mid 1990s they also founded the Platform of German Commissioners for Foreigners as an arena of exchange of practice. Thus in the beginning of the millennium, integration was already well established on the municipal and provincial political agenda, and a large number of civil servants familiar with integration issues worked in the local administration.

In 2005, the newly founded Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge) was entitled with the task to coordinate provincial and local integration politics. It chose to develop a politics of cooperation with the local administration, civil society organisations and research in order to generate synergies rather than imposing federal policies from above. Thus today, the implementation of integration measures is a shared responsibility of the federal, provincial and municipal level and an example of intra-state multi-level policy governance.

V.3.5 Spain

In Spain, the link between migration and integration is still weak. Furthermore, no common understanding of integration has been developed yet, but the concept of integration of left- and the rightwing political parties and policy actors differs considerably.

According to Pajares (2006), two different understandings of integration can be identified. The first understanding - which is dominant in the case of Spain - posits integration as a provision of rights and access to various types of services including health, education, and housing within the welfare state framework. Here, left-wing political parties, local authorities and social agents of civil society have been those in charge of detecting the need for development of integration plans within the immigration policies and have put pressure on the regional and national governments to receive funding.

The second link is more strictly associated to admission related integration policies, thus more specific as it is more related to admission rather than to immigration in general. This perspective highlights the cultural sphere of integration, spearheaded by several key politicians within right-wing and conservative political parties. These are interested in the adoption of the national language and culture and are more in accordance with the idea of integration as a contract and as a mechanism of control and selection of 'good' migrants, present in other EU Member States

The two understandings contradict each other: whilst the first advocates the promotion of rights as condition for improved integration, the second implies that integration is a necessary condition in order to obtain rights. Both perspectives have their own perspectives, actors, discourses and rationales and have found expression within different laws and policies. From an actor – centred focus the political orientation of each administration has been most relevant in the policymaking and legislation processes, as well as changes in the distribution of the competences between levels of governance.

The national government has not been particularly focused on fostering the link between immigration and integration. The Socialist Party's (PSOE) immigration policy has been oriented towards the integration of migrants within the labour market, reinforcing the socio-economic dimension of integration, and less importance has been placed on the cultural dimension. In parliamentary debates and the media, only few opposition politicians have highlighted the wish for an 'integration contract' similar to that of France trying to establish the link between admission and integration more explicitly. However, this has not been supported by any of the other political parties or associations related to issues of immigration.

Also at the legal level, there is only a weak link between immigration and integration, as the transposition of the directives on family reunification and of long term residence has not included obligatory requirements of integration for entry or stay in the country. However, new clauses within the last immigration law (LOEX 2/2009⁸⁰) mention integration as a positive aspect or an added value when renewing residence permits⁸¹ or reuniting a family member⁸². The civil code has also been modified in regards to

⁸⁰ LOEX is the acronym for Ley Orgánica de Extranjería.

⁸¹ RD 2393/2004, article 72: "*Requirements of social integration can be asked to renew a residence permit*". However, it is not clear which requirements are and into what extent they are necessary. This has also been included in the new immigration law (LOEX 2/2009).

⁸² Within the article 2 of the LOEX 2/2009, there is a new clause stating "*the regional government will be able to introduce programmes of integration when willing to reunite members of the family*".

nationality including integration elements related to “good behaviour”⁸³. According to an immigration lawyer interviewee, whilst “good behaviour” has been used to refer to the absence of criminal records and was not given much importance, this clause has now been rephrased to stipulate that integration must be somehow demonstrable. The lack of a specific definition of being “integrated” is problematic, as this leaves much margin for discretion on the part of civil servants and implementers in each municipality and/or region. In this sense, the media have reported that some judges are already applying this clause in a non-proportional way by posing questions that many Spanish people themselves would not be able to answer. Thus the both issues are being linked not by political, but by administrative actors, implying growing regional differences of the understanding of integration.

The development of a linkage between migration and integration has been fostered by a third element of migration policy specific for Spain, the regularisation of irregular immigrants. Since 2004, local authorities have been responsible for the provision of two documents for regularisation: the “certificate of social rooting” (“arraigo social”) in order to obtain a permit of residence, and the “housing report” for family reunification. The latter assesses housing conditions in accordance with the number of family members, the number of rooms, type of contract and living standards. The “arraigo social” provides a means for regularisation unique to Spain and expresses a clear relationship between admission and integration: In addition to the holding of a one-year work contract, a certain level of language proficiency is required, along with proof of membership of any associations, networks or organisations showing an individual to be socially established in their locality. Thus despite there is no link between immigration control and integration, a clear link between regularisation and integration has been established.

In administrative terms, the model of immigration policies in Spain may be characterised as dual (López de Lera, 2008), with the central administration responsible for the control of borders and the entry of migrants, and the regional and local authorities for the ‘integration’ of immigrants. However, cooperation between administrations often appears problematic, revealing as poorly articulated link at the institutional level.

Whereas until recently the role of local administration in immigration and integration policies was modest at best, the transfer of many competences in the regularisation proceedings to regional governments has dramatically increased their importance. In future, up to 90% of the proceedings of regularisation will be managed by the regional governments giving almost complete power to the regional authorities.

In this respect, a very peculiar issue linkage between regional autonomy granting language rights to regional or minority languages and immigrant integration developed. Further to the different political understandings of integration to be found on the left and on the right of the political spectrum described above, different regional understandings based on the specific history of “multi-nation-building” (Davis 2008) in

⁸³ “Disposición Adicional Quinta” of the LOEX 2/2009 is refers to a change of the article 22 of the Civil Code: “a good civic behaviour and a high degree of integration in the Spanish society will be required through the provision of a certificate”.

Spain developed and have led to an instrumental use of integration issues to foster demands for increased regional autonomy (Davies 2010, 51-54).

Spain is organised politically as a central government with devolved powers for seventeen autonomous communities. The autonomous communities have been set up after Spain's democratisation after Franco's death in 1975 to calm secessionist tendencies. In particular Basque- and Catalan-speakers insisted on their nationhood, seeking political autonomy if not outright independence. This insistence was a reaction to the violent oppression of these languages under the Franco dictatorship, when speaking these languages in public was forbidden and could lead to imprisonment and severe penalties. The constitution of 1978 implemented a political compromise granting the three most linguistically distinct regions - Catalonia in the northeast, the Basque Country in the north-center, and Galicia in the northwest - substantial autonomy as historical nationalities. As the reorganization of Spain proceeded, different regions based their self-government claims on different grounds, among them Aragon, Valencia, and the Canary Islands, each of which emerged through the union of two or more provinces, declared in their statutes of autonomy that they too formed nationalities. So did the Balearic Islands as a single province.

The autonomous communities are solely responsible for the areas of education and language policy. Thus they are entitled to declare what language(s) are regarded as official language(s) in the respective autonomous community, what language(s) are used as language(s) of instruction in schools, and what language(s) have to be used on street signs and spoken within the administration. In this respect, the Basque Country, Catalonia and the Valencia have implemented distinct policies of bilingualism and distinct policies fostering a regional identity based on the Basque, Catalan or Valencian language. In particular in Catalonia, Catalan is regarded as the first language and Spanish as the second, and a majority of schools teach in Catalan as the language of instruction, whereas a smaller number use Spanish as the language of instruction. In Valencia, Valencian and Spanish are both used as languages of instruction in all schools, and in the Basque country as well bilingual schools as schools teaching only in the Basque language exist.

Although Article 49.2. of the Spanish constitution puts the areas of citizenship law, immigration and emigration control and laws regarding the status of foreigners as under the sole legislation of the state, the autonomous communities, integration, like education and language policies, is understood to fall into the remit of the autonomous communities (Davies 2010, 31). When integration entered the Spanish political agenda, this new political issue served as a tool for the autonomous communities to foster their demand for increased regional autonomy. Thus, due to the distinctive regional and linguistic policies in these provinces, the acquisition of the regional language and awareness of the regional culture became an important element in their respective understanding of integration. Depending on the historic development of their autonomy, the provinces developed different understandings of integration and different strategies to support regional autonomy by immigrant integration policies (Davies 201, pp.31).

The new Catalan "estatut" (the law which defines the Catalan institutions and its autonomous competencies, as well as Catalonia's relationship with the central government), which was passed by the Spanish Parliament on 30 March 2006, and was ratified by a referendum in Catalonia on the 18 June 2006, for the first time included

immigration in a statute of autonomy. Based on the statute, immigrant integration was defined as acquisition of knowledge of the Catalan language, job training and assistance, and knowledge of the local society and customs and integration services run and run by local governments were implemented (Davis 2008, 17). The focus clearly rests on the acquisition of Catalan, and not Spanish. According to the Catalan Citizenship and Immigration Plan of 2006, , “the residents of Catalonia, whatever their origin, have to be able to communicate among themselves and with the public authorities in Catalan” (Generalitat de Catalunya, 2006, 160, cited in Davies 2010, 34), and the acquisition of Catalan, and not of Spanish, is regarded a sign of integration (Davies 2010, 34). Furthermore, the Catalan government used the issue of integration to demand the transfer of border control competencies to the regional government, as the lack of control over immigration would contradict its competencies in the field of integration (Davies 2010, 35).

In Valencia, regional integration policies reach back to the beginning of the millennium, when in 2002 the Autonomous Community Council established the Interdepartmental Commission on Immigration and the Valencian Forum for Immigration. In 2004, the regional government published its first immigration plan for 2004 - 2007, and in 2008 the plan for the period 2008 – 2010 was published. In December 2008, the regional government approved a new law on immigrants’ integration, which introduced an “Integration Commitment”, with an explicit reference to similar instruments adopted in the main central and northern European immigration countries.

Although this “Integration Commitment” is a voluntary option, it serves as a proof of the migrant’s willingness to integrate, which is required for a residence permit. The government has established integration courses carried out by NGOs, which focus on knowledge of the Valencian society, the acquisition of the two official languages, Valencian and Spanish, and the Valencian and the Spanish legal system. On completion of the course, migrants receive an “Integration Commitment Diploma” proving their willingness to integrate (Beltran 2010, 18-20)

In the Basque country, Basque identity was based on a closed concept of heritage and descent, and, contrary to Catalonia and Valencia, where Catalan and Valencian were widely spoken in everyday life, the usage of and competence in the Basque language was limited to a small proportion of the population. Thus integration policies never focused on the acquisition of the Basque language, but instead of political participation and human rights.

Already in 2001, the Basque regional government demanded that de facto residents within the Basque Country should be entitled full political rights, even if they were in an irregular status, and that the conventional pathway of Spanish citizenship was too exclusive and would prevent the integration of foreign immigrants. The Basque integration plan of 2006 thus emphasises a human rights-based approach of integration, including the regularisation of immigrants in an irregular situation, antidiscrimination policies and voting rights foreigners, but does not make any reference to integration courses or language acquisition as condition for a residence permit. Demanding that in order to support integration, naturalisation policies should be transferred to the Basque autonomous region, it makes a comparable instrumental use of integration to enhance its own political autonomy (Davies 2010, pp.34).

V.3.6 Italy

Conventionally, the shift of Italy from an emigration to an immigration country dates back to mid 1970s, when for the first time in Italian contemporary history the migration balance registered a positive turnout (Pugliese 2002; Bonifazi 2007). Yet, consistent inflows started only from the mid 1980s. In this period, the regulation of migration flows in Italy was subject to mere administrative regulations (“circolari amministrative”) and bureaucratic discretionality (Zincone 2011).

The first Italian immigration law was approved in 1986. Priority in employment was given to Italian and EU workers (Art. 8), as well as to non EU immigrants already living on the Italian territory. This protectionist stance was confirmed by the second immigration law approved in 1990, which implemented a regime of annual quotas. Both laws also introduced a generalized amnesty: the 1986 one led to the regularisation of 116,000 illegal immigrants, two thirds of which were unemployed (Einaudi 2007, 131), while the 1990 amnesty was opened also to self employed immigrants and asylum seekers, and allowed for the regularization of 220,000 immigrants. Amnesties were - and still to some extent are, as we shall see below - considered as an instrument to legalise immigrants already employed, i.e. regarded as integrated from an economic point of view or easier to integrate because of their social relations (Barbagli 2008).

The massive arrivals from Albania and the crisis in the Western Balkans led in 1993 to the setting up of a special commission charged with the task of drafting a major reform of the legislation on the legal status of immigrants. Decree Law Nr. 489/1995 gave priority to seasonal and temporary workers and introduced a new amnesty (Art. 12, Decree Nr. 489/1995). Economic integration through participation in the labour market had to be sanctioned through an official job contract, thus the definition from integration shifted to a more legal notion, reducing the relevance of de-facto integration. Last but not least, in 1998 a further amnesty allowed the regularization of 215,000 immigrants. Again, integration was framed essentially in economic terms: at an individual level, employment was considered as proof of the immigrant’s capacity to settle down and establish positive relations with the host society while at the systemic level participation in the labour market was assumed as functional to the country’s economic necessities.

However, in the second half to the 2000s, a gradual shift towards a more cultural understanding of the notion of integration took place. By initiative of the then centre-left government Home Affairs Minister Giuliano Amato, a so called “Charter of the Values of Citizenship and Integration” was drafted in 2006. The Charter, officially enacted with a Home Affairs Minister Decree of the 15 June 2007, had the goal of summing up and making explicit the fundamental principles regulating social life in Italy, with a particular attention to social relations between citizens and immigrants, and to immigrants’ integration issues.

Despite its soft law nature, the Charter marked the emerging of a new paradigm in the public definition of immigrants’ integration in Italy. This new discourse is centred on Italian culture and values, and addresses essentially issues of social cohesion and relations with immigrant and religious communities. The roots of Italian cultural identity are identified in the Charter’s preamble, and the following chapters illustrate immigrant’s rights and duties whose protection should be legally enforced in compliance with European and International Laws. Yet, the Charter is not just a general declaration of principles and values, but has also the ambition of setting the basis for

individual integration processes. The final goal of the integration process should be the acquisition of citizenship (principle 5) which requires *“the learning of the Italian language, of the basic notions of the Italian history and culture, as well as the sharing of the principles regulating our society”*.

This cultural shift in the definition of immigrants’ integration also characterises Law Nr. 94/2009, of July 2009, which for the first time links the renewal of the residence permit to the meeting of specific post-arrival integration requirements.

According to Article 4, integration is defined as the *“process aimed at promoting cohabitation between Italian and foreign citizens on the basis of the respect of the Italian Constitution, with the mutual engagement to participate in the economic, social and cultural life of the society”*. A strong emphasis is put on the necessity to combine immigrants’ reception with the preservation of public security, as is evident also in the title of the document. In contrast with the 2006 Charter though, now the emphasis is clearly on duties, i.e. on respect of public order and of basic rules of cohabitation (principle 4).

As part of these duties, Law Nr. 94/2009 introduces the so called “Integration Agreement”, to be undersigned by the immigrant at the moment of the issuing of the residence permit. The agreement commits the subscriber to: 1) acquire a sufficient level of knowledge of the spoken Italian language corresponding to level A2 of the Council of Europe “Common European Framework of Reference for Languages”; 2) acquire a sufficient knowledge of the fundamental principles of the Italian Constitution and institutions; 3) acquire a sufficient knowledge of Italian civic life, and in particular of the health sector, the education and social services sectors, the labour market functioning and related fiscal obligations; 4) fulfil his/her minor children obligations to education. Immigrants have also to adhere to the principles of the “Charter of the Values of Citizenship and Integration” analysed above.

The Integration Agreement has a validity of two years, and can be eventually extended of one more year. At the moment of the subscription, sixteen credits are assigned to the immigrant. Credits can be acquired through the certified participation to Italian language courses, Italian history and civic culture courses and other education programmes (e.g. professional and vocational training, university courses etc.) In case of unjustified non-attendance, fifteen of the initial sixteen credits are curtailed. Credits also are curtailed in case of penal convictions to jail or to a fine of above Euro 10.000.-; other kind of personal restrictions sentences, and administrative fines for fiscal or administrative offences above Euro 10.000.-. In order to accomplish the agreement, in the two years’ time span of its validity the immigrant has to score thirty credits. At the time of writing of the report, the implementation rules for the agreement have not been approved yet.

V.3.7 The Netherlands

Until the late 1970s, Dutch government framed immigration as a temporary phenomenon. The Netherlands did not consider herself an immigration country, and expected that most migrants would eventually return to their home countries. Therefore, Dutch government saw no need for developing a policy aimed at immigrant integration either.

The relation between migration and integration was re-framed dramatically in the early 1980s. Following the radicalisation of Moluccan migrants in the late 1970s, the absence of significant return migration of labour migrants (primarily Turks and Moroccans), and even an increase immigration from (former) colonies (in particular from Suriname), the Dutch government was forced to recognize that the Netherlands had become an immigration country and that a policy aimed at integration of some kind was required. First of all, migrants were now re-framed as ethnic or cultural minorities in Dutch society. This frame stressed their permanent position as a minority within Dutch society, and also appealed to the Dutch legacy of pillarisation with its social and religious national minorities.

The large scale family migration since the early 1980s presented the government with a new situation. Immigration was now reframed as a permanent phenomenon in Dutch society (Scientific Council for Government Policy, 1989), rather than as a historically unique event. Thus, an integration policy would have to be developed that would be adapted to this reality of ongoing immigration, in particular with their weak labour market participation, which was explained by their lack of competency in Dutch. It was in this setting that, in the early 1990s, the idea emerged to introduce civic integration programs (“inburgeringsbeleid”) not just for specific minority groups but for the ongoing arrival of newcomers. Though some disagreement existed at first whether these programs should be obligatory, a broad consensus did emerge that, if immigration is to be a permanent phenomenon, post-admission integration programs for newcomers have great priority in order to prevent the constant recurring of drawbacks in the integration process of migrant groups.

Thus, the migration-integration nexus was reframed once more in the early 1990s. The ethnic minorities policy of the 1980s made place for an integration policy that focused less on specific migrant groups and more on individual migrants and on their integration in social and economic spheres such as labour, education and housing. The new integration policy, therefore, became much more generic than the previous group-specific ethnic minorities policy. The main responsibilities for immigrant integration were shifted to generic policy domains such as labour market and educational policies, and no longer seen as a distinct policy domain in itself. Finally, in 1998 a law was enacted that regulated the integration of newcomers into Dutch society by obliging them to participate in civic integration courses (without an integration exam). This marked the formal beginning of the now so renowned Dutch “inburgeringsbeleid”.

After the turn of the millennium, once again a new policy frame emerged. A sharp politicization of migration and integration made reinforcing the integration policy and adopting further restrictive measures in the domain of immigration into key policy priorities. In particular family migration from Islamic countries like Turkey and Morocco now raised broad public and political concern. This triggered new reforms in both integration and immigration policies, reforms that were mutually reinforcing. In the sphere of integration, a culturalisation of policy measures occurred. The need to acquire social skills and knowledge of national culture became strongly emphasised in the civic integration courses. In the sphere of immigration, new restrictive measures were developed, such as a 120% of the minimum wage level requirement for family migration and the introduction of pre-entry programmes that would not just have to further the integration of participants but that would also help migrants to ‘consider’ their migration to the Netherlands very thoroughly.

The new frame that emerged in this epoch not just restricted immigration in order to further integration, but also saw the toughening of integration programmes (such as the pre-entry programmes) as a means for limiting immigration among categories of migrants that were seen as hard to integrate, in particular family migrants from Turkey and Morocco. This meant that more than ever before the migration-integration nexus became of central importance to the development of both migration and integration policies.

Undoubtedly aided by the events around the turn of the millennium and the feeling that prevailing policies were inadequate, a broad political consensus emerged on the need for a more obligatory approach with a stronger individual responsibility for the migrant themselves. The premise that acceptance of Dutch norms and values, for example concerning the relations between the sexes and homosexuality, should be a condition for admission of newcomers, was broadly shared across the spectrum of political parties.

Besides the politicization of immigrant integration, a number of issue-linkages seem to explain the broad political support for the new policy approach. First of all, there was a strong connection between the issue of reinforcing civic integration demands and the emancipation of immigrant women.⁸⁴ This issue linkage with the emancipation of women was reinforced by a very specific stereotype of immigrant women as victims of forced marriage and oppression within the family (see also Kirk, 2010). Compulsory integration obligations would be required in order to effectively reach the migrant women. The increase of the age level requirement would also be meant to protect women in particular from entering into forced marriages (interview with civil servant from Department of Justice).

Another issue-connection was made with radicalisation and potential anti-western sentiments of migrants: *“Integration problems can lead parts of immigrant groups to marginalize, in the sense of declining capacities to participate and increasing chances of turning their backs to society, anti-western sentiments, segregation and delinquency”*, a government report stated (TK, 2004-2005, 29700, Nr. 6, 4). In particular, mention is made of Muslim-terrorism as a possible threat related to immigration from non-western countries.

From its very beginning until the end of the 1990s Dutch integration politics have been strongly influenced by multiculturalist concepts understanding ethnic groups and ethnic organisations as main actors of integration. This understanding links up to the long-standing tradition of ‘consociational’ democracy, a system, which achieved social inclusion of different groups – Catholics and Protestants, Liberals and Socialist by making them institutionally independent from each other. Whereas societal institutions – kindergartens, schools, universities, hospitals secured closed worlds and “parallel societies”, the representatives of the pillars met at the political level, where they decided about their mutual access to state resources and developed a tradition of compromise and political settlement. In this tradition, also migrants’ interests were perceived as a new “pillar” and their organisations as main political bargaining partners (Doomernik, 2003, 170).

In this framework, the municipalities from the outset become an important actor for the implementation of integration policies. Since the 1980s, cities like Amsterdam or

⁸⁴ Interviews Ms. Vogelaar, Ms. Verdonk, Ms. Sterk, Mr. Dijsselbloem.

Rotterdam developed their own consultation frameworks with immigrant organisations and set up specialised integration departments in their administration, smaller cities followed in the 1990s. In particular the implementation of obligatory integration courses had been entrusted on the municipal governments, thus further strengthening the role of the municipal administration.

Also in 2007, the implementation of the New Civic Integration was intended to be implemented by the municipalities. There were large problems with the implementation on a municipality level; many cities experienced bureaucratic difficulties in identifying and reaching the new target groups of the Civic Integration Act. Initially, only a dramatically low number of migrants actually enrolled for civic integration courses. Municipalities now had lost most tools to force or attract new- and oldcomers to participate in courses, and many of these migrants apparently felt no immediate need to enrol for courses.⁸⁵ Also, the development of a private market for civic integration courses occurred only very slowly. Finally, the results of the civic integration courses in terms of elevation of the level of language proficiency was considered insufficient (VROM, 2007: 9). For instance, more than half of the 'oldcomers' did not experience any significant raise in language proficiency (ibid), and the results for newcomers were only marginally better.

Therefore, the new government (Cabinet Balkenende IV) with Minister Vogelaar of Integration and Neighbourhood policies, decided to launch a 'Deltaplan' for civic integration (TK 2006-2007, 31143, nr. 1), which reflected a more practice-oriented approach to civic integration programs, carrying little reference to the culturalist motivation behind the newly installed Civic Integration Act. Clearly, the Deltaplan tried to raise a different tone in the debate on civic integration:

"A more positive tone of the debate is required (..), civic integration is not just an obligation that needs to be fulfilled (...) but also a means for helping people to achieve their ambitions' (ibid). The plan even referred to the 'bonding' function of the civic integration courses, perceiving integration as a 'mutual' process" (VROM, 2007: 11).

In addition, the Deltaplan reinstalled the central role of municipalities in the implementation of civic integration programs. A series of simplifications in the Civic Integration Act were meant to facilitate policy implementation by municipalities. In addition, it gave the municipalities more means and more policy discretion in fulfilling their central directive role in the local implementation of civic integration courses. However, also after these changes it remained difficult to effectively reach all target groups and get them to participate in integration courses. In 2009, the major Dutch cities managed to provide less than half of the expected integration courses for newcomers and specific groups of oldcomers.⁸⁶

V.3.8 Sweden

In Sweden, there still is a strong division between the fields of migration and integration. While integration falls under the Ministry of Integration and Gender Equality, migration (with an own minister) is nowadays dealt with under the realms of the Ministry of Justice. Between 1996 and 2006, it was part of the Ministry of Foreign

⁸⁵ Interview with researchers from SCP.

⁸⁶ 'Forse achterstand op inburgering, in NRC Handelsblad, August 25 2009.

Affairs. Integration, on the other hand, was part of the scope of the Ministry of Justice until 2006 when it got its own department. From the 1970s up until 1997, immigrants' policy ("invandrapolitik") was the field of politics that treated integration related issues. While it was clearly separated from immigration policy it was dealt with under the same authority, the "Immigrant Board" ("Invandrarverket"). However, a major reform in 1997 made the distinction between the two policy fields even more clear by establishing two separate authorities, namely the "Migration Board" ("migrationsverket") and the "Integration Board" ("integrationsverket"), responsible for their field of policy each.

In addition, "immigrants' policy" was renamed as "integration policy". The rationale behind it was that the first term fuelled a division into "us and them" by painting the picture of immigrants as a homogeneous group in need of special measures in order to adapt to the Swedish society. At government level it was therefore concluded that integration policies ought to be a general concern to the whole society and not be treated as an immigrant issue. Consequently, collective measures towards immigrants as a group should be limited to the first two years after arrival in the country. After that, "integration mainstreaming" of general policy measures of different welfare authorities should guarantee equal rights, duties and possibilities for all residents in Sweden (Bet. 1997/98, 6). Two of the most important changes of the new field of integration policy were the shifts of focus a) from groups to the individual and b) from measures targeting the immigrant population to measures targeting the general population (Brekke, Borchgrevink, 2007:16).⁸⁷

Between 1975 and 1997 the keywords of the politics of immigration were equality (meaning: same rights, duties and possibilities for everyone irrespective background), freedom of choice (meaning: minorities shall be able to choose to what extent they want to preserve/keep their cultural and language identity) and cooperation (meaning: mutual tolerance and solidarity between minority and majority population) that were set as goals for all individuals of the Swedish society (Rakar, 2010, 9). With the reform in 1997, the overarching goals of integration policy became equal rights and possibilities irrespective of ethnic and cultural background. Furthermore, the society's diversity became a declared basis for the Swedish societal community, and mutual respect and tolerance was specifically emphasized (Proposition 1997/98:16:21). Since 2006, when the conservative coalition government took office, the government's integration goal is: equal rights, duties and possibilities for everyone irrespective ethnic and cultural background (Rakar 2010, 10). In that sense, Sweden applies a very functional understanding of integration (Brekke, Borchgrevink 2007, 12). Abjuring from the social democratic integration programmes that the new government vehemently declared as 'failed', the new discourse – even though admitting discrimination – focused mainly on individuals and set as its goal the empowerment ("egenmakt/egenansvar") of each individual. Incentives instead of state intervention have come to be seen as the new tool to reach this goal. Similarly to the social democratic discourse on integration, work is a key concept of the social liberal discourse. It is especially the liberal People's

⁸⁷ Despite the ambitious vision/goal, in 2005, a report by the Swedish National Audit Office ("riksrevisionen") concluded that little had changed since 1997. Among others, the report sheds light on the fact that that authorities dealing with integration in practice still target immigrants and their children as a group rather than as individuals (Brekke & Borchgrevink, 2007, 56).

Party (“Folkpartiet”) that has been instrumental in forming the coalition government’s politics on integration.

The dominant dimension in the Swedish understanding of integration is employment, or broader spoken: self-sufficiency. Following from that, socio-economic issues receive the biggest attention. As most interviewees state, the conservative coalition government has emphasized this work dimensions even more than the social democratic governments in the 12 years before. It is important to note, however, that this is valid for their overall politics and not only directed towards immigrants. Gender issues, i.e. gender equality, are also seen to be of outmost importance.

The dominant focus on labour market integration also motivated the reforms in the provision of language tuition in 2010. In Sweden, already since 1965 free language classes were offered to immigrants, The organisation of the classes experienced a number of reforms since then. The latest reforms in 2003 brought both more flexibility and individuality into the system by introducing three sub-courses with two levels each (A-D). Participants start and end at a level according to their skills and ability, instead of having to run blindly through the whole course. In 2007, civic information courses separate from the language classes were introduced. The most far reaching reform with post-arrival provisions came into effect on December 1, 2010. It did not include substantial changes of the post-arrival provisions (i.e. the introduction programme), rather it changes the organisation of it profoundly. For so-called newly arrived refugees and immigrants the National Employment Services was assigned responsibility for their introduction programme. Up until 30 November 2010, the municipalities had been responsible to organise the introduction-programme for new immigrants, which allegedly had led to huge differences in the implementation of integration measures.

Furthermore, the programme was stronger linked with labour market inclusion by providing labour market integration coaching for the participants, who, similar to the old programme. will receive an allowance upon fulfilment of their individual establishment plan on which they have agreed upon together with an officer from the Employment Services. The allowance is handed out to individual participants, and will not, as it is the practice until now in many municipalities, be impacted by other household members’ income. This measure was introduced in order to strengthen women’s participation in the courses, and on the long run, their establishment on the labour market. Thirdly, civic education was implemented as an obligatory part in the introduction programme. Whereas its content and extent is defined by the government (SOU 2010, 16), the implementation is the responsibility of the municipalities, who are obliged to offer 60 hours of civic education to all immigrants with residence permit valid for at least one year.

The target group that falls under the responsibility of the Employment Services are newly arrived immigrants between the age of 20 and 65 whose ability to work is more than 25 percent and that received residence permit on one of the following grounds: refugee, subsidiary protection, and quota refugee, as well as family reunification to one of those persons arriving within two years.⁸⁸ Newly arrived immigrants who fall beyond these categories (family reunification with a non-refugee, labour migrants, EU migrants, plus persons whose ability to work is less than 25%) still fall under the municipality’s

⁸⁸ In addition, newly arrived immigrants, age 18 and 19 that arrived in Sweden without parents, are also targeted.

scope of responsibility. If a family member arrives later than two years the sponsor is expected to be able to support the integration of the newly arrived in a better way. This new reform reiterated the governments' line for a politics that pursues work (self-sufficiency) as the ultimate goal. The reform strengthened the link between participation and economic compensation, but did not impose a link to migration politics. Rather, it was in line with Swedish labour market policy and its focus on putting demands on the unemployed to find employment and reflects the Swedish understanding to define integration first and foremost as self-sufficiency/employment.

A further link between migration control and integration policy making was established on 15 April 2010 with the enforcement of the maintenance demand on family reunification, which links family reunification to proof of a certain income of the claimant. This link already had been suggested by an expert committee to reduce costs for the public sector. A second reason was that, since many other EU countries already had implemented financial requirements for family reunification, the government feared a rise of family reunification due to "reunification shopping". Thirdly the demand was argued as a measure of protection for young people, mainly often women, who might be forced into marriage (SOU 2005, 103).

The inquiry committee reasoned that the financial requirement would benefit the equality of men and women. Especially in the (much fewer) cases where a female family member would stand as the sponsor, the new law with its impediments towards work and self-sufficiency was expected to contribute to an improved integration of immigrant women (SOU 2008, 114). Similarly, if women were to arrive as family members to a properly organized and spacious enough housing, this would have beneficial effects for their integration into the new society (SOU 2008, 114). The committee did not suggest different levels of financial means for male and female sponsors respectively – despite the fact that women often have a smaller income than men. Nevertheless, the committee stated that these facts were part of the investigation and were taken into consideration twice: firstly, when proposing the degree of financial means in general, and secondly, when suggesting that the sponsor should only demonstrate enough financial means for the own costs of living, instead for the whole family. The latter, the committee states, could not be supported from a gender equality perspective (SOU 2008, pp. 114).

During the preparation process of the policy (between February 2008 and 15 April 2010), the three opposition parties (Social Democrats, the Left Party ("*vänster*") and the Green Party ("*miljöpartiet*") criticised the policy proposition. In the parliamentary process, motions came from these three parties (Socialförsäkringsutskottets betänkande, 2009/10:sfU12). Most of their arguments circled around the right to family – and especially a child's right to family - and the negative effects on integration when splitting a family. In the aftermath of the parliament's decision to accept the policy proposition, both the left and the green party published an official report in which they once more express their criticism towards the new law. The social democrats did not sign the document.

No explicit trigger moment for this development could be detected. Most interviewees refer to the coming into power of the conservative coalition government in 2006, as it is mostly their dominant party (the conservative "*Moderaterna*") that pushed for a maintenance demand.

V.3.9 United Kingdom

Post-colonial immigration to Britain dates back to the 1950s. According to the colonial tradition the status of a British subject and not citizenship stood at the core of the conception of "being British". As all inhabitants of the Commonwealth were regarded British subjects, they initially also had the right to abode anywhere in the UK and enjoyed equal rights, including voting rights, with those born in the UK. In contrast, nationals of all other countries were regarded as "aliens" and required an entry or residence and a work permit (Candappa, July 1994, 11; Solomos 1993, 56).

On the political level, British immigration policy after World War II promoted the immigration from European countries, while perceiving immigrants from the former colonies as a threat. This resulted in the paradoxical situation that the ex-colonial migrants, who by law were equal with British citizens, became an object of a racist discourse, while European migrants, while legally defined as aliens, were politically welcomed (Solomos 1993, 72). Whereas in the first years after the end of World War II, immigration from Ireland and the continent dominated, the growing demand for workers for the reconstruction of Europe in the 1950s and 1960s brought immigration from the continent virtually to a halt. To compensate for the lack of domestic workforce, the British companies started to recruit in the former colonies. During the late 1950s and 1960s, around 500,000 people emigrated from there to the UK, where they easily found jobs in the industry, but also in public services, like transport or nursing.

In reaction of the growth of immigration from the colonies, anti-immigrant sentiments rose, which were exploited and fostered by the politics of the right wing extremist party "British National Party", which in the early 1960s for the first time forged its local election campaign under the heading "Stop Immigration Now" against the immigration of black Commonwealth citizens. The party gained up to 27,5% in some district elections, leading to the loss of a Labour seat to the Conservatives. Following the rise of the anti-immigrant vote, Labour switched to a restrictive position and started to develop a "firm but fair" migration policy (Hansen 2000, 26). Already at this time a strong link between migration controls and a discourse on "Britishness" developed among the public, which by some scholars has been described as a "racialised construction of Britishness" focusing on the construction of black immigrants as a threat to British traditions and lifestyle (Carter, Harris, Joshi 1987, 344).

In several consecutive reforms, the right of citizens of the former colonies to settle in Britain was restricted since 1962. In 1971, the "Immigration Act" cancelled the right of establishment of the colonial population and subjected the population of the former colonies to strict immigration control. Although not framed under the heading of "integration", immigration control for the first time was linked with community relations and the question of belonging to a national "we".

But this link only was one side of the coin: Following riots and racist attacks on immigrants, the Labour Government established an independent commission with the task to develop suggestions to improve community relations. Influenced by the results of a fact-finding mission in the United States, the "Street Committee" suggested to develop a comprehensive set of antidiscrimination legislation companying more restrictive migration control. In 1966, the then Home Secretary Roy Jenkins, implicitly rejected the idea of assimilation and gave a definition of integration combining equality and cultural diversity and rejecting the idea of a melting pot:

"Integration is perhaps a rather loose word. I do not regard it as meaning the loss, by immigrants, of their own national characteristics and culture. I do not think that we need in this country a 'melting pot', which will turn everybody out in a common mould, as one of a series of carbon copies of someone's misplaced vision of the stereotyped Englishman... It would deprive us of most of the positive benefits of immigration that I believe to be very great indeed. I define integration, therefore, not a flattening process of assimilation but as equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance." (Jenkins 1967, 267).

The focus of the debate thus was laid on the right to cultural diversity and difference, and legislation against racist discrimination was linked with migration control as policy trade off. According to the later Home Secretary Roy Hattersley, then Labour MP for the district of Birmingham-Sparkbrook, a district known for conflicts between the settled "white" and the immigrant "black" population, *"Integration without control is impossible, but control without integration is indefensible"*. The link between immigration and integration was clear: if integration were to be successfully attained then it required some efforts to limit newcomers.

In practice, the common-law approach in British legislation allowed only minimal limits to diversity while allowing a wide range of non-European practices: it outlawed polygamy, forced marriage, female circumcision, and some Muslim divorces while giving many exemptions which allowed ethno-religious groups to continue their ways of life:

"Turbaned Sikhs, for instance, are exempted by the Employment Act 1989 from the Construction (Head Protection) Regulations of 1989. In Mandla v. Dowell Lee (1983), the House of Lords ruled against a headmaster who had refused to admit a Sikh boy as a pupil solely because he was wearing a turban and thus in violation of the official dress code. In this British 'turban affair' that never was, the Law Lords found the headmaster's refusal 'indirect discrimination' according to the 1976 Act [see further] – a notionally neutral measure having a disproportionately negative effect on an ethnic minority that was not 'justifiable' on non-racial grounds ... Similar help from the 'indirect discrimination' clause came in the area of employment. Religiously prescribed beards, headgear, and time-outs for prayer and religious observance are no longer easily discriminated against in the name of safety, hygiene, or work schedules." (Joppke, 1999, 233-235).

In the area of education, the government report "Education for All" (delivered by a commission headed by Lord Swann in 1985) asked the state to help ethnic minorities to maintain their distinct identities and regarded "colour-blindness" *"as potentially just as negative as a straightforward rejection of people with a different skin colour since both types of attitude seek to deny the validity of an important aspect of a person's identity."* (Joppke, 1999, 236)

Thus since the 1970s, a distinct British policy mix of restrictive migration control, protection against ethnic and racial discrimination and a wide ranging tolerance of ethnic traditions was developed. The conservative governments of the years 1976 - 1997 followed the trend of further immigration restriction, particularly restricting access to asylum, but did not abolish the race relations policies, although the theme was not given priority. One of the reasons for the sustained influence of multiculturalism and antidiscrimination policies lies in the specific demographic composition of immigrants to Britain: Until the 1980s, immigration has been dominated by migrants from former colonies and it has only been since the 1990s that flows have become highly diverse (Vertovec 2007) due to large numbers of asylum seekers and refugees,

labour migrants from third countries and especially the new accession countries, and students.

Thus despite the early references to integration by the then Home Secretary Roy Jenkins, "integration" was not a frame used by British politics until the new millennium. In the 1970s and 1980s, Britain developed a specific type of multicultural policies, which, further to class, introduced the division between "white" and "black and ethnic minorities" as major societal cleavage and concentrated on measures against discrimination as a main tool for furthering equality. This focus led to the development of an elaborated antidiscrimination legislation and an anti - discrimination - administration, the "Race Relations Commission" and a positive duty of administrations to implement equality measures. Despite growing criticism from the academic world, this multicultural understanding was still dominant until the end of the 20th century.

In 1997, in its White Paper "Secure Borders, Safe Heaven - Integration with Diversity in Britain" (Home Office 2002) the Labour government under Tony Blair redefined migration policy and set three strategic goals: Migration control should follow economic needs, illegal immigration should be curtailed, and multi-cultural anti-discrimination policies should be shifted towards integration with clearly stated integration objectives to be fulfilled by immigrants (Sommerville 2007, 3). In 2002, the "Nationality, Immigration and Asylum Act" introduced a points system for the immigration of highly skilled workers (the 'Highly Skilled Migrant Programme, "HSMP) and entrusted the newly established "UK Border Agency" with the task to control migration.

Despite this political focus on integration, the development of concrete measures focused on refugees. Integration policies for other types of migrants were only slowly emerging in the last few years, often based on concepts and practice developed in relation to refugees or in relation to established minority ethnic groups. The UK Home Office published its first refugee integration policy, 'Full and Equal Citizens' in 2000 and an updated policy in 2005 "Integration Matters" which was followed by a refugee integration strategy. In the "Integration Matters" strategy, the government positioned integration in relation to the Race Relations (Amendment) Act 2000, stating that it was written in light of the duty on the government, and on all public bodies to work for the promotion of good race relations (Home Office, 2005b). However, there have been no policies specifically relating to other types of migrants. A "Review of Migration Integration Policy in the UK" in 2008 by the Department of Communities and Local Government (DCLG) included an assessment of the policies they considered relevant to the integration of migrants as a whole. The review listed refugee policies and resettlement policies for refugees alongside with policies seen as relating to the integration of migrants more broadly: The Home Office's Green Paper on "Earned Citizenship" (February 2008) focused on investment in "community cohesion" and "affordable housing and rough sleeping support" (DCLG 2008, 8).

This report for the first time noted that refugees constituted a minority of migrants, and that support for the majority of other new migrants was left to local areas and charities, leading to duplication of effort (CIC 2007, DCLG, 2008). This recognition led the Commission for Integration and Cohesion to recommend the establishment of an independent body to manage the integration of all new migrants, However, the DCLG argued in its review of migrant integration policy that there was no clear rationale for developing an Integration Agency *"on the basis that these functions can feasibly be provided within existing structures, and that the development of an additional agency*

does not justify the cost that this would entail” (DCLG 2008, 19). Hence, up to the end of the Labour administration the integration of new migrants continued to be dealt with via a variety of policies and programmes implemented by a variety of different actors, which was not necessarily targeted specifically at integration, or at any one migrant group, or was targeted at the integration only of limited types of migrants, particularly refugees.

Thus multiculturalism is still alive in the political discourse and constitutes one of the key approaches to integration in the UK as opposed to other countries such as Germany where multiculturalism has been declared dead by the Chancellor Angela Merkel. (Lord) Anthony Giddens’ intervention at the House of Commons in July 2010 (Hansard July 2010) eloquently outlined the centrality of the multicultural approach in the UK:

“Against this [German multiculturalism] backdrop, Britain stands out as a multicultural success story, with London in the lead. Even in this country, multiculturalism seems to have become unpopular in some political circles but I stress that it is the only political philosophy which is compatible with a globalising world and an open economy such as ours”.

Different to countries like Germany or the Netherlands, where the discourse on integration and integration policy measures also targets settled immigrants from third countries, in the British discourse the term “integration” mainly covers newly arrived immigrants, mainly from third countries, but also including intra-EU-immigrants. Policy makers are concerned that lack of integration, socio-spatial segregation and social exclusion of minority groups are the result of a poor acquisition of the fundamentals of the British culture i.e. its language and life style. For this reason, they advocate an urgent need for pre-entry tests to ensure better economic integration through a better knowledge of language and life in the UK. In particular, lack of integration and social exclusion has been mostly ascribed to those third country national women who joined their husbands through family reunification, who usually do not speak English and hence would pose economic strains on existing social services.

Within this understanding of integration, the main demands on immigrants is to speak English fluently and to be economically self sufficient. These demands reflect the fact that responsibility for integration is placed on the individual rather than on the host society. In this way integration is framed as a a one way process, where the individual carries responsibilities for integration and not the host society which is not expected to make any adjustments.

VI The development of pre-entry policies

VI.1 Pre-entry policies in the field of labour migration

In all countries immigration regulations for labour migrants differ clearly from regulations for family reunification. Labour migration regulations are usually focusing on the existence of a job offer, the fulfilment of minimum wage conditions, a labour market test or the economic effects of immigration. Usually, knowledge of the language of the country is not a necessary precondition for the granting of a job visa. This focus reflects the understanding that participation in the labour market is the key for integration, and that migration should be regulated according to labour market needs. In most countries, the state does not interfere in the field of recruitment and does not demand any proof of qualifications: If an employer offers a job to a prospective employee or worker, it is solely his/her competence to judge if the qualifications of the worker or employee are sufficient for the position. Except of Austria, the Czech Republic and the United Kingdom, which have established a points-based system for labour immigration, labour visa are decided on a case by case base by the respective authorities.

This traditional paradigm of a labour market oriented migration management is currently being supplemented or even replaced in three countries of the sample (A, CZ, UK), which have introduced a migration management system defining language competencies, education and work experience as central criteria for the granting of an immigration permit. In Switzerland, language skills may be taken into account as criterion for the granting of an immigration permit. Thus the logic of control has been shifted from the employer-employee relationship to the state, which controls the migrants' educational status and adaptability, the latter being judged by knowledge of the language of the country, whereby the readiness to acquire language knowledge before immigration is seen as a sign of adaptability.

In Austria, the Czech Republic and the United Kingdom a point-based immigration system for access to the labour market exists or has been implemented during the time of research. In Austria, since July 1, 2011 a point-based system has replaced the previous quota-system, which only limited the number of residence permits for participation in the labour market, but did not take into account personal criteria like education, work experience or age. The new point-based-system, the "Red-White-Red-Card", grants a certain number of points for personal characteristics, like education, competency in German or English, previous work experience, studying in Austria or the existence of a concrete job-offer.

Although in Austria knowledge of German is no precondition for immigration, knowledge of German or English counts to up to 14% of the minimum number of points required for the top-category, and up to 30% in the two other categories. The fact, that knowledge of German can be replaced by knowledge of English, reflects both the low relevance of German as a foreign language in schools outside the German speaking world, and the interest of the Austrian industry to attract qualified immigrants - which usually are fluent in English, and not in German - for Austrian companies. Here it is quite obvious, that labour market concerns, and not social integration have been the key rationale. Interestingly, family members of owners of the card - except of the highest category, the "extraordinarily qualified", have to prove knowledge of German at the

level A1 to be granted the right to family reunification, knowledge of English is not sufficient⁸⁹.

In the Czech Republic, no language criterion is imposed in the “Selection of Qualified Workers” pilot project, but preference is given to graduates from Czech universities and tertiary education institutions. Furthermore, the costs for a visa differ according to country of origin, with particularly high costs from immigrants from Africa. Thus indirectly a country of origin – selection principle is applied.

In Switzerland, residence permits for third country immigrants only may be issued if this corresponds to the Swiss economic interest and if it can be expected that the “professional and social adaptability of the migrant, his or her language skills and age guarantee his or her sustainable integration into the Swiss labour market and social environment” (Federal Law on Foreigners, Art 23.2). The decision about the adaptability of the applicant is taken on a case-by-case base leaving a high degree of discretion to the administration.

In the UK, the points-based system for labour immigration has been changed several times since its introduction in 2005. Further to directly labour-market related criteria, like e.g. education and employment history, knowledge of English at different levels, depending on the type of labour visa, have been implemented as a precondition for immigration in 2006 and 2008 respectively. Since 2010, permanent labour migration has been restricted to highly qualified migrants, who have to prove knowledge of English at least at the level A1 of the Common European Reference Framework. It is interesting to note, that only in the UK social integration, and not integration in the labour market has been mentioned as the rationale for the introduction of a language criterion for the immigration of skilled migrants.

In the Netherlands, only as very specific group of workers has to prove knowledge of Dutch before immigration. Persons in possession of a work permit, the self employed and highly educated migrants are exempt from the duty to prove knowledge of Dutch and to pass an integration test, but all ministers of religion coming to the Netherlands in order to enter the labour market have to take the test, which thus also concerns a certain and limited segment of labour migration. The limitation to ministers of religions quite clearly points at societal integration having been the main rationale for the implementation of this condition.

Neither Italy nor Spain nor Sweden have implemented pre-entry measures beyond strictly labour-market related conditions (existence of a job-offer, labour market tests etc.).

⁸⁹ In a personal communication to the author, Mr. Josef Wallner from the Austrian Chamber of Labour, who was a member of the negotiation team of the Chamber of Labour in the negotiations between the “Social Partners” (Trade Union Federation, Chamber of Labour, Chamber of Commerce, Association of Industrialists) and the Ministry of the Interior on the law, the Social Partners strongly argued against this regulation, as they feared it would act as a disincentive for qualified migrants. The Ministry of the Interior insisted to demand knowledge of German for family reunification also within this regulation, as it feared, that the Constitutional Court might abrogate the demand for language acquisition at all, if a group of third country nationals would be excluded: According to the jurisdiction of the Court, the principle of equal treatment would only allow to differentiate between foreign citizens and nationals, but not within the group of foreign nationals, unless European Union legislation would permit to do so. (personal communication of Mr. Josef Wallner to Mr. Bernhard Perchinig, 11.12.2011).

VI.2 Pre-entry policies in the field of family migration

Whereas socio-economic criteria like e.g. a certain income level of the requesting spouse, proof of health insurance and/or of suitable accommodation have served as criteria for family reunification for third country nationals since the 1980s, pre-entry conditions like the proof of knowledge of the language of the country of immigration have been implemented in Austria, Germany, the Netherlands and the United Kingdom rather recently. Further to proving language competence, in the Netherlands also a test of knowledge of the Dutch society has to be passed in order to be granted immigration. No comparable tests exist in Switzerland, Spain, Italy and Sweden.

Nevertheless, in Switzerland there exists a link between family reunification and the state of integration of the requesting migrant spouse, which is assessed on a case-by-case base by the respective civil servant and also refers to language skills. In Sweden, as of April 15, 2010, the requesting spouse has to prove sufficient income and properly organised housing arrangements spacious enough for the family, but there is no need to prove language proficiency. Similar conditions have been implemented in the other countries of the sample already since the 1980s.

The pre-entry requirements do not target all third country immigrants in all countries: In the Netherlands, citizens of a number of countries, mainly those from the “Western” OECD - world, are exempt from fulfilling the requirements. In the United Kingdom, citizens of English speaking countries or those having graduated from a university teaching in English are excluded from the duty to take the test. In Germany, citizens of Andorra, Australia, Canada, Honduras, Israel, Japan, the Republic of Korea, Monaco, New Zealand, San Marino and the USA are exempt. There are no origin – based exemptions in Austria. Exemptions for medical reasons or reasons of age exist in all countries.

The introduction of mandatory pre-entry language tests for family reunification with third country nationals is a clear case of policy learning. Starting in the Netherlands in 2006, the idea to Germany (2007)⁹⁰, the UK (2010) and Austria (2011). The Netherlands, and in Austria also Germany, have served as a reference in the political debates in all other countries. Similar pre-entry policies, though without a direct link to admission, have been developed in France. In Denmark, the pre-entry test is taken in Denmark itself, prospective immigrants are issued a short time visa to enter the country and prepare for the test.

There have been two driving rationales for the implementation of pre-entry tests:

- a) A focus on female family migration, in particular with regard to arranged marriages between second and third generation males and brides from the country of origin of their parents and grandparents.
- b) A focus on the individual migrant and his/her responsibility to socio-economic and socio-cultural integration, as opposed to an understanding of integration as a responsibility of the state and the society.

A clear commonality between policies is the focus on the integration of family migrants. Though the countries have somewhat different formal ways of depicting the policy target populations, the policies de-facto apply primarily to family migrants. In all four

⁹⁰ Pre-entry language had already been implemented with the new Immigration Act in 2005 for accompanying family members of ethnic German repatriates, following a recommendation the Independent Commission on Migration to Germany had given in its report published in 2001.

countries, which had implemented pre-entry tests, the political discourse strongly linked pre-entry tests with the emancipation of immigrant women, which are portrayed as a forming a relatively homogeneous, subordinate and particularly vulnerable group in need of protection.

Furthermore, Germany and the UK made a strong issue connection with forced marriages and honour killings in this respect. The issue of forced or arranged marriages also has been a motivating factor in Austria and the Netherlands, albeit less prominent. Pre-entry tests, as well as raising of the age of marriage to 21 or 24, would on the one hand enhance the capability of women to freely decide about migration in the country of origin and on the other hand strengthen their position in marriage, as they would be able to develop contacts outside of the family.

Furthermore, marriages between second and third generation males resident in the country and spouses from the countries of origin of the parents and grandparents of the males would have become the major source of family migration and would negatively impact on as well the integration of women as of their children. They would further contribute to the low educational success of migrants' children, as in practice their education would be the responsibility of the mothers, who would neither speak the language of the country nor know the educational system nor be able to communicate with teachers. Thus family formation with a country of origin spouse would lead to a reproduction of the family structure of the "first generation", and in particular to a low level of knowledge of the main language of the immigration country. In this way, family reunification with "import brides" would hamper the process of intragenerational social mobility and contribute to the reproduction of an ethnic underclass with associated unnecessarily high integration costs.

In all four countries, integration is clearly framed as social integration⁹¹ and as a responsibility of the individual migrant, and not of the state or the society. Migrants have to cover the costs for their preparation and the tests, and they have to choose how to prepare and overcome financial or spatial thresholds to prepare for the tests. However, the countries diverge in terms of their framing the role of language acquisition. Whereas in Austria, Germany and the UK language acquisition is seen as the only element of integration to be made compulsory, the Dutch government also stresses societal integration, which is reflected by the inclusion of a test of basic knowledge of Dutch life into the pre-entry tests. However, the analysis of policies in the other countries, in particular Germany, revealed that cultural elements indirectly also played a role in the pre-entry tests. Also, in Germany and Austria (and less so in the UK), cultural integration does play a central role in policy discourses, in particular with regard to relations to the settled population and the problems children face when their mothers are not able to communicate with school teachers

When compared to the other countries, the Dutch government has been most explicit in mentioning the limitation of immigration as an anticipated side-effect or side-goal of policies. None of the other countries explicitly mentions limiting migration as a direct or indirect goal, although the UK states that it anticipates a reduction of 10% of family

⁹¹ Whereas in Austria knowledge of either German or English counts for the "Red-White-Red" -card, family migrants are not allowed to substitute German by English. The latter language obviously is perceived as sufficient for economic, but not for social integration by the authorities – despite the fact, that Vienna hosts a large international community relying on communication in English in their everyday life.

migrants from South Asia. However, the public and political discourses of all four countries focus attention to the expected effects of limiting immigration of family migrants. In the Netherlands, Austria and Germany, in public debates this issue is often directly connected to the issue of limiting immigration from Muslim countries and of illiterate women in particular. In the Netherlands, several politicians clearly claimed, that the reduction of family formation and reunification migration with lowly educated spouses was a main target of the tests. In Germany, this argument was brought forward by the media and the opposition, but was clearly rejected by the government, which argued, that the intention of the pre-entry tests was to strengthen the position of women, not to limit or prevent spouse immigration .

In all four countries the implementation of pre-entry testing was set in a debate on the perceived failure of integration, in particular with regard to low educational success rates of the second and third generation. Family formation with female spouses from the country of origin of the first generation was regarded as a main reason for this failure,

In all four countries, critics of the introduction of pre-entry tests did not criticize the need to learn the language of the country or the goal of emancipation of female immigrants, but focused their criticism on the link between pre-entry measures and integration. One of the main critical arguments was the perceived low impact of the tests on sustainable language acquisition and the argument, that the best place to acquire a foreign language was the country where it was spoken. Furthermore, critics pointed at the discrimination of lower income groups and immigrants from remote areas with no or limited access to courses and training materials, and in particular to the exclusionary effect of the tests vis-a-vis illiterates. There would be no proof of the integration effects of the tests, which were mainly geared at a reduction of migration of lowly qualified and poor women from Muslim countries. The pre-entry language obligations would be discriminatory with regard to national origin, religion and social background and violate the right to family life.

VI.3 Policy implementation

The tests are administered differently in Germany on the one hand, the Netherlands and the UK on the other⁹². In all countries, the candidate have to proof their knowledge of the language of the country by passing tests complying with the standards set by European or national language testing agencies. Only Germany provides preparatory on-site and distance learning courses through its international network of the Goethe institutes, which also administer the tests themselves. In the Netherlands, a government-certified training package is sold by the embassies and consulates, which also administer the tests. In various countries, private agencies offer training courses for the examination. In the UK, agencies around the world are licensed to provide language courses and perform language tests. In Austria, only tests by a licensed test provider will be accepted as proof of language competency, but no courses will be offered. De facto this will lead to a monopoly of the Goethe institutes, which in most countries are the only certified testing institution for German language testing.

⁹² In Austria, tests only started to be implemented from July 1, 2011.

All four countries have set the required level of language proficiency at A1 (Austria and Germany: written and oral, Netherlands and UK: oral). However, on the one hand the global infrastructure of language training through the Goethe Institutes and on the other hand the broad availability of language training courses in English all over the world allow for much easier language acquisition than in the Dutch case, where no certified language courses exist, though a private infrastructure of language courses does seem to have emerged in various countries, and only a government-certified training package that migrants can pursue to prepare for their test. It seems that without violating European regulations, the only way to enhance the leverage in terms of integration effects would be to step-up government involvement in significant training programs in the countries of origin.

VI.4 Perceived impacts

As well in Germany as in the Netherlands the effects of pre-entry measures have been evaluated widely⁹³. In Austria, pre-entry measures are effective as of July 1, 2011, thus there is no information about effects available yet.

In Germany, after a continuous increase in spouse immigration had been experienced between 1998 and 2002, the visa statistics show dropping numbers of issued visas for the following years. In 2009 a total of 33.194 visas for spouse immigration were issued, which was a slight increase compared to the 30.767 visas that were issued in 2008. However, in comparison with the maximum of 64.021 visas for spouse immigration in 2002 the number of issued visas in 2009 was almost halved. But nevertheless, spouse and family migration is still a major channel for immigration to Germany (Bundeministerium des Innern 2010, 133).

The decline in the number of visas during the last years can partly be explained by the EU accession of 10 countries in 2004 and another 2 countries in 2007. EU-citizens who are enjoying the right of free movement according to EU law do not need a visa for spouse immigration. Besides that, the decrease partly reflects consequences of the pre-entry provision of demonstrating basic German language skills which had been implemented for non-ethnic Germans who wished to immigrate to Germany together with their ethnic-German spouses in 2005 and for foreign spouses who wished to subsequently immigrate to a third country national or a German national in Germany on 28 August 2007. A more detailed investigation reveals that subsequently immigrating wives were more affected than husbands. The number of visas issued for Turkish wives decreased between the third and the fourth quarter of 2007 by 74 %, for Turkish husbands, the decrease was about 57 % (Bundesministerium des Innern 2008, p 124).

It was assumed by the federal government that the decline in the numbers of visas in the fourth quarter of 2007 was only temporary, as it resulted from the fact that the applicants at first had to prepare for the language test before they could finally file their application. In fact there was a slight increase in the number of visas registered already in the first and the second quarter of 2008 and the number of issued visas continued to increase in 2009 (+7,89 % compared to 2008) (Deutscher Bundestag 2010, BT-DS 17/1112, 2). But this increase did not apply equally to all countries. Particularly for

⁹³ In Austria, pre-entry measures are effective as of July 1, 2011, thus there is no information about effects available yet.

Turkey, the number of visas issued for spouse immigration was, with 6.905 visas issued in 2009, still considerably below the respective number of 7.636 visas in 2007. Overall, the proportion of better qualified immigrants grew significantly⁹⁴.

In the Netherlands, a strong negative effect was found on the number of applications for temporary residence permits for those categories obliged to take part in pre-entry tests (Lodder, 2009, 22). Although it is difficult to determine to what extent this (sharp) decrease in some countries was an actual effect of the pre-entry tests or, rather, of other newly introduced pre-entry conditions, such as those imposed in November 2004, the fact that this decrease occurred fairly 'immediately' after the enactment of the pre-entry tests, makes it reasonable to assume that this was largely the effect of these pre-entry tests (see also Begeleidingscommissie, 2009, 10, Lodder 2009, 33).

The number of applications for temporary residence permits has declined sharply from approx. 3.200 to approx. 750 since the enactment of the Integration Abroad Act in 2006. This decrease was very significant for those groups that were obliged to take part in the pre-entry test. This figure also shows that since 2008 and in particular since 2009, the number of applications has been increasing again to a level near 1.800, though still at a lower level than before the enactment of the Civic Integration Abroad Act.

Though the effects differ little for different categories of applicants, the decrease was slightly larger for elderly persons and for low-educated persons. This seems to point at a degree of 'self-selection' amongst migrants (Regioplan, 2009, 60-62); migrants who fear not being able to pass or who are not motivated to take part in the pre-entry tests, do not apply for family migration. In terms of countries, in particular the number of applications from Turkey, Morocco, Brazil and Indonesia seems to have decreased relatively strongly (Ibid., 70).

The tests itself do not seem to have a high selective effect. An analysis of the success rates gives a divergent picture. For Germany, data about success rates⁹⁵ of the candidates who already participated in the language examination conducted by the Goethe-Institute are available. The worldwide overall success rate in 2009, the worldwide overall success rate was 64 % (Success rate for attendants of a course at the Goethe Institute: 72 %; external success rate: 60 %). Amongst the total number of

⁹⁴ The *Central Aliens Register* also reveals a decrease in spouse immigration from a number of 43,159 residence permits granted for this purpose in 2006 to a number of 40,978 in 2007 and a number of 37,052 residence permits for spouse immigration in 2008. According to the Central Aliens Register (AZR), the share of people that moved to Germany and were granted a residence permit for family reasons (spouses and other family members) was 27.9 % in 2006, 28.9 % in 2007 and 26.4 % in 2008 (Bundesministerium des Innern 2007, 32; Bundesministerium des Innern 2008, 32; Bundesministerium des Innern 2010, 34). Focussing on migration from Turkey the respective share of people that moved to Germany and were granted a residence permit for family reasons (spouses and other family members) decreased from 49.9 % in 2006 to 49.6 % in 2007 and 45.8 % in 2008 (Bundesministerium des Innern 2007, 32; Bundesministerium des Innern 2008, 32; Bundesministerium des Innern 2010, 36).

⁹⁵ It has to be noted that the quotas displayed above also contain candidates who have retaken the SD1-exam once or even for several times. The Goethe-Institut is currently not collecting data on whether candidates enrolling for the exam are taking it for the first time or had to retake it after they had not been successful in an earlier trial. The left party (DIE LINKE) criticised that the results were biased due to this kind of data presentation and further pointed out that it had to be assumed that probably only half of the persons affected succeeded in the exam at the first time (Deutscher Bundestag 2009a, BT-DS 17/194, 2). The federal government explained that more detailed data on this issue will be collected in the long-run, but as this required the implementation of a new technical infrastructure detailed data will only be available in some years (Deutscher Bundestag 2009b, BT-DS 16/13978, 7).

44.967 exam candidates in 2009, a proportion of 73 % were external candidates which indicates that the majority of the persons affected either does not have access to language courses offered by the Goethe-Institute or cannot afford it (Deutscher Bundestag 2010, BT-DS 17/1112; Deutscher Bundestag 2009b, BT-DS 17/194, 2). The highest success rates in 2009 were registered for Morocco (82 %), Russia (82 %) and Ukraine (79 %) the lowest success rates on the other hand for Macedonia (33 %), Iran (35 %) and Kosovo (51 %) (Deutscher Bundestag 2010, BT-DS 17/1112, p 9). In Turkey a total number of 10.775 exam candidates were registered for 2009 with an above average overall success rate of 68 %. (Deutscher Bundestag 2009b, BT-DS 16/13978, 13; Deutscher Bundestag 2010, BT-DS 17/1112, 10).

In the Netherlands, pre-entry tests seem to bring about little selection effects in terms of pass or fail-rates; almost 96% of the participants who take part in the pre-entry tests eventually manage to pass the test. Therefore, Lodder (2009, 34) concludes that 'the imposition of the pre-entry tests has posed a more severe obstacle to low-educated, family reunification migrants, specific nationalities and in particular Turkish and Moroccans than for other categories of migrants (..), but for none of these groups is this obstacle so severe that it results in the exclusion of specific groups.'

For the Netherlands, a very moderate, but positive relationship between the score in the pre-entry tests and the scores of these migrants at the intake for the post-entry integration programs has been proven (Regioplan, 2009). This involved in particular a slight amelioration in the level of understanding Dutch language; no amelioration was discovered in terms of speaking abilities (Regioplan, 2009, 70). Remarkable is that the level of writing and reading Dutch also increased slightly in comparison to immigrants who arrived in the Netherlands before the introduction of the pre-entry programs; this is remarkable because these qualities are neither trained nor tested in the country or origin (Regioplan 2009, 20).

In Germany the effect on the levels of immigration of specific groups is described as 'self-selection.' This would mean that the pre-entry tests themselves, because of the high passing rates, do not so much select migrants, but that migrants determine for themselves whether they consider themselves capable of passing a pre-entry test and based thereon they decide whether or not to engage in such a test. This mechanism would also lead to a more profound consideration of the migration decision. This is also reflected in the changing composition of the group of applicants for temporary residence permits in the concerned countries (see table 2): the percentage of female applicants has increased (further) to more than two-thirds, the applicants have on average become more highly educated (increase of percentage of highly educated from 20 to 33%) and they have become younger on average (from 33 to 31 years of age). Furthermore, differences in terms of countries or origin were detected (Moroccans and Ghanians, for example, have scores below average, while Chinese, Thai and Brazilians score above the average). Of course, these trends cannot be simply causally related to the pre-entry tests alone.

Concerning the impact of the pre-entry tests, interviewed post-arrival integration course participants stated that the pre-entry acquisition of German language skills was very helpful after their arrival in Germany and most of the persons recognised the need of demonstrating a basic knowledge of the German language⁹⁶.

⁹⁶ <http://www.goethe.de/lhr/prj/daz/egn/en5769318.htm>.

However there are also increasing cases of evasions: It was also observed, that an increasing number of German nationals in the case of reunification with a TCN spouse, move to another EU country such as Austria, where it is not necessary for the spouses of EU members to provide a language test.

From a theoretical point of view, there is an interesting parallel between pre-entry language and integration courses on the one hand and the growing importance of external citizenship for co-ethnics or emigrants and their offspring in naturalisation policies (Sievers 2009, pp. 446). Both policies reflect a de-territorialisation of the concept of the state and an extension of state borders into society. Whereas the concept of state enshrined in international law defines the state by the existence of a state territory, a citizenry and state power and thus limits state power to the territory, pre-entry requirements implement an element of border control in the state territory of other states. Whereas obligatory language and integration courses after immigration fit well into the rights of a state to exercise power on the population on its territory, pre-entry language tests as a condition for entry extend state power on a part of the population residing in another state. In a similar vein, external citizenship defines the citizenry in ethnic terms and extends the privileges of nationality to a part of the population of another state, which is conceived as linked to the state by a common history and descent. Both concepts are not easily reconciled with a modern understanding of the rule of law, which strictly confines state power to the state territory.

VI.5 Relations with EU policy

During the negotiations of the EU family reunification directive, Germany, Austria and the Netherlands had pressured to allow the imposition of integration conditions as precondition for the granting of family reunification (Groenendijk 2005). Despite the concerted activities at the EU level, the relation between EU policies and pre-entry measures have been debate extensively only in the *Netherlands*, and to a much lesser extent, in Germany, but did not play any role in Austria.

The Dutch case has been closely monitored internationally because of its relation to international and European law. In Dutch political and public discourse, this relation also played a central role. Several key issues have played a central role in this intractable relationship between the Dutch and the EU in particular.

The first concerned the selection of target groups for pre-entry tests and the potential conflicts with Art.8 European Convention of Human Rights on the right to family life. In 2008, a report of the European NGO Human Rights Watch (2008) called for the abolition of the new “Civic Integration Abroad Act”, arguing that it basically involved discrimination between Western and Non-Western migrants. However, not long before publication of this report, a Dutch court ruled that Dutch policy was not out of bounds in this respect (Strik et al., 2010, 17), as the protection of economic relations with specific countries was a justified reason for exempting specific categories from the general obligation of civic integration abroad.⁹⁷

⁹⁷ *The Hague Court*, 23 April 2008, AWB 07/35128, JV 2008/282.

The second issue concerned the lack of preparatory courses organised by the government. Experts like Groenendijk (2005) argued that the test could become a disproportionate obstacle for the immigration of specific categories, if the preparation for the test would be hard to organise for some. The government rejected this criticism arguing that the required level for passing the pre-entry tests was set so low that everybody who is seriously motivated to prepare the test and to take it, will eventually be able to pass and exceptions would have been provided for situations where it might be unreasonable to demand the passing of the test (see also Lodder, 2009, 39).

The third critical argument concerned the relation between the pre-entry test and Art.14 of the European Convention of Human Rights, which bans all forms of racial discrimination and Art. 7 of the European Family Reunification Directive. If the pre-entry exams would form a much more severe obstacle for specific groups than for others, this could be a form of discrimination. The government rejected the criticism pointing to the fact that the test would not differentiate according to nationality, and that the exclusion of certain nationalities would be based on the fact that their education would resemble the standards in the Netherlands and that they would not be countries with a tradition of forced marriage.

Dutch pre-entry policies have been directly influenced by a ruling of the ECJ in the Chakroun case⁹⁸, which declared different legal regulations for family reunification and family formation to be in breach with European legislation. Thus the Dutch government was forced to abandon its 120% of minimum wage level condition for admission.

In Germany, pre-entry tests have been implemented by an amendment of the Immigration Act in 2007 which had been necessary in order to implement eleven EU Directives that had been released between November 2002 and December 2005. In the decision-making process, explicit reference was made to the Dutch example and to explicit provisions of the directive allowing the imposition of integration measures. The objection raised by the opposition that the provisions concerning marriage migration would aim at the limitation of family reunification, was strictly rejected (Deutscher Bundestag 2007, 10587).

This position was supported by a decision of the Federal Administrative Court in Leipzig of March 30, 2010, which ruled that the provision of demonstrating a basic knowledge of the German language violated neither German Basic Law nor European Law.

The UK has opted out of the family reunification (2003/86/EC), the rights of long-term residents (2003/109/EC) as well as the Blue Card for the purpose of highly qualified employed (2009/50/EC). Yet the implementation of pre-entry tests for spouses has been argued with reference to the Dutch example and the understanding of integration developed in the EU Basic Principles on Integration.

⁹⁸ ECJ - C-578/08, Rhimou Chakroun v Minister van Buitenlandse Zaken, 04.03.2010

VII National discourses on migration and integration since 2010

VII.1 Country overview

In Austria, in the debate on integration measures several issue linkages can be discerned. When the idea of compulsory integration measures was presented for the first time in 2002/2003, the “integration contract” was presented as a way to test the willingness of immigrants to integrate in the Austrian society. In 2005, when the Integration Agreement was revised and aggravated, this focus was strengthened. The then Federal Chancellor Wolfgang Schüssel (ÖVP) made clear, that: “People who want to live here have to adapt to the culture of our country.”⁹⁹

Later, socio-cultural and gender issues come to the fore of the debate. “Rescuing” migrant women from patriarchal cultural contexts was a core argument used by the coalition government to justify raising the integration requirements. According to the FPÖ, obligatory German courses would help immigrant women, to gain independence, as their husbands would often not allow them to participate in facultative language courses. Thus they would get better chances to integrate in Austria and would be able to better help their children in school¹⁰⁰.

In May 2006 Minister of Interior Liese Prokop (ÖVP) forged a strong link between integration and Islam. Presenting the results of a study ‘Perspectives and challenges at the integration of Muslims in Austria’ (Fessel & GfK 2006), she announced that 45% of the Muslim population in Austria would “not be willing to integrate”. The study later was criticized by social scientists because of methodological flaws, but nevertheless linked integration firmly with the Islam and framing of integration as an issue clearly linked with Muslim faith.

When in 2010 a further reform of the integration contract and the implementation of a point-based system of migration management were debated, a further argument surfaced. Now the Ministry of the Interior took the view that the lack of proficiency in German, low qualifications among immigrants, and high unemployment rates would not only hinder the integration into the labour market, but also would be a burden for the domestic economy and the state. As a result, the obligation to pass a German language exam before immigration would be a way to facilitate and accelerate integration in the host society and to facilitate economic self-sufficiency. Furthermore, the link to women’s emancipation was reinforced. Pre-entry measures would allow women to better reflect their migration decision, and post-entry measures would open them access to education. Minister of the Interior Maria Fekter (ÖVP) also highlighted, that integration requirements would have a self-selection effect, as immigrants from groups with certain patriarchal and rural traditions would have more difficulties to integrate into “our open, liberal society”¹⁰¹. Thus finally a double issue linkage – integration as an economic asset and as a means to further the emancipation of women – was established in the discourse.

In Switzerland, integration was strongly framed in terms of labour market inclusion and the command of the local language in the respective canton. Admission policy should

⁹⁹ Wolfgang Schüssel, Der Standard, 17 May 2006.

¹⁰⁰ Achleitner, FPÖ, parliamentary debate 7 July 2005.

¹⁰¹ Maria Fekter, Der Standard, 6 December 2010.

follow very clearly the logic of benefitting the overall economy and society, thus immigrants should have a certain level of education which would make them more independent and enhance their chances in the labour market in order to better correspond to labour market needs and changes. Particularly persons from third countries coming to Switzerland for family reunification have been referred to as the most important target group of integration measures.

With regard to family migrants the integration report of the Federal Office for Migration (BFM) for the year 2006 stated that "some of these adolescents and spouses migrating to Switzerland for family reunification show an increased risk to have a difficult integration process, which is best suited by providing rapid and fair access to the general structures of social order and welfare state inclusion" (BFM 2006, 7-8, 26-27, 36, 50, 58).

Further groups mentioned included migrants with "higher risks", defined as persons with a foreign nationality that have become delinquent or have become dependent from social welfare or run the risk of becoming socially dependent and persons engaged in supervisory or teaching activities includes religious supervisors and teachers of native language and culture classes (BFM 2007). Against the background of the recommendations by the BFM it becomes clear that the integration agreements are targeted on migrants who would/could cause public spending or whose behaviour is considered undesirable (Prodoliet 2009, 58). The focus on religious supervisors and teachers of native language and culture classes reflects a link with religion, in particular those denominations not traditionally established in Switzerland, like the Islam.

Compared to other countries, integration was not strongly linked to other policy issues, with the exception of a link to the debate on religion and integration, in particular Islam and integration. There was no link with issues of women's emancipation as in other countries of our sample.

In the Czech Republic, no issue linkage took place. The concept of integration had entered the debate rather late. Only in 1999, the Czech government prepared the Principles for the Concept of immigrant integration in the territory of the Czech Republic (the Principles) and on its basis in 2000, the Government adopted the Concept on the integration of foreigners in the territory of the Czech Republic (Ministry of the Interior of the Czech Republic 2000). The Principles of 1999 were the first conceptual political document about the question of migrant integration. It was influenced by the Council of Europe and the EU documents. In 2000, the Principles were followed by the Concept on the Integration of Foreigners which has been updated in 2005. Every year, the government endorses a Report on the realization of the Concept on Immigrant Integration in the last year, which evaluates the period passed and suggests alterations for the next year.

In the principles, Czech integration policies are described as reflecting a positive attitude and the assumption of responsibility of the state for creating conditions that would enable the immigrants to fairly participate in the life of the society (Principle 6). The Concept identified four key prerequisites for successful immigrant integration under the conditions of the Czech Republic: knowledge of the Czech language, immigrant's economic self-sufficiency, immigrant's orientation in society and immigrants' relations with members of the majority society.

In practice, the 9/11 events definitely redefined the security aspects of migration, and Muslim migration became watched and debated more closely. Nevertheless, 9/11 and

its relation with migration has not been such an important topic in the Czech Republic.¹⁰² Since the economic crisis of 2008, the debate also focused stronger on economic self-sufficiency of immigrants and the economic impact of migration on the Czech labour market. Despite these shifts of focus, the debate stayed centred on migration and integration as such and was not linked to other policy areas.

In Germany, at the beginning of the new century discussions about a purportedly failure of integration intensified in Germany. One focus of the debate was the low qualification level of the foreign population, which lay significantly under the average of the OECD countries (Brücker, Burkert 2010, 3). A central aspect of the discussions about a 'failure of integration' in Germany was the persistently low educational success of the second and subsequent migrant generations, proven by the results of the PISA-studies conducted in 2000, 2003 and 2006. (Stanat 2008, 723). After 09/11, debates about religious and cultural differences gained more importance and especially the integration processes of Muslims were critically discussed. In this context, ethnic segregation in cities was interpreted as a tendency of the establishment of 'parallel societies'. The 'honour killing' of a young Turkish women of Kurdish origin by family members in Berlin in February 2005 increased general debates about honour killings, forced marriages and securing equal rights for women.

Against this background, consensus was evolving within the political parties and the debates of the Bundestag concerning the necessity of an increased promotion of integration according to the principle of 'promoting and demanding' (Beauftragte der Bundesregierung 2005, 175). At the beginning of the 16th legislative period, Chancellor Angela Merkel (CDU) declared integration to be a major issue of the federal government's work. Compulsory language training should promote integration, in particular the integration of immigrant women, and pre-entry language tests were debated as a means to prevent forced marriages, in particular with women from Turkey and the Arab world.

Referring to the aim of promoting integration, Wolfgang Schäuble (CDU), Federal Minister of the Interior at that time, pointed out in a cabinet meeting on 28 March 2007 that promoting integration was what was attempted by the draft bill of the Directive Implementation Act for EU Directives on residence and asylum issues (EU-RLUMsG). With the draft bill, the government would oppose the phenomenon of arranged marriages¹⁰³ which had proven to be an obstacle to integration for a certain part of the population with a migration background. According to Schäuble, up to 50% of the marriages with subsequently immigrating spouses were arranged Schäuble in: *Deutscher Bundestag 2007, Plenarprotokoll 16/90, 9065*).

Against this background, it was concluded by the government that spouse immigration from Turkey which was continuing to take place in considerable numbers also in the second generation, was a major challenge for German integration policy (*Deutscher Bundestag 2009c, BT-DS 16/12356, 12*). As integration course attendance and the opportunity to learn German might only start after some period of time has passed,

¹⁰² Čaněk, M., migration expert, Interview May 27, 2010

¹⁰³ The term "arranged marriage" has to be distinguished from the term "forced marriage". While "forced marriages" take place against the bride's will due to physical or psychological pressure exerted by the family or by single family members, "arranged marriages" in contrast take place with the agreement of both marriage partners although the marriage had been initiated by family or friends (Boos-Nünning/Karakaşoğlu 2004, 322).

spouses would remain subject to the constraints of the in-laws for that period of time. Thus compulsory pre-entry language provisions were to be implemented to prevent the oppression of spouses in traditional families. As educated persons were harder to control and therefore less attractive in terms of a traditional perception of family, pre-entry language courses also might change the average educational level of incoming spouses (Deutscher Bundestag 2007, BT-DS 5065, 173).

In particular the link of integration to issues of women's emancipation helped to secure support of the suggested measures from the political left. Thus the introduction of compulsory pre- and post-entry language training found broad support from the political mainstream. Its main critics were the Green party and NGOs, whereas the main stream parties as well as trade unions and local governments supported the move.

In Spain, integration of immigrants became a political issue only in the new decennium. The concept is still debated. Whereas the political left understands integration as the promotion of rights for improved participation, right-wing and conservative political parties focus on the adoption of immigrant to the national language and culture and are more in accordance with the idea of integration as a contract and as a mechanism of control and selection of 'good' migrants, present in other EU Member States

In the first years of the decennium, the concept of integration remained closely linked to the labour market as well as issues such as access of immigrants to public services and to decent living conditions. In the last years, preferred visions of integration shifted to issues of identity¹⁰⁴. Not forgetting the social and economic conditions of foreigners, much emphasis was placed on migrants' ability to understand European democratic values as well as having awareness of the laws and the Constitution.¹⁰⁵

In this context, the negative aspects of irregular migration on migrants and society were of particular concern. Whereas in the 1990s irregular migration was mainly discussed with regard to the impacts on the migrants themselves, in the first years of the new decennium the focus shifted to the discussion of irregular migration as a social problem deeply linked with the existence of an "underground economy". As the high number of migrants with an irregular status would form the base of the underground economy, better possibilities of regularisation would be needed to reduce this sector. In this debate, integration was mainly framed as regularisation of the status of irregular migrants, there was no link to language acquisition or cultural aspects.

A rights-based focus also characterised the 2006 Strategic Plan of Citizenship and Immigration (PECI). The main goal of the plan was to promote equality between immigrants and the host society. For the first time, these national guidelines were backed by the financial commitment of an allocated budget of 2,05 2,005 million Euros for the period 2007-2010. The funding was to be proportionately distributed amongst regions according to their immigrant population percentages as well as among the municipalities, for the first time thus recognising the important role of local authorities (Bruquetas-Alejo et al. 2008, 19)

¹⁰⁴ Interview: (UB-EX1 (Dr. Ricard Zapata)

¹⁰⁵ "I think we should regulate the flow to the absorptive capacity and society has a clear limitation on immigrant integration. And this clear limitation has to be respect for human rights, respect for equality and respect people from discrimination, which are typical of European constitutions. All figures, social or religious, that violate any of these grounds cannot be supported." (Núm. Expediente 154/000008. 23 de junio de 1998. Sr. Jordano i Salinas. Grupo Parlamentario Popular. Actas de Sesiones del Congreso de los Diputados).

Only in 2009 integration requirements relating to the language or understanding the environment were proposed within parliamentary debate. In practice, in particular in Catalonia and Valencia, where regional autonomy also includes the promotion of Catalan as the main official language in Catalonia and a distinct policy of public bilingualism in Valencia, the acquisition of Catalan (in Catalonia) and of Valencian and Spanish (in Valencia), and on awareness of Catalan and/or Spanish culture are required as condition for access to a permanent residence status. In these provinces, integration became instrumental in the fight for enhanced regional autonomy and thus was defined primarily as integration into the regional and not into the Spanish traditions and cultures.

In Italy, the first link between immigration and integration and Italian language and culture was forged in the end of 1986, when the immigration law for the first time defined integration as economic sustainability (Caponio, Graziano 2010). Only In 1998, the revised immigration law for the first time mentioned the learning of Italian language as a priority for integration policies. Yet, neither the 1986 law, nor the centre-left 1998 one, established any link between admission and or the renewal of a residence permit and cultural integration. On the contrary, these laws were both characterised by a light multicultural approach, as pointed out by the intention to support policies aimed at protecting and enhancing immigrants' different cultural backgrounds.

The first link between migration control and cultural integration was forged by the Charter of the Values of Citizenship and Integration, which was drafted by a Scientific Committee between 2006 and 2007, and enacted with a Home Office Minister Decree in June 2007. The drafting of this document was a reaction on the initiative of the Union of Islamic Communities in Italy (UCOII) to publish an advertisement comparing Israeli repression in the Palestinian territories to the Nazi Holocaust in major Italian newspapers. According to the intentions of the then responsible Minister of the Interior, the new Charter would have had the purpose of stating clearly the basic principles to which religious organisations had to adhere in order to be represented in consultative governmental bodies.¹⁰⁶ However, in response to the opposition of UCOII to undersign any document directed only to Islamic organisations, Minister Amato enlarged the scope and the goals of the Charter, to be shared not only by religious representatives but also by ethnic communities, and to be undersigned by individuals applying for Italian citizenship more generally.

In April 2008 the victory at the political elections of the centre-right coalition and in particular of the Northern League, changed the terms of the debate. Once in government, this party took the lead in promoting the so called Security Law, which put together provisions on immigrants' integration such as the Integration Agreement or the Italian language test for access to a long-term resident permits, with new restrictions against undocumented immigrants, such as the criminal offence of entrance and irregular residence crime and other measures aimed at pursuing more effective expulsions.

The Integration Agreement aiming at the introduction of compulsory language and knowledge of society courses was initially presented by the Northern League as an

¹⁰⁶ See the main Italian newspapers: *Aut-aut di Amato all'Ucoii - "Firmate una carta dei valori"*, 25th August 2006, La Repubblica, Carmelo Lopapa; *«Incontrarci? Prima la carta dei valori»*, 29th August 2006, Corriere della Sera, Paolo Conti.

instrument to select the “deserving migrants”, i.e. those who “respect the rules, know how to behave, and are willing to have a house and a job”.¹⁰⁷ The parliamentary debate on the draft Security Law centred essentially on unauthorised entry and stay, and other controversial norms aimed at worsening the conditions of undocumented immigrants in Italy, while the Integration Agreement received very little attention. In the Senate plenary debate, the purposes of the Integration Agreement were presented by the Northern League as a tool to select “deserving migrants”: “It is an instrument to favour immigrants’ integration in our country through virtuous behaviours, which will be rewarded; on the contrary, illegality and illegitimacy will represent a negative element in order to judge about permanent residency in our country”. Thus a clear link between integration and security issues was forged.

In the Netherlands, the politicization of immigrant integration went together with a number of issue-linkages, which seem to explain the broad political support for the new policy approach. First of all, there was a strong connection between the issue of reinforcing civic integration demands and the emancipation of immigrant women.¹⁰⁸ For instance, during parliamentary debates on the proposals for the pre-entry programs, the minister stated that she had ‘begun with the Integration Abroad Act precisely to reinforce the emancipation of women’ (in: Spijkerboer 2007: 36). When passed to the First Chamber of Parliament, the Minister again stated that ‘the goal of the proposal is to avoid social, cultural and economic isolation of newcomers, in particular women’ (Spijkerboer 2007, 36).

This issue linkage with women emancipation was reinforced by a very specific stereotype of immigrant women (see also Kirk, 2010). A recent parliamentary document on family migration (TK 2009-2010, 32175, Nr. 1: 1) even started with a reference to an actual case of forced marriage. In the policy memorandum on the new pre-entry programs, the position of Turkish and Moroccan migrant women was described as particularly weak, less educated and rather traditional with regard to emancipation, with low labour market participation and only few contacts with natives. The document stated: “The ongoing and radically increased immigration of family migrants has a limiting effect on their integration, emancipation and amelioration of their position in the Netherlands. Their (...) position is much worse than that of second generation women that went to school in the Netherlands. (...) In addition, the fact that many Turks and Moroccans of the second generation marry a relatively low-educated partners from the country of origin, with weak Dutch language skills, will not have a positive effect on the acquisition of a better position of the third generation’ (TK 2003-2004, 29700, nr. 3: 5). Because of this situation, the document argued, the mandatory character of integration programs would be particularly relevant to women. Mandatory tests would be an important way to enhance language proficiency amongst migrant women in particular, thereby furthering their integration into Dutch society.

A further issue touched on in the debate was radicalisation and security: “Integration problems can lead parts of immigrant groups to marginalize, in the sense of declining capacities to participate and increasing chances of turning their backs to society, anti-western sentiments, segregation and delinquency”, the parliamentary document argued (TK, 2004-2005, 29700, nr. 6: 4). In particular, mention was made of Muslim-terrorism

¹⁰⁷ See Senators Bricolo and Mauro, both of the Northern League in an interview to *Corriere della Sera: Immigrati, la proposta della Lega - «Permesso di soggiorno a punti»*, 8th August 2008, D. Maritano.

¹⁰⁸ Interviews Ms. Vogelaar, Ms. Verdonk, Ms. Sterk, Mr. Dijsselbloem.

as a possible threat related to immigration from non-western countries: “Far-reaching radicalisation carries the risk of non-integrated foreigners developing anti-western attitudes and affecting broadly accepted values and norms as equality of the sexes, non-discrimination of homosexuals and freedom of expression’, the document stated (TK 2004-20005, 29700, nr. 6: 48). Thus both gender issues, the educational attainment of children of second generation immigrant families, and security issues were linked with the debate on integration.

In Sweden, between 1975 and 1997 the keywords of the politics of immigration were equality (meaning: same rights, duties and possibilities for everyone irrespective background), freedom of choice (meaning: minorities shall be able to choose to what extent they want to preserve/keep their cultural and language identity) and cooperation (meaning: mutual tolerance and solidarity between minority and majority population). Integration was set as a goal for all individuals of the Swedish society, independent from their origin (see Rakar 2010, 9).

With the reform in 1997, a slight shift of the meaning of integration became discernible. Now equal rights and possibilities irrespective of ethnic and cultural background were defined as main goals of integration policies, choice with regard to the preservation of cultural and language identity was not mentioned as a policy goal anymore. Instead, diversity of society became a declared basis for the Swedish societal community, and mutual respect and tolerance was specifically emphasized (Proposition 1997/98:16:21). Since 2006, when the conservative coalition government took office, the government’s integration goals were defined as equal rights, duties and possibilities for everyone irrespective ethnic and cultural background. With the inclusion of equal duties into the official understanding of integration the issue of preservation of cultural identities was further pushed back (Rakar 2010, 10).

In that sense, Sweden today applies a very functional understanding of integration (Brekke, Borchgrevink, 2007, 12). Abjuring from the social democratic integration programmes that the new government vehemently declared as ‘failed’, the new discourse – even though admitting discrimination – focuses mainly on individuals and sets as its goal the empowerment (egenmakt/egenansvar) of each individual, not of ethnic or cultural communities. Incentives instead of state intervention have come to be seen as the new tool to reach this goal. Similarly to the social democratic discourse on integration, work is a key concept of the social liberal discourse. The dominant dimension in the actual Swedish understanding of integration is employment, or broader spoken: self-sufficiency. Following from that, socio-economic issues receive the biggest attention.

Sweden is one of the few countries limiting targeted integration measures to the first two years after immigration. Sweden’s integration policies follows the paradigm that integration policies ought to be a general concern to the whole society and not be treated as an immigrant issue. Consequently, collective measures towards immigrants as a group should be limited to the first two years after arrival in the country. After that, “integration mainstreaming” of general policy measures of different welfare authorities should guarantee equal rights, duties and possibilities for all residents in Sweden.

A new link between migration control and integration policy making was established on 15 April 2010 with the implementation of the “maintenance demand” on family reunification, which made family reunification conditional on the prove of sufficient income. The government gave several reasons for this change: The first concerned

public costs for the support of families with insufficient income, the second the risk of “family reunification shopping”, if Sweden stayed the only country in the EU without any income requirements for family reunification. Thirdly, such a demand was also described as a protection for young people (often women) that are forced into marriage (SOU 2005:103, 69). Thus for the first time an - albeit weak - link between family migration, integration and the issue of forced marriages was established.

In the UK, the concept of integration was not used with regard to integration until the end of the 1990s. The term was only used in the field of refugee services and began to spread into the area of general migration policies only in the late 2000s. The UK Home Office published its first refugee integration policy report, ‘Full and Equal Citizens’ in 2000 (Home Office 2000) and an updated its refugee integration policy in its 2005 ‘Integration Matters’ (Home Office 2005) policy document. However, at that time there have been no policies specifically relating integration to other types of migrants. The ‘Review of Migration Integration Policy in the UK’ by the Department of Communities and Local Government (DCLG 2008), published in 2008, was the first policy document including an assessment of the policies they considered relevant to the integration of migrants as a whole.

The DCLG integration policy review noted reviews underway across government departments at the time of publication to look at provision for newly arrived migrants and listed substantial gaps, particularly around third country nationals. The list of relevant policies in the review revealed a mixed group of reactive policies emerging from public debate and media discourse, particularly relating to the sharp rise in international migration from the new European countries pressure on housing; charging for healthcare of foreign nationals; the exclusion of immigrants from the welfare state; criminality among migrants and concerns over long term settlement of labour and student migrants and the credibility of student migrants. Taken together, this list of topics adequately demonstrated the tendency towards a reactive policy in relation to the integration of migrant. Direct service provision and funding for integration stayed largely confined to refugees (Brown 2008, 17).

Furthermore, until now no common conception of integration shared by all government departments consists. The UK Home Office defines integration as a two-way process centering on participation in public, economic or social life and interaction between different ethnic and linguistic groups with the receiving community. In much writing and in research on the experiences of refugees, however, social integration is seen as a one-way process-onus is placed on the migrant to mix with the majority community (Rutter et al. 2007, 99; Atfield et al., 2007., 31).

Despite to the developments at the continent, where the concept of “integration” has gained prominence in recent years, in the UK a further concept started to replace both ‘multiculturalism’ and ‘integration’ recently: “community cohesion”. This concept placed its emphasis on new arrivals, Muslims, and minority ethnic groups in general being seen to be making an effort to learn about and demonstrate “common values”. These concerns were brought to prominence by the Cattle report (Cattle, 2001) on disturbances in northern towns in 2001 considered to have a ‘race’ element. The Cattle report accused minorities of living “parallel lives”, and subsequent widespread attention to “community cohesion” at local and national levels has tended to assume and perpetuate the notion of segregated ethnic communities - an assumption strongly

questioned in a growing body of evidence (Finney and Simpson 2009, Robinson 2009, Worley 2005).

The Cattle report suggested that cohesion would be a more developed policy framework than integration (CIC 2007, 38), and advocated a new definition linking the two concepts into the concept of an “integrated and cohesive community”. By combining the two, the definition seeks to link hosts and migrants, or, “both those who have strong local attachments and those that are strangers locally” (CIC 2007, 41). An integrated and cohesive community would give place for the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country and link equality, a sense of responsibility, trust and recognition (CIC 2007, 42).

This definition distanced itself from blaming particular groups based on racial, ethnic or immigration status categories. In this way, it has also been applied to new arrivals including third country nationals, usually with an overt emphasis on onus being placed on migrants to learn about the UK and speak English. Thus a very specific issue linkage bringing together language learning, the everyday use of English as lingua franca and community cohesion was forged.

VII.2 Summary

Summing up, three different clusters of arguments in favour of the introduction of integration requirements can be found.

The first cluster of arguments concerns gender issues, like the prevention of and fight against arranged and forced marriages, the fight against honour killings and the emancipation of immigrant women. These issues have been prominent in the debate in Austria, Germany in the Netherlands, but also were instrumental in Sweden.

Gender issues have been most prominently used to legitimate the introduction of pre-entry measures: As family migration would mainly concern family formation with young and often only lowly qualified women from rural areas, who often would be victims of forced or arranged marriages, pre-entry measures would be a means to empower women. They would allow women to better reflect their migration decision, would give them basic information about the immigration country and would provide them with the necessary language proficiency to act autonomously. Furthermore, they would contribute to a self-selection process in favour of better qualified spouses and thus prevent further integration problems.

Similar arguments have been brought forward with regard to post-entry integration courses: They would also support women restricted to family life to acquire the necessary knowledge of language and society to lead a more autonomous life and to strengthen their position in the family. As often men would try to restrict women to family life, compulsory integration courses would help to bring them into contact with the wider society,

A further argument focusing on gender and family relations concerns the effects of marriage migration, in particular marriages with lowly educated spouses, on the educational success of children. Most often men raised in the country of residence, who were fluent in German, would marry lowly educated women from the country of origin of their parents. As in these families due to traditional gender roles men would rarely

contribute to the raising of children, they would be raised by mothers not able to provide them with cultural capital necessary for educational success, thus pre- and post entry measures would also contribute to a better educational success of the third generation. These arguments were brought forward most often in Germany and the Netherlands, but also in Austria.

A further cluster of arguments focuses on labour market integration and economic self-sufficiency. The need to better qualify immigrants for labour market participation through language training and language competence as main condition for economic self-sufficiency were main arguments in favour of integration measures brought forward in the Czech Republic, Switzerland, Spain, Sweden and the UK. These arguments also surfaced in Austria, Germany, the Netherlands and Italy, but were not as prominent as in the other countries. It is interesting to note that in the Czech Republic nor in Switzerland, Spain and the UK, were gender issues linked with immigration. In Sweden, a weak link to gender issues was forged in the debate about the introduction of a maintenance demand for family reunification, which was i. a. portrayed as a means of protection against forced marriages.

Religious issues, in particular the risk of radicalisation among the Muslim population, and an allegedly low readiness to integrate among Muslim immigrants were most prominent in Austria, Germany, the Netherlands and Switzerland, but were virtually absent in the Czech Republic, Spain, Italy, Sweden and the UK.

In Austria and Italy, integration testing also was conceived as a measure to select “deserving migrants” in the discourse. These arguments did not surface in other countries. In Austria, Germany and the Netherlands, pre-entry language testing was also described as an incentive for more serious decision making on marriage and migration, and as a means to support a self-selection process privileging better qualified immigrants. In this way, pre-entry testing was clearly conceived as a means of immigration policy.

A particular linkage between integration and the regional level can be found in Switzerland and Spain. Both in Switzerland as in the autonomous regions of Catalonia and Valencia in Spain the acquisition of the cantonal or the regional language and of knowledge of the regional history and polity is considered as proving integration, whereas in the other countries the acquisition of the official language of the state is demanded, even if in certain regions minority languages are defined as additional official language.

VIII Stakeholders and their positions

VIII.1 Austria

Over the past decades, the Austrian social partners¹⁰⁹ and the Ministry of the Interior have been the most important actors in regard to all issues concerning immigration and integration. Whereas the social partners dominated migration policies until the 1980s, since the late 1980s however, the Ministry of the Interior has become the main actor responsible for coordinating the relative legislative processes (Davy, Gächter 1993, 16). The Ministry of the Interior is at the same time responsible for national security issues and the police, and immigration and integration issues (Jungnickl 2010). Within the Ministry of the Interior, a State Secretariat for Integration was established in the beginning of 2011. The Social Partners still play an important role with regard to labour market policies, as they regularly consult with the Ministry of Labour in this field.

Another important actor, the Austrian Integration Fund (AIF), which is funded by the Ministry of the Interior, is responsible for the implementation of federal integration policies. The AIF was founded already fifty years ago by the UN High Commissioner for Refugees and the Ministry of the Interior and is the main Austrian body responsible for delivering state support to refugees. In 2002 the AIF was charged with responsibilities to implement the Integration Agreement and broadened its service spectrum. The goal of the AIF today is the linguistic, professional, and social integration of persons who have been granted asylum and other migrants based on their rights and responsibilities in Austria.¹¹⁰ In 2008, the AIF established three regional branches which represent the AIF in the federal states.

The AIF is responsible for the implementation of the integration agreement (organising the supply of literacy and German integration courses, evaluating the courses provided, managing the financial grants).¹¹¹ Certified literacy and German integration course providers (language schools, adult education centres, humanitarian organisations and religious institutions) offer the actual literacy and German courses,¹¹² but language skills can also be acquired at different providers or individually.

Apart from that, the Ministry of the Interior has recently established external consultative bodies. In October 2010, the Ministry of the Interior established the 'Integration Committee' (Integrationsbeirat) including representatives of the federal ministries, federal states, the Social partners, the Austrian Association of Cities and Towns, the Austrian Association of Municipalities, the Federation of Austrian Industries and the Caritas, one of the most important NGOs in the field of migration and integration. The main task of the integration committee is to coordinate all actors responsible for the implementation of the National Action Plan on Integration.¹¹³ In

¹⁰⁹ Union of the largest Austrian economic interest associations, the Chamber of Labour, Chamber of Commerce, Chamber of Agriculture and Austrian Trade Unions Association.

¹¹⁰ See http://www.integrationsfonds.at/der_oeif/ (22.3.2011).

¹¹¹ Settlement and Residence Act (Niederlassungs- und Aufenthaltsgesetz 2005) § 14

¹¹² Regulation on the integration agreement, 27 December 2005:

http://www.integrationsfonds.at/fileadmin/Integrationsfond/3_integrationsvereinbarung/downloads/i_v_v.pdf.

¹¹³ See

[http://www.integrationsfonds.at/nap/integration_wird_breit_diskutiert/?tx_intgallery_pi1\[page\]=1&chash=cecac21484](http://www.integrationsfonds.at/nap/integration_wird_breit_diskutiert/?tx_intgallery_pi1[page]=1&chash=cecac21484) (05.04.2011)

addition, good-practice models with regard to integration and the findings of the so-called Expert Council on Integration shall be discussed. The Expert Council on Integration (Expertenrat für Integration) was established in January 2011 by the Ministry of Interior. Its main task is to support the implementation process of the National Action Plan on Integration and to prepare recommendations. The Ministry of the Interior is however not bound in any way by the recommendations elaborated by the council.¹¹⁴

Given that integration is a matter that cross-cuts various sectors of society, several other ministries and institutions play key roles. The Federal Ministry of Labour, Social Affairs and Consumer Protection (BMAK) is the main actor in the field of employment policies. The Austrian Employment Service (AMS), which is operated under the auspices of the BMAK for example, implements large scale programmes supporting the labour market integration of all persons in Austria with legal access to the labour market. Within the programmes, migrants are not a specific target group, but they have access to all programmes, including e.g. language and professional training. The Federal Ministry of Education, Culture and the Arts is responsible for secondary education at the high school level and for post-secondary education, a specialised department on migration and integration overlooks the implementation of the principle of “intercultural education” in the schools and serves as specialised actor in the coordination of integration policies in schools under the auspices of the Ministry. Secondary schooling below the high school level is under the responsibility of the respective provincial governments.

As Austria is a federal state, the nine provinces play an important role in integration policies. Factually, integration policies were already developed at the provincial level in the province of Vienna in the early 1990s, and in other provinces since the early 2000s. Since then, the provinces of Vorarlberg, the Tyrol, Upper Austria, Salzburg, Lower Austria and Styria have implemented provincial integration programmes and set up departments for integration in the respective provincial governments. Furthermore, a number of cities have developed urban integration concepts and set up specialised administrative departments. In particular the City of Vienna has developed a role as critic of the Ministry of the Interior and has portrayed her policy focusing on a positive view of diversity as counter-model to the policy of the Ministry of the Interior deemed as focusing on a restriction of migration and an assimilationist stance in the field of integration.

In 2011, the provincial governments have set up a working group on integration comprising the leading civil servants and the responsible members of the provincial governments in this field. At the time of writing the report, they are developing a joint position of the provinces on integration policies aimed at a base for consultation with the State Secretary for Integration, which has announced to better coordinate the activities in this field. As due to the federal structure of Austria provincial governments do possess a high degree of autonomy, it is likely that despite the interest of the State Secretary of Integration to improve coordination the provinces will continue to develop specific policies adapted to their needs in the future.

¹¹⁴ See more information on the Expert Council on Integration at: http://www.integrationsfonds.at/nap/innenministerin_praesentiert_expertenrat_fuer_integration_und_dessen_arbeitsprogramm/.

Within civil society, in particular the welfare organisations of the Catholic Church, the Caritas, and – to a lesser degree – of the Protestant Church, the Diakonie, have become well established actors, both as implementers of integration projects and as vocal critics of the policies of the Ministry of the Interior. Other NGOs, like “SOS Mitmensch” or the Austrian League of Human Rights, have lost most of their importance they had in the 1990s.

In the political and public debate on the implementation of the Integration Agreement, the FPÖ, who had originally come up with the idea to introduce integration tests, also set the tone of the debate. The former leader of the FPÖ parliamentary group Peter Westenthaler in this context had a major share in coining the term ‘Unwillingness to integrate’ (‘Integrationsunwilligkeit’),¹¹⁵ which gained more importance in 2006 in relation to the publication of a study on the integration of Muslim immigrants,¹¹⁶ and proves persistent in public debates until today. Although the ÖVP tried to calm down the debate by asserting that migration is not out of control, they never clearly countered the anti-immigrant discourse of crime and abuse driven by the FPÖ (high crime rate of foreigners in Austria, abuse of the Austrian social system by immigrants, reference to fictitious marriages).¹¹⁷ The clear aim of both parties was to control, or to reduce immigration, also by using coercive means. As a result, they agreed to introduce the Integration Agreement; learning the language, as well as the basic values of the host country was at the center of the debates and suggested policy measures. To back this measure they referred to positive experiences with similar integration measures in the Netherlands for example. The former head of the ÖVP, Andreas Khol, suggested that a ‘gentle pressure’ was necessary to lead to integration.¹¹⁸ The former Minister of the Interior Ernst Strasser (ÖVP) denoted the sanction-based approach of the IA as ‘real integration achievement’, because it would guarantee that immigrants learn the language and about the cultural norms in Austria.¹¹⁹ Although the FPÖ would have preferred even more drastic measures, such as to cut down social benefits for foreigners to the level of their country of origin, they welcomed the Integration Agreement as a means to test the ‘willingness’ of immigrants to integrate. Overall, integration was defined as a duty to be fulfilled by immigrants. The principal responsibility for integration would not rest with the Austrian state, but with immigrants.¹²⁰

On the opposition side, the SPÖ, which did not figure very prominently in the media debates, and the Austrian Greens Party were the dominant actors. Both parties along with major civil society organisations, such as the Diakonie and Caritas, rejected the sanction-based approach they identified in the IA. In the parliamentary debates, the SPÖ noted that the IA serves as an immigration selection criterion only and is far from being a useful integration measure (‘disintegration package’¹²¹).¹²² In sharp contrast to the FPÖ the Greens Party emphasised that immigration is a requirement to maintain the

¹¹⁵ See for example Kronen-Zeitung, 30.5.2006.

¹¹⁶ See for example Kronen-Zeitung, 22.5.2006.

¹¹⁷ Peter Westenthaler, Der Standard, 3.7.2002.

¹¹⁸ Khol, Der Standard, 10.07.2002 (own translation); Der Standard, 10.2.2001.

¹¹⁹ Strasser, Der Standard, 17.02.2002 (own translation).

¹²⁰ Peter Westenthaler, parliamentary debate, 9 July 2002.

¹²¹ SPÖ security spokesperson, Der Standard, 7.2.2002.

¹²² Andrea Kuntzl, parliamentary debate, 9 July 2002; Migration spokesperson of the Greens Party Terezija Stojsits, Der Standard 10.07.2002; Der Standard, 04.07.2002.

current level of welfare in Austria.¹²³ The migration spokesperson of the Greens and the president of the Caritas defined access to rights, especially the right to work, as main precondition to integration. Terezija Stoisits (Greens Party) criticised, 'We are still a long way from the principle that anyone who lives here can also work'.¹²⁴ Equal opportunities, especially social and political rights for immigrants would be necessary to facilitate the integration of immigrants.¹²⁵ Thus, they identified the main problem in relation to integration in the current integration policies, and in more particular in the lack of a harmonization of residence and work rights.¹²⁶ Similarly, the Austrian Trade Unions Association (ÖGB) criticised that the government had failed to create labour market-related integration programmes which would be necessary to stabilize the labour market.¹²⁷ Another strong actor opposing the federal government's strategy was the City of Vienna, who at this time already had established structures to offer voluntary integration programs to immigrants.

Among other things, political opposition and civil society actors demanded to offer positive incentives for immigrant integration (e.g. the passive voting right for foreigners or a more innovative concept for the German language courses), in particular for those persons who managed to fulfil the IA, to establish a governmental body responsible for integration matters, as well as a revision of the aliens law (e.g. abolish quotas for family reunion, harmonize work and residence rights).

The analysis of media and parliamentary debates shows a relative continuity in the positions and arguments put forward over the past ten years. Language acquisition is considered the primary integration precondition for family migrants to participate in social and economic life. This principle does not apply to highly skilled migrants though. Reference to patriarchal gender norms served to explain the compulsory nature of post- and pre-arrival integration tests as 'emancipatory' instrument. Moreover, coercion was seen a necessary means to overcome a presumed lack of willingness of migrants to integrate. The dominant idea of integration in the current debates puts most responsibility for integration on migrants and asks them to adapt to the Austrian society and culture. In this regard, reference to the labour market situation was of specific importance. The discussions around a criteria-based recruitment system of foreign workers (Red-White-Red Card) has brought new actors and positions to the fore and challenged the principle of 'integration before new immigration'.

Throughout the observation period, the Ministry of the Interior has assumed more and more power to define integration. In particular, the role of the MoI as central coordinator of all integration-relevant issues, implementation, and as main actor in defining the meaning of integration, has been strengthened by the adoption of the NAPI, the establishment of the Austrian Integration Fund as central implementer of the Integration Agreement, and lately the establishment of a State Secretary on Integration within the Ministry of the Interior.

The government draws on a discourse that was originally characterized by the central-right coalition between the Austrian Peoples Party and the Austrian Freedom Party in the beginning of the 2000s and before. The position of the Social Democrats, who have

¹²³ Der Standard, 4.7.2002.

¹²⁴ Stoisits, Der Standard, 10.7.2002 (own translation); Küberl, Der Standard, 23.9.2002.

¹²⁵ Der Standard, 2.1. 2003.

¹²⁶ Terezija Stoisits, parliamentary debate, 9 July 2002.

¹²⁷ Fritz Verzetnitsch, Der Standard, 8 .3.2003.

changed from an opposition to a ruling party in the observed time period, in the public discourse is inconsistent and not very powerful in relation to integration and migration issues. The pronounced opposition characteristic for the relationship between civil society stakeholders and government and Ministry of the Interior representatives remained in this period, despite some major steps forward such as the adoption of the NAPI or the establishment of the integration secretary for example. However, civil society and also experts criticised that the issue of integration is still dealt with under the lead of the Ministry of the Interior, and so is still closely connected to security concerns.

VIII.2 Switzerland

Since the 1990s Swiss migration policy has experienced various institutional changes which had been interpreted as the will to assemble the different cantonal policies on the admission, stay and integration of migrants under one institutional frame (Efionayi-Mäder et al. 2003).

Since 2005, competences on migrants living in Switzerland have been institutionalized in the Swiss Federal Office for Migration (Bundesamt für Migration - BFM) which was created by merging the Federal Office for Refugees (Bundesamt für Flüchtlinge – BFF) and the Federal Office for Immigration, Integration and Emigration (Bundesamt für Zuwanderung, Integration und Auswanderung - IMES) on 1 January 2005. The BFM is structured in four main divisions¹²⁸, of which one continues to be accountable for Swiss asylum policy, while another is responsible for admission policy including regulations on immigration and residence as well as access to labour market (BFM 2011a, 2011b und 2011c). The Federal Office for Migration operates within the Federal Department of Justice and Police (Eidgenössische Justiz- und Polizeidepartement - EJPD). Besides the Federal Office for Migration, the State Secretariat for Economic Affairs (SECO) which is a part of the Federal Department of Economic Affairs (DEA) plays an important role in migration policymaking. SECO is a governmental agency with key competences in economy and employment. As such, SECO has had a direct impact on Swiss migration policy as it identified and established the qualitative and quantitative needs of the Swiss labour market for migrant labour since 1945 (D'Amato 2011, 5).

Moreover, two commissions have been installed as advisory bodies to the government in the field of migration and asylum, the Federal Commission against Racism (Eidgenössische Kommission gegen Rassismus - EKR) and the Federal Commission on Migration (Eidgenössische Kommission für Migrationsfragen – EKM), established in 1995 and 2008 respectively. The first is part of the Federal Department of Home Affairs (DHA), while the second has been created by, once more, merging the Federal Commission for Refugees (CFR) and the Federal Commission for Foreigners (FCF) which were installed as an expert commission of the Swiss Federal Council in 1970. The Federal Commission on Migration reports directly to the Federal Department of Justice and Police (D'Amato 2011, 5). The recent literature on Swiss migration policy highlights the importance of these consultative bodies for their impact on opinion- and decision-making processes particularly in pre-parliamentarian negotiations which are

¹²⁸ These four divisions are: a) planning and resources, b) migration policy, c) immigration and integration, d) asylum and return.

considered of greater relevance, together with direct democracy, than the part of the Swiss Parliament which would assume a subordinate role (D'Amato 2011, Mahnig 1996, Neidhart 1970).

Besides these federal institutions and parties, Swiss trade unions and employer's federations also play a relevant role on the national level in the formulation and development of migration policy in Switzerland. According to D'Amato, they exert influence both formally in the framework of standard consultation procedures (e.g. as part of the EKM for instance or by assuming an active role in the integration dialogues initiated by the Federal Office for Migration), and informally by highlighting discrimination of migrants in the Swiss labour market (Swiss Union Confederation) or by proclaiming the needs of the Swiss labour market (Swiss employer's federation) (D'Amato 2011, 172, Schweizer Arbeitgeberverband 2011, SGB 2011).¹²⁹ Civil society actors – advocacy groups, NGOs and others are another important category of actors who seek to affect political decision-making by lobbying and public campaigning around issues related to asylum, migration and integration. With the establishment of the Swiss Forum for the Integration of Migrants in March 2001, an umbrella organisation representing some 300 migrants' associations in Switzerland, a new actor emerged which aims to more directly represent the interests of migrants in Switzerland in public debates on migration and integration (D'Amato 2011, 173).

Another important aspect of migration policymaking in Switzerland concerns the relationship between the federal level and the cantons which have been very active in formulating and implementing migration and integration related policies in the past. When it comes to migration and integration policies and regulations affecting foreigners, the cantons possess authority on the alien's police, on determining the needs of the labour market, on implementing integration measures and on granting political rights to foreign nationals for cantonal and municipality matters (D'Amato 2011, 6, EKM 2010, 5).

Fostered by the provision of federal funds to support integration projects, many cantons have, in recent years, created the legal basis for autonomous/independent integration policies: Today ten cantonal constitutions contain an integration article¹³⁰; the cantons of Geneva, Neuchatel and Vaud have an integration law. In Basel the Parliament has approved a new Integration Act, but the two laws are not yet in force. The cantons of Aargau, Jura, Ticino and Valais govern the integration task of the canton with an article in a (not integration specific) law. Some cantons (BL, FR, GE, GR, JU, and VS) have regulated the duties and responsibilities of the authorities as well as the provision of subsidies in additional framework regulations. Eight cantons (AG, BS, LU, OW, SH, SO, TI and VS) have a cantonal integration model. In Bern and Freiburg mission statements are in preparation (EKM 2010, 4).

¹²⁹ The Swiss Union Confederation (*Schweizer Gewerkschaftsbund* - SGB) established a special commission on migration already in 1982, which gives expert advice to the SGB and aims at influencing its migration policy in the interest of the unionized foreign employees. To promote equal opportunities, equal rights and safety of stay for its members without Swiss citizenship the SGB e.g. observes the implementation of the Federal Law on Foreigners of 2005 and seeks to improve the labour market situation of young 'sans-papier' (SGB 2011).

¹³⁰ The cantons are BL, BS, FR, GL, JU, NE, SG, SO, VD and ZH.

As a part of this new trend, the institutionalisation of integration commissions has spread after the turn of the millennium: Today 21 cantons¹³¹ have established a consultative commission or similar body to deal with immigration and integration issues. Most of these bodies have been installed since 2005, only six cantons (BS, JU, NE, LU, VD and ZH) had a longer history of these consultative bodies¹³². In the majority of the cantons (17) these integration bodies have been installed as permanent commissions which recruit their members mainly (15) from both the administration and civil society (EKM 2010, 8).

Another important actor besides the federal level and the cantons are the Swiss municipalities. Besides the huge authority of municipalities in the naturalisation process and their significant influence in assessing the integration will of future Swiss citizens, Swiss municipalities have become active even on another level: integration. Along the lines of the politicisation of integration at the canton level and subsequent processes of institutionalisation, virtually all large and medium-sized municipalities in Switzerland now have integration policies. To create a legal basis for integration activities, some municipalities (e.g. Basel) have added integration articles to municipal regulations, while others adopted integration policy models (integrationspolitische Leitbilder). Even if the different municipalities' approaches are versatile, a common element is constituted by their focus on the access of increase of equal opportunities, particularly for the so-called second generation. Unsurprisingly, language acquisition, education, labour market inclusion and health form the core of such policies, demonstrating an understanding of integration based on, civil rights and political participation, as a cross-cutting issue which all municipality institutions are responsible for (Wicker 2009, 40).

The most important political parties at the federal level are the Social Democrats (SPS) and the Green Party as left-wing parties and the 'centrist block' consisting of the Swiss People's Party (SVP), the Christian Democrats (CVP) and the Liberal-Democratic Party (FDP). With the exception of the GP, all parties are members of the government (D'Amato 2011: 172). In recent years particularly the SVP has gained momentum in politicizing migration and integration issues. A former moderate peasant's party, the SVP transformed itself into a radical right-wing political organization in the early 1990s and won the biggest share of parliamentary votes in the 2003 elections. After the elections of 2003, Christoph Blocher became leader of the SVP and became Minister of Justice and Police and thus in charge of migration and asylum matters (D'Amato 2011: pp.172). Between 2007 and 2010 this position was held by Eveline Widmer-Schlumpf from the Conservative Democratic Party (PDB) and since November 2010 Simonetta Sommaruga from the Social Party (PS) is the Minister of Justice and Police.

In the national debates, both parliamentary and media, the discussion of integration policy often paralleled the concept of '*Fördern und Fordern*', to encourage and to demand. In the parliamentary debates the contingent that argued for the new Foreign Nationals Law, a centre-right coalition of the Swiss People's Party, i.e. the Christian Democratic Party and the Liberal Democratic Party, tended to argue more on the 'demand' side, emphasising punishments and restrictions. The rhetoric of the leftist coalition of the Green Party and the Social Democratic Party in the parliamentary

¹³¹ These cantons are AG, AR, BL, BS, FR, GE, GL, GR, JU, NE, LU, OW, SG, SH, SO, TG, TI, VD, VS, ZG and ZH.

¹³² In the canton of Zurich an education commission on integration issues was founded already in 1982 and in the canton Jura an integration commission has been installed in 1984.

debates, on the other hand, focused more on 'encouraging' or 'supporting' integration efforts through incentives or the granting of rights. These different nuances in the parliamentary debates are also carried into the media debate, with the same issues remaining prominent.

A major issue in the debates concerned the age limit for children for family reunification. This issue was of particular relevance in the debate about the new migration legislation of 2005, when the SVP suggested an age limit of twelve years and emphasised that children over twelve would have huge difficulties integrating, citing expert and cantonal input as supporting this point. Requiring family reunification as early as possible was cited by many interlocutors as critical to the positive integration of the migrant, not only for early exposure to Swiss language and culture, but also because a complete family unit was viewed as an important factor easing migrants' integration into Switzerland. Opponents of the law also focused on the amendments to the Swiss family reunification policy, arguing that these limits actually posed major obstacles to a successful integration process and that there should not only be penalties, but also incentives built into the system. Furthermore, they countered the theory that a twelve year old has fewer integration problems than an older migrant. In fact, different studies were cited that showed integration as possible later on with the availability of good opportunities and integration measures for migrants. Thus, for the opposition, the limitations and demands placed on family reunification were too rigid, not providing positive incentives for early migration to Switzerland and restricting the possibilities of decision-making within the family.

The opposition also took a rights-based approach in their arguments, emphasising the inequalities inherent in the new law. The three-tiered system of immigration itself was challenged on the basis of giving unequal rights and opportunities to EU-nationals and not third-country nationals, including third country national children of Swiss nationals, which placed many good-standing third-country national residents in an insecure situation and would thus hinder their ability to integrate. Islamophobia was cited as also severely hindering migrants' ability to integrate.

Also the 2006 debate about the referendum on a reform of the Foreign Nationals Law built upon family reunification policies and migrants' professional integration and linguistic and cultural integration, with most of the debate centring on women, children, and non-European migrants, in particular those of Muslim faith. The perceived problem of linguistic and cultural affinity for Switzerland was seen as primarily an issue for Muslims. Again the SVP set the tone of the debate. Ueli Maurer, the President of the SVP, stated he believed there would be a constant violation of Swiss cultural and social rules as well as Swiss democratic and Christian values, by foreigners that refuse to integrate, pointing out Muslims specifically.¹³³ In fact, Muslims were characterised as the new 'target group' for many of the new integration requirements.¹³⁴ Thus, proponents of the law depicted migrants as responsible for their own integration by accepting Swiss culture, with Switzerland being portrayed as a protector of rights, in particular of women.

During the referendum, the left argued for a more balanced approach to integration policy, proposing a more rights-based and incentivised approach, while the centre-right

¹³³ Neue Zürcher Zeitung, 'Reaktionen zum Abstimmungsergebnis', 25.09.2006.

¹³⁴ La Tribune de Genève, 'Les musulmans, nouvelle cible de l'UDC', 26.09.2006.

coalition focused more on the responsibilities of migrants to integrate, through strict regulations. In the end, the arguments of the centre-right coalition resonated more strongly with the Swiss population, who passed the referendum with 67,96% support.

VIII.3 Czech Republic

In the Czech Republic, the main governmental actor in the migration and integration policy is the Ministry of Interior. Despite several competence shifts between different state institutions to be described below, there is a clear tendency towards power concentration in this field by the Ministry of the Interior (Čižinský 2009, 12).

Within the Ministry of the Interior, the Department of Asylum and Migration Policy (DAMP) is the key department. This department is also responsible for the entry and stay of foreigners in the Czech Republic, for asylum issues (it directly deals with asylum applications) and also for the cooperation with regard to the Schengen agreement. Besides, the DAMP is responsible for integration of foreigners in the Czech Republic and is also in charge of the state integration programme.¹³⁵ Other departments of the Ministry of the Interior also participate in the policy formulation in the field of migration – the Legislative Department, the Security Policy Department and the Crime Prevention Department (Čižinský 2009, 14). Further, the Ministry of Interior is superior to the Alien Police which is in charge of the civil and administrative procedures, as for example visa extensions.

Other key actors are the Ministry of Labour and Social Affairs (MoLSA), responsible for employment and social security of foreigners and for some specific aspects of integration, including financial support of projects, statistics and the “Selection of Qualified Foreign Workers” scheme. The Ministry of Education is responsible for integration of children and for the Czech language education. Regarding the labour migrants, the MoLSA, which oversees and coordinates the regional Labour Offices, the Ministry of Foreign Affairs (via Consular Offices) and the Ministry of Industry and Trade (mostly in the area of entrepreneurship) also have some influence. This disintegration of migration policy implementation between many institutions often is criticised as making it impossible to create a coherent policy that would take into account all the interests and needs of the state, migrant integration and the migrants themselves.

As mentioned above, the competencies in the field of integration have often been moved from one state institution to another. Until 2003, the Ministry of the Interior was entrusted with the co-ordination and supervision of all activities aimed at immigrant integration. In accordance with the government’s decision No. 126 of 11 February 2004, the coordination of the implementation of the Integration Concept was transferred to a new Department for Migration and Integration of Foreigners at the Ministry of Labour and Social Affairs (MoLSA).¹³⁶ The main argument for shifting the integration agenda to MoLSA in 2004 it was to emphasize the social dimension of integration. Moving the integration coordination back to the Ministry of the Interior in 2008 has been explained by the need for linking immigration with integration policy and for ensuring effective legal migration management and the other integration measures (Dluhošová 2009, 27). This transfer of authority was based on an interest on the part of the Ministry of

¹³⁵ MVČR, <http://www.mvcr.cz/clanek/odbor-azylove-a-migracni-politiky.aspx>.

¹³⁶ The Updated Concept (Aktualizovaná koncepce integrace cizinců, MPSV), 2005, 4-5.

Interior's Department of Asylum and Migration Policy to better interconnect immigration and immigrant policy. This need has subsequently been explained by growing immigration, tensions appearing in some urban areas with a high number of manual foreign labour, especially those working in the automotive industry and by the need for change in the integration strategy.¹³⁷

Regarding the civil society, the Committee for the Rights of Foreigners under the Czech Government's Council for Human Rights, which was established in 1998, is a key actor. The Committee has a consultative role; it is entitled to give impulses to the Council, which then can directly advise the Government. The Committee consists of approximately 24 members, half of which are the representatives of the public administration, the other half are representatives of the civil society – mostly NGOs, who engage themselves in the area of migration. The Committee is influential in its direct functional impact on legislative and administrative process, but is unable to influence municipalities and regional administrations, since it is by definition focused on the governmental level (Černík 2007). In 2000, all NGOs in this field have formed a platform – the Migration Consortium – through which they cooperate in various initiatives. This Consortium is one of the results of the efforts to establish an umbrella organization of NGOs dealing with immigrants.

Migration and integration policies are a very rare topic in the political debates in the Czech Republic, as issues of migration and integration policies do not carry as much significant political weight as they do in some other European countries. Although it is possible to find differences in the way politicians, political parties and other actors approach the issue of foreigners, these distinctions often do not stem from ideological divisions, as they are known to in other democracies where usually right-wing, conservatives are more restrictive towards migration while left-wing, liberals tend to be more open towards migration and integration. Typically, statements of politicians often are their personal view rather than an interpretation of the policy of their own political party. Most often, policies are reactive, meaning that politicians do not set the agenda themselves, but only react on problems or set agenda that is linked to migrants.

Major amendments of the legislation on migration concerned the implementation of the Schengen border codex in 2007 and the introduction of the “Green Card” in 2009, which aimed at a simplification of immigration procedures. In the parliamentary and public debates, which took place between March 2007 and January 2009, the Ministry of the Interior steered the process, whereas the political parties represented in parliament¹³⁸ were the main political actors. Some NGO proposals were also present in the debates as they were brought in by some MPs, although only in a marginal way¹³⁹.

Neither ČSSD or ODS, the two biggest political parties during the first and second time period, had any consistent view on migration management. The political party most interested in migration issues was the Czech Social Democratic Party (ČSSD, left wing). The Czech Social Democrats often stressed the benefits of the migrants in relation to the declining population numbers and the deficient pension system and also claimed

¹³⁷ Ministry of Interior, 2009, cited by: Čaněk, M., migration expert, Interview May 27, 2010.

¹³⁸ Namely the Civic Democratic Party (ODS, right-wing), the Czech Social Democratic Party (ČSSD, left wing), the Christian Democrats (KDU-ČSL, centrist), the Green party (SZ, centrist) and the communist party (KSČM, far left).

¹³⁹ The NGOs active in this field were the Czech Helsinki Committee, Organizace pro pomoc uprchlíkům, Poradna pro občanství and Multicultural Centre Prague.

several times that the experiences of other countries would show that restrictive policies would bring about more illegal immigration and migrant exploitation. In the debate about the Green Card, the Social Democrats the Communists objected to the proposal warning against an “avalanche of unskilled people” and dearing a “loss of cultural identity”.

When the Schengen Agreement was discussed in 2007, the ODS minister argued that illegal migration would pose the greatest threat to the Czech Republic. At the same time, the ODS called for a more flexible labour market that would entail more workforce from abroad and claimed that foreigners would not compete with Czech citizens on the labour market.

The Greens (SZ), KSČM and partly the Social Democrats expressed themselves against restriction of immigration. The Green party tried to highlight the positive asset of migration for the Czech society and compared today’s situation with Czech emigration only 20 years ago. They also alert to the living conditions of asylum seekers in our detention centres, call for non-discrimination and the equal treatment and necessary balance between society protection and migrants human rights.

Despite these differences, the main recognized frames in Czech political discourse on migration were the economic need for foreign labour, security threat and the human rights dimension. However, migration and integration measures were perceived mostly as economic instruments of the state policy and other dimensions of the issue (cultural, social, security, human-rights, foreign policy, etc.) were mentioned rarely.

VIII.4 Germany

Germany initiated a groundbreaking reform of her immigration, integration and naturalisation policy since the late 1990s. The reform was based on the suggestions of the *Independent Commission on Migration to Germany*. In its report “Structuring Immigration – Fostering Integration”, published in 2001, the Independent Commission presented a detailed suggestion for conceptualising and financing a national integration course-programme, based on an in-depth analysis of the concepts that were offered in the Netherlands and in Sweden (Independent Commission on Migration to Germany 2001, pp. 255). The integration courses that were actually implemented with the new Immigration Act in 2005 were almost a complete conversion of this proposal.

A key element of the reform was the restructuring of the different administrative units dealing with migration and integration. In 2005, the former Federal Office for the Recognition of Refugees (BAFL) was reorganised and transformed into the newly created Federal Office for Migration and Refugees (BAMF), which was linked to the Ministry of the Interior (Michalowski 2009, p. 267). With its nationwide network of 23 regional offices and 144 regional coordinators, the Federal Office for Migration and Refugees (BAMF) is represented in every federal state (Bundesland).¹⁴⁰

¹⁴⁰ The implementation and coordination of the integration courses is one of the main tasks fulfilled by the regional offices, including: recording and invoicing of the integration courses; the creation of certificates for successful course completion; the approval of integration course providers; handling approval applications for integration course participation for German nationals who have a particular need for integration, for EU-citizens and for settled immigrants (immigration before 2005) (BAMF 2009a, p. 36).

Another actor, playing a role in the implementation of the German integration course programme, are the local aliens authorities, by identifying those immigrants who, because of insufficient language skills, are considered to be in need of an integration course. As these local authorities are at the same time the ones in charge of granting residence permits, they are contributing to further strengthening the nexus between immigration and integration in Germany (Michalowski 2009, 267).

In the debates around the implementation of pre-entry testing for migrant spouses as well as the minimum age requirement for both spouses to become eligible for immigration, the CDU/CSU faction in the German Parliament was the most vociferous and influential supporter of these regulations, whereas the Social Democrats (SPD), who formed a coalition with the CDU/CSU in the years 2005 – 2009, considered the respective legislation a painful compromise¹⁴¹. Many SPD representatives voted against the draft bill or combined their agreement with a written explanation wherein they pointed out their concerns and criticism of, amongst other things, the new regulations for family reunification, in particular pre-entry testing and the raising of the age – threshold (Deutscher Bundestag 2007c, Plenarprotokoll 16/103, 10641ff.). The opposition-parties (FDP, the Left Party and the Greens) pronounced harsh criticism against the draft bill, complaining that the amendments would be severe restrictions of the regulations in force (Netzwerk Migration in Europa 06/2007).

In particular the Minister of the Interior of Lower Saxony, Uwe Schünemann (CDU), was active in promoting the new regulations. In May 2005 he started an ‘initiative against forced marriages’ (press release of the Ministry of the Interior and Sport of Lower Saxony of 09 May 2005¹⁴²; Walter 2006, 110; Frankfurter Rundschau, 10 May 2005)¹⁴³. He explained that marriages with young women were often arranged (and often would even take the form of forced marriages) in order to enable other relatives in the countries of origin to come to Germany. Against this background, he pointed out that it could not be accepted that foreigners, living in Germany, bring spouses via so-called “import marriages” from their countries of origin to Germany who were often minor, lacked emancipation and will, after their arrival, live in Germany without any German language skills, for a start. This would contribute to the creation of so-called “parallel societies”. Schünemann also stressed that women were playing a key role in the integration process, as being the ones to bring up the new generation and to teach values. Concerning the organisational implementation, he proposed to arrange it similarly to the pre-entry language tests that were already required for family reunification with Ethnic Germans.

This position was supported by a conference of the Interior Ministers of the CDU-/CSU-governed Länder, at the end of April 2005. On the 179th standing Conference of the Interior Ministers and Senators (IMK) which took place on 23/24 June 2005 in Stuttgart, it was decided to insert a provision in the planned amendment of the Immigration Act that – following the Netherlands - tying spouse immigration to the completion of the 21. year of age as well as to the evidence of a basic knowledge of the German language (Walter 2006, 110; Ständige Konferenz der Innenminister und – senatoren der Länder 2005, 18).

¹⁴¹ <http://www.efms.uni-bamberg.de/djun07-e.htm>

¹⁴² http://www.mi.niedersachsen.de/master/C10160153_N13619_L20_D0_I522.html#

¹⁴³ http://www.mi.niedersachsen.de/master/C10160153_N13619_L20_D0_I522.html#

The draft bill of the Directive Implementation Act for EU Directives on residence and asylum issues (EU-RLUmsG), approved by the federal cabinet on 28 March 2007, was met with opposition of experts and a large number of big NGOs, like the Turkish Community in Germany (Türkische Gemeinde in Deutschland (tgd)), an alliance of associations and migrant organisations, or the Deutsche Caritasverband (DCV) and the Diakonische Werk der EKD (DW) or the Confederation of German Trade Unions (Deutscher Gewerkschaftsbund (DGB), which criticised that the planned restrictions of family migration – instead of creating the legal conditions for migrants' equal participation – would only contribute to migrants being treated with mistrust (Deutscher Gewerkschaftsbund 2007, 4). Within a common statement, a broad alliance of NGOs¹⁴⁴ disapproved of the introduction of pre-entry language tests for immigrating spouses in February 2007.

At the hearing of the Interior Policy Committee of the Bundestag in May 2007, the legal experts Kay Hailbronner (University of Konstanz) and Christian Hillgruber (University of Bonn) countered that none of the planned provisions of the Amendment of the 'Immigration Act' would be problematic with reference to the constitution. According to the legal expert Kay Hailbronner, the reasons given for the law were referring to particular problem cases, affected by integration problems. Against the background, that welfare dependency or the grant of social benefits was the key factor for hindering integration, it would be legitimate to differentiate according to the fact of whether it was known from experience that integration problems occurred within a particular group because of (permanent) dependency on social benefits or not. Therefore this differentiation would not be a differentiation according to nationality but a differentiation which was objectively justified by other differentiation characteristics (Deutscher Bundestag 2007b, Innenausschuss Protokoll, BT-DS 16/40, 42f.).

Whereas the introduction of pre-entry integration provision was met with resistance of NGOs, parts of the SPD and the opposition parties, the introduction of post-entry integration courses for newcomers was a central proposal the Independent Commission on Migration to Germany had submitted as part of its task of elaborating an overall concept on migration and integration already in its report "Structuring Immigration – Fostering Integration", published in 2001. The integration courses that were actually implemented with the new Immigration Act in 2005 were almost the complete conversion of this proposal.

During the process of elaborating the new Immigration Act (2000-2004), the planned introduction of integration courses provoked lively discussions about the legitimacy of such an intervention in the newcomers' personal freedom and way of life and it was meeting with criticism from various refugee organisations, migrant organisations, charity organisations and social services, but did not meet resistance of large parties, the social organisations of the churches (Caritas, Diakonisches Werk) or the trade

¹⁴⁴ In detail the NGOs concerned were: amnesty international (Sektion der Bundesrepublik Deutschland e.V.), Arbeiterwohlfahrt Bundesverband e.V., Arbeitsgemeinschaft Ausländer- und Asylrecht im Deutschen Anwalt-Verein, Deutsche Caritasverband e.V., Deutscher Paritätischer Wohlfahrtsverband, Diakonisches Werk der EKD, Die Rechtsberaterkonferenz der mit den Wohlfahrtsverbänden und dem Hohen Flüchtlingskommissar der Vereinten Nationen zusammenarbeitenden Rechtsanwältinnen und Rechtsanwälte, Neue Richtervereinigung, Bundesweite Arbeitsgemeinschaft für Flüchtlinge PRO ASYL.http://www.zivildienst-dwbo.de/eui/Dokumente/Folder_1141304898/Folder_1141306092/File_1174995854.

unions (Hentges 2008, 30). So e.g. the Refugee Council of Berlin (Flüchtlingsrat Berlin) criticised that the terms “language training” and “integration courses” were discriminating and originated from the fields of special need education and early-childhood education. The Refugee Council further argued that the tuition of knowledge about the political and social order in Germany as well as about fundamental democratic values should be a matter of course. The explicit offer of an orientation course as a component of the integration course (complementary to the language course), implied that people with a migration background would in general have a problem with accepting democratic values. Another point of criticism was that the integration courses contributed to the image of migrants being unwilling to integrate (Michalowski 2006b, 157). Pro Asyl warned against a ‘nationalisation of integration policy’ which could result in the situation that the full range of already existing integration policy instruments was reduced to the integration courses while other services were increasingly coming under pressure to justify their existence (Hentges 2008, 30).

A central subject of discussion were concerns that the national organisation of the integration courses would in comparison to the previous structure of language courses offered by a variety of course providers, set drastic limits upon the arrangement of the offerings particularly with respect to specialised course offerings for different target groups (women, illiterates, etc.). It was argued that due to the low cost rates, the participant-based system of financing and the strict guidelines of the Ordinance on Integration Courses (IntV) concerning the qualification requirements for teachers, the maximum number of course participants and administrative tasks, many course providers would face severe organisational and business-related problems, finally having an impact on the differentiation of their offerings (Beauftragte der Bundesregierung 2005, 217).

Besides other organisational and financial aspects that were criticised (e.g. the initial plans that travel expenses had to be paid by the participants and offers for childcare were only granted to ethnic German repatriates), it was particularly the politically desired objective that integration course participants achieved language skills on level B1 of the CEFR within 600 lessons of language tuition, which was considered to be illusory. Experiences with preliminary models of the integration courses in Germany already indicated that the average course beginner would rarely be able to achieve language skills on level B1 within this amount of language lessons (Schönwälder et al. 2005, ii). These concerns were also shared by the Federal Government Commissioner for Migration, Refugees, and Integration, Marieluise Beck (Greens), as stated in her “Report on the Situation of Foreigners in Germany” published in June 2005 (Beauftragte der Bundesregierung 2005, 220).

Representatives of the FDP recalled that the previous language courses that had been offered to ethnic German repatriates comprised 1,200 lessons. Against this background, the fixing of 600 TUs for the integration courses was incomprehensible, as – in contrast to ethnic German repatriates who often had a higher educational level as well as a basic knowledge of the German language – the integration courses were also attended by persons who did not have any German language skills and in some cases were not even alphabetized. The FDP-representatives pointed out that it was in the overall interest of society to come to a regulation that ensured the achievement of a minimum level of language skills for everyday life and thus contributed to prevent processes of ghettoization (Deutscher Bundestag 2008c, BT-DS 16/9593, 2).

VIII.5 Spain

In Spain, a complex division of tasks between the state government and the regional governments characterises the stakeholder structure.

At the national level, the government has undertaken some programs and plans related to issues of integration and to the provision of a common background for introduction mechanisms for newcomers. Of particular importance are the Secretary of the State for Immigration and Emigration and the General Directorate of Integration of Immigrants, which is associated with the Ministry of the Interior. They were created in 2004 and 2005 respectively. The Forum for the Social Integration of Immigrants is a government consulting body on immigration and integration policies which comprises representatives of the public sector and social organisations including immigrant associations. The Permanent Observatory of Immigration is an organisation developed as a tool to suggest policies and monitor immigration and integration issues.

According to the Strategic Plan of Citizenship and Immigration of 2006, which aimed at the promotion of equality between immigrants and the host society, these national guidelines were backed by the financial commitment of an allocated budget (2,005 million Euros were set for the period 2007-2010). The funding was to be proportionately distributed amongst regions according to their immigrant population percentages as well as among the municipalities, for the first time thus recognising the important role of local authorities. In addition, the national integration budget sanctioned those regional policies that complied with national guidelines, although autonomous communities could still form their own integration policy. Thus at the regional level, regional governments may develop distinct forms of integration policies reflecting the respective conception of autonomy. This has in particular been the case in Catalonia and Valencia.

There has been a gradual increase in parliamentary debates on immigration in recent legislatures, as has been observed in the growing number of interventions on this subject in Congress, occurring in parallel with the expansion of immigration in Spain (Sanchez 2007). In the debate the concept of integration was presented as the goal of all political groups, without any explicit reference towards its definition, or indeed towards scope or those areas which need strengthening.

In the debate, the understanding of integration has developed over time and depicts a clear left/right division. In the VI legislature (1996-2000), when Spain was governed by the conservative Peoples' Party, supported by regionalist parties of Catalonia, the Canary Islands and the Basque country, the concept of integration remained closely linked to the labour market as well as issues such as access to public services and to decent living conditions. In the VII legislature, again dominated by the Popular Party, the debate of the legal and administrative status was dominant and the Peoples' Party claimed that only those with adequate legal status could be integrated into society. For them, migrants in an irregular status were unavoidably linked with marginalisation and crime¹⁴⁵. During this period, preferred visions of integration surrounded issues of

¹⁴⁵ "Indeed - and this is an issue that concerns me - Immigration has produced an increase of the crime, as evidenced by that in the months of January and February, 89 percent of people who have entered on remand in prison are foreigners "(File No. 180/001161. March 13, 2002. li Mr Rajoy Brey, First Deputy

identity¹⁴⁶. Not forgetting the social and economic conditions of foreigners, much emphasis was placed on migrants' ability to understand European democratic values as well as having awareness of the laws and the Constitution¹⁴⁷.

Between 2004-2011, when the Socialist Party governed Spain, the debate maintained this duality between regularity and irregularity, although there was a change concerning irregular migrants. Now irregularity was mainly seen as a social problem, stemming from the existence of an underground economy. Thus the problem should be tackled not by controlling migratory flows but by allowing regularisation. While the Peoples' Party favoured police control of migration flows and deportation for those migrants without sufficient legal status, in promoting regular migration, the Socialist Party's view towards irregular migration opted instead for the regularisation of the already-established migrant population. Moreover, the socialist government linked integration to the labour market, which was exemplified by the creation of the Ministry of Labour and Immigration. The concept of multiculturalism did not appear until 2009, just as integration requirements relating to the language or understanding the environment was not proposed within parliamentary debate until the adoption of latest reform in 2009.

By the very composition of the Congress, the main actors of the debate were the two main national parties (the Popular Party, the PP and the Spanish Socialist Workers Party, the PSOE); however there regional parliamentary groups developed views deviating from the major concepts of integration.

In several autonomous regions, migration and integration was instrumentally used to support demands for the transfer of state powers to the region. First, there is the paradigmatic case of the *Coalición Canaria* (Canarian Coalition), which focuses much more on border control policies due to its geographical location¹⁴⁸. Secondly, there are regional parties in autonomous regions basing their identity on a regional or minority language, like in Catalonia or Valencia, who define the linguistic aspect of integration as acquisition of the regional language (Catalonia), like e.g. of the *Izquierda Unida-Iniciativa per Catalunya, -Verds*¹⁴⁹.

Prime Minister and Minister of Interior. PP parliamentary group. Proceedings of Sessions of the Congress of Deputies).¹⁴⁶ Interview: (UB-EX1 (Dr. Ricard Zapata)

¹⁴⁶ Interview: (UB-EX1 (Dr. Ricard Zapata)

¹⁴⁷ "I think we should regulate the flow to the absorptive capacity and society has a clear limitation on immigrant integration. And this clear limitation has to be respect for human rights, respect for equality and respect people from discrimination, which are typical of European constitutions. All figures, social or religious, that violate any of these grounds cannot be supported." (Núm. Expediente 154/000008. 23 de junio de 1998. Sr. Jordano i Salinas. Grupo Parlamentario Popular. Actas de Sesiones del Congreso de los Diputados)

¹⁴⁸ "On behalf of the *Coalición Canaria* I believe we need to urgently implement a great deal to update the Ley de Extranjería, in looking at the elements that appear improvised and lacking reflection on Spain's international border control. We in the Canary Islands have a dramatic problem, a tremendous problem of border control. Our level of protection is minimal, having spread throughout Africa, the idea that the Canaries is the gateway to the continent, which creates a tremendous problem "(File No. 080/000001. April 25, 2000. Mauricio Rodriguez. Joint Parliamentary Group (*Coalición Canaria*) Proceedings of Sessions of the Congress of Deputies).

¹⁴⁹ "Our legislation must make it very clear that foreigners must make the effort to share values that allow coexistence and learning of language, because from language social integration is possible, as is awareness regarding access to citizenship" (File No. 121/000032. September 17, 2009. Mr. Campuzano i Canada. Catalan Parliamentary Group Proceedings of Sessions of the Congress of Deputies).

The characterisation of Spain as a country which has only recently experienced immigration prevented to introduce distinctions between newcomers and permanent residents. The debate usually focused on the newly-arrived population, with a tendency to expect that integration required only regularisation.

VIII.6 Italy

The emergence of a link between residence permit and cultural integration can be drawn back to the Charter of the Values of Citizenship and Integration, enacted with a Home Office Minister Decree in June 2007. According to the intentions of Minister Amato, the new Charter would have had the purpose of stating clearly the basic principles to which religious organisations had to adhere in order to be represented in consultative governmental bodies.¹⁵⁰ Later the scope and the goals of the Charter were defined as an element of a new citizenship law making the undersigning of these principles will become a precondition in order to obtain the Italian citizenship.¹⁵¹ The introduction of the charter clearly links integration to citizenship and defines the necessity to establish “a clear integration path leading to citizenship [...] similarly to the French *Contract d’Accueil*” or to the Belgian Citizenship Charter (*Etre citoyen en Belgique*) at that time debated in Belgium (*Carta dei valori della cittadinanza e dell’integrazione - Introduzione*, pp. 1-2).

In April 2008 the victory at the political elections of the centre-right coalition and in particular of the Northern League, which doubled its electoral score from 4% in 2006 to 8.3%, changed completely the terms of the debate. During the electoral campaign the Northern League had been particularly vocal in linking issues of security and criminality with immigration, and in claiming stricter admission policies and a tightening of external and internal controls. Once in government, this party took the lead in promoting the so called Security Law, which was an initiative of the Home Affairs Minister Roberto Maroni, himself belonging to the Northern League. This piece of law puts together provisions on immigrants’ integration such as the Integration Agreement or the Italian language test for CE long-term resident permits, with new restrictions against undocumented immigrants, such as the criminal offence of “entrance and irregular residence crime” and other measures aimed at pursuing more effective expulsions.¹⁵² Moreover, the Security Law was concerned also with other offences and criminal activities not directly related to immigration, such as stalking and money-laundering.

The main aim of the Security Law was not integration, but irregular migration, which was declared a criminal act. This overlapping between irregular immigration and criminality was further reinforced by the contents of the Security Law, mixing offences and crimes not directly concerned with immigration, and ranging from stalking to money laundering, penalties for drivers’ alcohol abuse, mafia criminals’ special penal regime etc.

¹⁵⁰ See the main Italian newspapers: *Aut-aut di Amato all’Ucoii - “Firmate una carta dei valori”*, 25th August 2006, *La Repubblica*, Carmelo Lopapa; *«Incontrarci? Prima la carta dei valori»*, 29th August 2006, *Corriere della Sera*, Paolo Conti.

¹⁵¹ See: *«La Carta dei valori non è solo per l’Islam»*, *Corriere della Sera*, 10th April 2006, V. Piccolillo.

¹⁵² For a more detailed analysis see: Caponio and Graziano 2010.

Thus the parliamentary debate centred essentially on unauthorised entry and stay, and other controversial norms aimed at worsening the conditions of undocumented immigrants in Italy (such as for instance, the denial of access to health care services even in case of emergency and the obligation on the part of the doctors to report on illegal immigrants seeking hospital treatments¹⁵³), while the Integration Agreement received very little attention.

In the Senate plenary debate, in presenting the bill, Senator Vizzini (People of the Freedom, Popolo della libertà), described the Integration Agreement as an instrument allowing for the selection of “deserving migrants”, i.e. those who show “virtuous attitudes”. On its part, the Democratic Party criticized the logic behind the integration agreement, but did not provide an alternative definition of integration during the debate. More generally, Senators of the Democratic Party contested an understanding of integration based just on “obstacles, constraints and useless bureaucratic fulfilments”. Similar terms characterised the debate in the Chamber of Deputies.

In January 2010 the dramatic revolt of African immigrants illegally working in the agriculture in Rosarno (Calabria), in conditions of extreme exploitation by local criminal organisations, caused a debate on the necessity to set clear conditions for integration in Italy and, gave a boost to process of devising the implementation structure of the Integration Agreement.¹⁵⁴ A first round of consultations started at the end of January 2010, but was limited to the more “collaborative Unions and organisations”. Another round of hearings was carried out in September 2010, this time including all social partners (i.e., the Unions and the employers organisations), Italian NGOs working in favour of immigrants as well as Regional and Local authorities (Conferenza unificata).

In general, the tone of the debate was set by the Northern League. The Integration Agreement was initially denominated by the Northern League proponents “Score residence permit”, to emphasise that to stay in Italy one had to deserve it, i.e. to keep to the rules in order not to lose points, what would have entailed the risk of expulsion. The punitive side of the coin was indeed stressed: “According to Senator Bricolo (Northern League)... immigrants will have in their pocket a document with a credit of 10 scores which can be curtailed with a mechanism similar to that introduced for the driving licence in 2003... even in case of minor administrative and taxation law sanctions”.¹⁵⁵ Together with the “score residence permit”, the amendments introducing a tax of 200 Euros in order to renew the residence permit, as well as the request to pass a test of Italian language and to demonstrate to know the Constitution, were considered by the Northern League as part of a more general policy “aimed at ensuring more security and integration. The goal is to bring out only the positive immigration, i.e. immigrants who work honestly, produce and are perfectly integrated”.¹⁵⁶

¹⁵³ These more controversial norms were at the end removed from the final text.

¹⁵⁴ However, and somehow in contradiction to the assertions of the consultant of the Ministry of Labour, in the Parliamentary debate on the so called “Rosarno facts” (Senate of the Republic, Session n. 309, 12th January 2010), while the need for “setting clear conditions of integration” is very often acknowledged, the Integration Agreement is never mentioned by Senator Bricolo, who was the main proponent of this policy in 2008.

¹⁵⁵ *Immigrati, la proposta della Lega - «Permesso di soggiorno a punti»*, Corriere della Sera, 8th October 2008, D. Martirano, 22-23.

¹⁵⁶ *E ancora arriva la tassa sull'immigrato*, la Repubblica, 12th October, V. Polchi, p. 22.

In a similar vein, politicians of the People for the Freedom party emphasised the need to “welcome those who respect the rules... in order to safeguard legality”.¹⁵⁷ However, according to Minister of Defence Ignazio La Russa, the score residence permit, while appealing as an idea, in practical terms was “just useless, to check the criminal record would be sufficient”. Hence, while agreeing on the Northern League general conception of integration, yet the People for the Freedom party considered the Integration Agreement just as a rhetorical device.

On the other hand, according to centre-left politicians, and in particular to those of the Democratic Party, the intention of the Northern League was that of introducing always new obstacles to integration, rather than smoothing it, and making “immigrants’ life in Italy harder and harder”¹⁵⁸. This point was clearly outlined by Senator Massimo Livi Bacci: “The array of measures that constrain immigrants’ rights and make their life harder is wide and varied... The message is clear: the life of the immigrant will be more difficult, while to turn them out will be easier”.¹⁵⁹ However, the denouncing of the exclusively punitive and penalising intentions of the Northern Leagues, was not accompanied by the launching of any alternative definition or view on what a proper integration policy look like.

Actually, the all debate on the Integration Agreement was strongly politicised and polarised around pro (Northern League and more coldly the People for the Freedom party) and con positions (centre-left opposition). No real confrontation on the contents of the Northern League proposal was actually reported by the press.

Further stakeholders relevant in the debate include the Catholic Church and the Italian President of the Republic. As for the Pope, his point of view can be inferred from his general message for the Migrants’ and Refugees’ Day (the 18th of January), where he stressed the duty to welcome immigrants, refugees and political dissidents. According to the President of the Vatican Council for Migrants, this message pointed out the concern of the Pope for the debate in Italy over the Security Law, and especially for the status of undocumented immigrants, who were regarded as the “weaker and defenceless ones, marginalised and excluded from the society”. The integration issue is not mentioned, yet this was explicitly addressed by Don Sciortino, the head of the influential catholic lay organisation “Famiglia Cristiana”, according to whom the “score residence permit is a simply absurd idea, disrespectful of human rights and running against a policy of welcoming, but rather going in the direction of exclusion”.

On the other hand, the message of the President of the Republic Giorgio Napolitano, went more in direction of advancing concrete proposals for a revision of the Northern League negative discourse on immigrants’ integration.¹⁶⁰ According to him, “it is necessary to abandon old prejudices and to build a climate of opening and appreciation towards those foreigners who wish to naturalise. It is only in this context that policies emphasising the respect of rules and peaceful cohabitation can be successful... The more

¹⁵⁷ «Ma la Chiesa non è infallibile», Corriere della Sera, 9th October 2008, D. Martirano, p. 20.

¹⁵⁸ “Permesso di soggiorno a punti” - Lega, mano dura sugli immigrati, la Repubblica, 8th October 2008, L. Milella, p. 16. See also: *La Lega: stop agli immigrati per due anni*, La Repubblica, 13th October 2008, See also: *La Lega: stop agli immigrati per due anni*, La Repubblica, p. 16; *La Lega sugli stranieri: stop ai flussi per due anni*, Corriere della Sera, 13th October 2008, F. Sarzanini, p. 11.

¹⁵⁹ *La vita agra degli immigrati*, La Repubblica, 12th November 2008, M. Livi Bacci, p. 31.

¹⁶⁰ *Napolitano sull’immigrazione: «E’ una forza per la nazione»*, Corriere della Sera, 14th November 2008, M. Br., pp. 20-21.

we pretend to evaluate immigrants' adherence to our system of values and principles, the more we should soften criteria for the acquisition of Italian citizenship". Hence, the President did not refuse the Integration Agreement *a priori*, yet framed such a policy in a broader context, entailing a clear and open path to Italian citizenship.

In the Parliament question time of the 27th October 2010, Minister Roberto Maroni has stressed that foreigners will be "helped by the State that will provide for the conditions for fulfilling the Agreement with no costs on the part of immigrants themselves". Italian language courses should be financed by the European Integration Fund, and, always according to the Minister, resources have already been assigned to this policy for the years ahead.¹⁶¹

VIII.7 Netherlands

The politicisation of the migration-integration nexus seems to have triggered a broad political consensus among the political parties in favour of the new pre- as well as post-entry integration measures since the late 1990s. However, several actors can be mentioned who did raise their voice against (parts of) the new civic integration policies in the context of the broader policy subsystem, also addressing what they saw as more fundamental objections to the new policy measures.

The Dutch Association of Municipalities, or VNG, was very critical of the large degree of individual responsibility that the new system accorded to the individual migrant, in terms of financing as well as preparation for the integration tests.¹⁶² Also, VNG made strong reservations to the short period of time that the municipalities had to prepare for the implementation of the law. Political and public discourse would drive hard-to-reach groups (like migrant women) into isolation, thereby increasing the difficulties for involving them in civic integration programs. Therefore, VNG argues for a more 'result-oriented' integration policy.

Migrant organizations neither played a central role in the political nor in the public debates on the new civic integration system. One aspect that was brought to the fore by migrant organisations concerned the financial repercussions for migrants who had to take responsibility for their own civic integration programs.

The Advisory Committee on Aliens Affairs (ACVZ) played a key role in safeguarding that the new civic integration policies remained in agreement with international and European obligations. In particular, ACVZ fulfilled a central role in defining the target population of the new law by basing it on the number of years of residence in the Netherlands during compulsory schooling years. In addition, ACVZ remained critical of the obligatory nature of the civic integration measures; rather, it suggested developing a structure that would be rewarding rather than obligatory.¹⁶³

Finally, in an unprecedented unified response, 18 Dutch academics from various universities and various disciplines, questioned a number of key assumptions of the new Civic Integration Act as proposed in 2006. In an open letter to the Dutch Senate,

¹⁶¹ According to Minister Maroni funds amount to a total of 8 million Euros in 2010, 12 million Euros in 2011 and 7 million Euros in the following years.

¹⁶² See also: 'VNG: inburgeringsplannen riskant', De Volkskrant, March 24, 2004.

¹⁶³ Interview with expert from ACVZ.

they explicitly asked to reject the new Act.¹⁶⁴ They warned (like VNG), for the administrative implications of the new law, in particular its complex structure of loans, reimbursements, sanctions, differentiation of target groups, etc. This would, according to the professors, significantly increase the costs of implementing the new Act. In addition, they raised economic arguments against the new Act, particularly because of its potentially discouraging effect on the immigration of high-skilled migrants. Thirdly, they raised moral reservations against the new act, especially as the financial responsibility of the participants and the higher threshold for passing the integration exams, would disproportionately affect the weaker immigrants. Finally, they argued that the legal constraints on imposing an integration obligation on various specific categories were so many, that in fact only a relatively small group could be obliged to take part.

Several years later, the two initiators of this letter (Entzinger and Groenendijk, February 13th, 2009) again questioned three fundamental assumptions of the civic integration system in an open letter to parliament. Firstly, they questioned the assumption that migrants would not be willing to learn the Dutch language if they were not obliged to do so. In fact, immigrants who declined to take part in the programs often did so for reasons of incompatibility with their (paid) jobs or for the lack of sufficient day care facilities. Secondly, they questioned the assumption that immigrants could be obliged to pass the integration exams. In fact, such an obligation cannot be imposed on many migrants because they have Dutch or another EU-citizenship. In addition, threatening with sanctions and fines may effectively discourage rather than encourage migrants to take part in the exams. Thirdly, they questioned whether failing to pass an exam would always be attributable to the individual migrants. In fact, they claimed that the course programs were often too short and that their starting level was often too low to enable them to reach the high threshold for passing the (post-entry) integration exams.

Besides the politicization of civic integration since the turn of the millennium, there has also been a clear mediatization of civic integration in that period. From 2000-2010, civic integration has remained almost constantly on the media agenda. However, several 'peaks of attention' can be discerned, around the 2002 and 2003 parliamentary elections, the presentation of the conclusions of the Blok committee and Verdonk's first launch of her reform plans for the civic integration system in 2004, the introduction of the Integration Abroad Act and the parliamentary debates on the Civic Integration Act in 2005 and 2006, the Deltaplan Civic Integration in 2007 and the first evaluation of the Integration Abroad Act and the announcement of additional plans for limiting family migration in 2009.

Whereas in terms of political discourse there was a strong consensus supporting the new government plans, the arena of public debate provided more occasion for more fundamental debates on civic integration programs. For instance, in 2004, the Franssen Committee sharply criticised the new plans for pre-entry integration measures.¹⁶⁵ The committee raised the fundamental matter that if the main objective of the pre-entry tests was to promote integration, then 'government should be willing to pull its

¹⁶⁴ Also published in: NRC Handelsblad, October 11th, 2006.

¹⁶⁵ For instance; 'Integratie kost veel geld', NRC Handelsblad 3 March 2004; 'Coalitie snel met neerhalen van kritisch rapport', NRC Handelsblad 5 March 2004; 'Commissie twijfelt aan inburgering in herkomstland', Volkskrant, March 4 2004.

wallet'.¹⁶⁶ This triggered a fierce response from various parliamentarians; for instance, Ms. Hirsi Ali, then a Member of Parliament for the Liberal Party, argued that one of the goals of the new pre-entry test was to prevent illiterates and low-educated people from coming to the Netherlands.¹⁶⁷ She claimed that the goal of the pre-entry tests would indeed be to limit immigration rather than to promote integration (in line with her party's statements). The media coverage about this debate at least reveals (rather than questions) that limiting (family) migration was indeed one of the objectives of the new policy proposals and that this goal seems to be broadly shared in Dutch politics.

VIII.8 Sweden

The main policy changes in recent years concerned the reorganisation of language tuition and the imposition of a maintenance demand as condition for family reunification. For both reforms, different actors and strategies can be discerned.

The reorganisation of language tuition and the transfer of responsibilities from the municipalities to the National Employment Services was led by the conservative coalition government and in particular by their Minister of Integration and Gender Equality. The foremost rationale behind it was to shorten the average time from arrival to self-sufficiency - which today lies at 7 years (Sabuni, 2010) - through faster and closer contact with the Employment Services (an authority under the Ministry of Labour Market). Another goal was to avoid larger differences in the implementation of the introduction period, as it is the case under the lead of the municipalities.

On 3 April 2007 a special investigator was commissioned to investigate on the reception of refugees and other efforts that improve the possibilities of labour market integration of newly arrived refugees, other persons on subsidiary protection status as well as their family members. The investigator's report was presented on 2 June 2008 (SOU 2008:58). On February 2, 2010, the parliament's labour market committee arranged an open hearing on newly arrived refugees' labour market integration with four researchers in the field as well as representatives of the Employment Services and the Swedish Association of Regions and Local Authorities (SKL). On 18 February 2010, the committee accepted the proposition of the Ministry of Labour (Arbetsmarknadsutskottets betänkandet 2009/10:AU7). Most of the motions in this process came from members of the three opposition parties (the left party, the social democrats and the green party). On 17 March 2010, the parliament accepted the proposition; it will come into power on 1 December 2010. On top of that, on 5 November 2009, a special investigator was commissioned to deliver an inquiry on how the municipalities should organise and form the civic education classes (*samhällsorientering*). On 4 March 2010, the first partial report (SOU 2010:16) suggested to offer 60 hours of civic education to every newly arrived person, a large part of it in the respective mother tongue. On 20 May 2010, the final partial report (SOU 2010:37) stated that even other categories of immigrants with residence permit valid for at least one year (namely family members, labour migrants as well as EU citizens) shall be offered 60 hours of civic education classes. The report estimates their number to be around 30,000 individuals annually.

¹⁶⁶ 'Integratie kost veel geld', NRC Handelsblad 3 March 2004.

¹⁶⁷ NRC Handelsblad, March 4, 2004.

With exception of an increased emphasis on incentives where inspiration was taken from Australia, the reform was not impacted by similar developments in other EU countries or traditional immigration countries, but it was mostly earlier governmental inquiries as well as lessons learned from Swedish integration policies that lead to the establishment of the new reform. The reform was criticised mainly by the three opposition parties (social democrats, the Left party and the Green party). Although principally agreeing that integration had failed and that consequently a new system was necessary, the three parties were doubtful to believe that the proposed reform was the way to go. Above all, they criticised the dominant focus on individual responsibility and pointed at structural obstacles to immigrant integration not considered by the reform. However, the focus on the structural discrimination perspective, that received a lot of attention in the first half of the new decennium (2002-2005), lost its driving force due to its unclear focus. Furthermore, also the Social Democrats and the Left Party proposed to extend the target group for integration measures to include family members of refugees arriving within 6 years (instead of 2) and thus supported the general move to strengthen the individual responsibility for integration.

The introduction of a maintenance requirement for family reunification was prepared by a broad hearing involving a variety of stakeholders. On 8 February 2008, the government decided to employ a special expert committee to investigate into the feasibility to introduce financial support requirements for the immigration of family members. Many of the committee's members were experts from the Ministry of Integration and Gender Equality, the Ministry of Social Affairs, the Ministry of Justice, as well as from the Migration Board). On 1 December 2008, the committee presented their inquiry "Financial support requirements for the immigration of family members" (SOU 2008:114).

The inquiry committee reasoned that the financial requirement will benefit the equality of men and women. Especially in the (much fewer) cases where a female family member stands as the sponsor, the new law with its impediments towards work and self-sufficiency was expected to contribute to an improved integration of immigrant women (SOU 2008, 114). Similarly, if women arrived as family members to a properly organized and spacious enough housing, this would have beneficial effects for their integration into the new society (SOU 2008:114:114). The committee did not suggest different levels of financial means for male and female sponsors respectively – despite the fact that women often have a smaller income than men. Nevertheless, the committee stated that these facts were part of the investigation and were taken into consideration twice: firstly, when proposing the degree of financial means in general, and secondly, when suggesting that the sponsor should only demonstrate enough financial means for the own costs of living, instead for the whole family. The latter, the committee stated, could be supported from a gender equality perspective (SOU 2008, 114-115).

A further argument for the introduction of the maintenance requirement concerned the fear of "family reunification shopping": The committee referred to the fact that Sweden was the only country in the European Union that had not introduced any financial conditions for family reunification and is one of the few EU countries that has not applied a demand for a decent housing until yet (SOU 2008:114, 57). The committee particularly referred to the situations in Germany, the Netherlands, Ireland, Finland, Denmark and France; all of which already apply conditions in various ways (SOU 2008:114, 58-60). The committee stated, however, that even with this financial

requirements Sweden would have much more moderate conditions for the immigration of family members than most other EU countries (SOU 2008:114, 111).

The inquiry was circulated to 42 organisations for comments. Among them were government authorities, such as the Migration Board and the Employment Services; NGOs, such as Caritas, Save the Children and Amnesty International; migrant organisations, such as the Iraqi and the Somali Swedish-wide Association; municipalities, such as Malmö and Gothenburg, plus a number of other instances (Lagrådsremiss, 2009, 40). The issue that by far received the most attention was whether the new law proposition would imply a separation of families with children. Thereafter the government wrote its proposition – adjusted according to some of the comments the inquiry received in the circulation round - which was handed over to the parliament on 17 Dec 2009. The proposition plus a number of motions were discussed on 18 February 2010 in a parliamentary committee. Finally, the parliament debated and voted on the issue on 10 March 2010.

During the preparation process of the policy the three opposition parties criticised the policy proposition. Most of their arguments circled around the right to family – and especially a child’s right to family, and the negative effects on integration when splitting a family. In the aftermath of the parliament’s decision to accept the policy proposition, both the left and the green party published an official report in which they once more express their criticism towards the new law. The social democrats did not sign the document.

VIII.9 United Kingdom

Historically there was little link between integration and migration in UK policy or discourse but in the past few years this has begun to change, especially in terms of the discourses and policies promoted by the UK Border Agency. Until the 1980s, immigration has been dominated by migrants from former colonies and it has only been since the 1990s that flows have become highly diverse (Vertovec 2007) due to large numbers of asylum seekers and refugees, labour migrants from third countries and especially the new accession countries, and students. Multiculturalism too was an official policy and diversity seen as an integral aspect of British society.

Thus, until recently, migration in terms of controls and admission was dealt with entirely separately from settlement and integration. The arrival of large number of migrants from the new EU member states in the UK (Home Office 2010) following the eastward enlargement of the EU signalled a greater interest in issues of integration at the local level as such migrants moved into areas which had not been affected by previous labour and family migration, including rural areas and small cities, but also a number of medium-sized and metropolitan centres such as Leeds or Glasgow. These changes initiated a growing level of demand on municipal support services, which were not used to cater for migrants originating from the non-English speaking world, which as Union citizens were entitled to equal treatment with regard to access to social services and housing. Calls from local authorities for more support for services led to the creation of a Migration Impact Fund in 2008¹⁶⁸. At the same time, disturbances in

¹⁶⁸ The fund was dismantled in 2011 by the new government.

Northern cities in 2001 generated a discussion on certain minority ethnic groups leading parallel and separate lives (Cantle 2001) which, together with a questioning of the effects of diversity (Goodhart 2004), resulted in several reports on Integration and Cohesion and on Citizenship. The report of the UK Border Agency noted in relation to an unprecedented inward migration that there was “a considerable challenge” (UK Border Agency 2008, 2) to ensure integration and concluded however that one size does not fit all and that future integration policies would have to be ‘sufficiently flexible to meet the widely different needs of individuals from different cultures, linguistic backgrounds, educational attainment etc’ (UK Border Agency 2008, 9).

In all reports there was considerable emphasis on language as a crucial element of socio-economic integration and the need to make it a priority of policy and migrant integration. This focus was also exemplified by revisions to the Points Based System, the cornerstone of labour migration into the UK, which was implemented as from 2008. Here the UK Border Agency included language requirements as part of the admissions criteria and argued that they would help to promote integration in the workplace and in wider social life. By 2007, the UK Border Agency started consultations on pre-entry tests for spouses which very clearly linked the issues of the quality of immigration flows, protection of vulnerable migrants and integration. The election of a new coalition government in May 2010 (Conservatives and Liberal Democrats) heralded a new policy framework. It announced to reduce net immigration to the levels of the 1990s by capping the level of immigration and imposing quotas on labour migrants amongst the highly skilled and skilled immigrants and bringing forward measures such as pre-entry tests, which would mainly reduce immigration by spouses, especially from South Asia, traditionally the largest group of spouses (Home Office 2010b).

As mentioned above, there have historically been almost no policies and no provision for the integration of third country nationals after arrival. While debates around community cohesion can be linked to the integration of new migrants, the previous government began to develop policies to link transition to settlement through the criteria imposed for indefinite leave to remain and citizenship more overtly with integration requirements and outcomes. In the past years, much of the debate on proposed reform of the naturalisation process for migrants focused on the Borders, Citizenship and Immigration Act 2009 and mainly discussed the proposals on “earned citizenship”. The changes proposed by the previous government aimed to “encourage more eligible migrants to naturalise as British Citizens rather than simply remain in the UK with settled status” (House of Commons, 2009, 13). The Borders, Citizenship and Immigration Act 2009 introduced changes to the citizenship process, which, despite being billed as a simplification process have been criticised for making the process of becoming a British citizen longer and more difficult. At the same time a proposal for regulated voluntary work as a form of “active citizenship” was suggested as a route to shortening the process (MRCF, 2010). According to a summary of the Joint Council for the Welfare of Immigrants the proposals would introduce a new period of ‘probationary citizenship’ to last one to five years and a points test at the stage of applying for probationary citizenship. As with the points based immigration system, the government may lower or increase points in response to numbers applying for citizenship. If migrants cannot meet the required point level they will have to leave the UK; and only once the specified amounts of time and additional requirements in the ‘probationary citizenship’ stage have been met can migrants progress onto British citizenship or permanent residence (JCWI, 2009).

Responses from key refugee and migrant advocacy organisations to the Green Paper 'The Path to Citizenship' in February 2008, to a further consultation 'Earning the Right to Stay – A New Points Based Test for Citizenship' in 2009, and to the Borders, Citizenship and Immigration Bill and Act 2009 concentrated on the reform of the naturalisation process as the main issue of concern. Criticisms highlighted five key areas of concern: the proposals for a new status of 'probationary citizenship'; how the proposed changes and general tone of the discourse promoted mistrust and suspicion of migrants; that extending the period before citizenship or residency can be achieved actually countered rather than promoted integration; discrimination against certain groups of migrants; and the paradox of enforced volunteering.

In relation to probationary citizenship, the Immigration Law Practitioners' Association argued that introducing a new status would not only fail to simplify the process, but, that the need for a probationary stage would be 'imaginary' since there were already several stages on the route to citizenship at which a person's status and background was reviewed (ILPA, 2008). The Scottish Refugee Council further noted that an Equality Impact Assessment (a requirement placed on public bodies through equalities legislation) had not been conducted on active citizenship. Several organisations argued that the idea of enforced volunteering would be a paradox, and, furthermore, that formal volunteering would ignore significant existing contributions made by migrants in small and migrant-based organisations that would not be recognised under the terms proposed for active citizenship (Liberty, 2008, MRCE, 2010).

The UK Home Office approach to integration has been partly influenced by work done by Ager and Strang to develop a framework of 'indicators of integration'. They group indicators into domains of means and markers (employment, housing, education, health), social connections (social bridges, social bonds, social links), facilitators (language and cultural knowledge, safety and sustainability) and foundation (rights and citizenship) (Ager, Strang, 2004, 2008). The notion of integration as a two-way process has been adopted in the voluntary sector and in regional or local approaches to refugee integration (e.g. Yorkshire and Humberside Consortium for Asylum Seekers and Refugees, 2003) from a widely used definition developed by the European Council of Refugees and Exiles (ECRE) in 1999, and points towards the importance of understanding integration as a process of mutual accommodation (Ager, Strang, 2008).

VIII.10 Summary

The introduction of compulsory pre- and post-entry integration measures have been an issue of intense political debates in most of the countries studied. In most countries, the respective Ministries of the Interior were the main institutional actors pressing for the introduction of compulsory integration measures. On the political scene, in a majority of the countries studied the right-left divide was reflected in the debate on compulsory integration measures; and in the majority of the countries under review far right parties had initiated the political debate or played a decisive role in it.

The respective Ministries of the Interior have been main institutional actors in Austria, Switzerland, Germany, Italy, the Netherlands and the UK. In the Czech Republic the responsibility for integration was shifted from the Ministry of the Interior, which had been responsible under a Conservative government to the Ministry of Labour and Social Affairs under a Socialdemocratic government. In Sweden, the reorganisation of

integration policies was led by the Ministry of Integration and Gender Equality, and a conservative government decided to put the responsibility for integration into the hand of the Ministry of Labour. As well in the Czech Republic as in Sweden, the institutionalisation of integration reflected the strong focus on economic sustainability and labour market participation in the political discourse. In both countries, language acquisition was mostly debated under the perspective of improved labour market participation, the linkages between language acquisition and social inclusion deserved less attention than the other countries.

On the parliamentary level, three groups of countries can be discerned:

In the first group, far right political parties were the first to suggest compulsory integration measures and played a prominent role in the debate. In Austria, compulsory integration measures first were suggested by the far right Freedom Party in order to select those immigrants “ready to integrate”, when the coalition between the conservative ÖVP and the Freedom Party was formed in 1999. In Switzerland, the far right SVP was the driving force in the debate to introduce compulsory integration measures. In Italy, the Northern League was the first to suggest compulsory integration courses in order to select “deserving migrants”. Although the suggestions of these parties to impose compulsory integration programmes were adopted by the conservative parties in the three countries mentioned, the martial rhetoric on selection was not met by reality, but the conservative parties stressed the need of language acquisition for labour market and social integration, in particular of women. In Switzerland and Italy, the left-right divide figured prominently in the debate, with Social Democrats, other left wing parties and Green parties opposing the propositions, whereas in Austria the Social Democrats did not figure prominently in the debate, but left the role of opposition to the Green party. As well in Austria as in Italy also the Catholic Church and their organisations, particularly the Caritas, were critical towards the imposition of compulsory character of the integration measures, as they saw them as impediment to integration.

In Germany and the Netherlands the debates were couched in a broad political consensus. Whereas in the Netherlands the murder of Pim Fortuyn had triggered a political consensus for pre- and post- integration measures, in Germany the Independent Commission for Migration had forged a consensus among the political elite to impose an integration regime akin to that of the Netherlands. So in both countries a general consensus on the need for improved integration emerged, and debates did not concern integration measures per se.

In Germany, post-entry integration measures were positively welcomed by most parties, the criticism voiced by NGOs and Churches mainly concerned details of the proposed organisation, in particular the limit of 600 hours to acquire German at the level B1 of the European Reference Framework, which was seen as insufficient by many practitioners. A different debate emerged with regard to pre-entry measures. They were propagated by the conservative CDU/CSU as a tool to prevent forced marriages and to support informed decision making on migration to Germany, whereas the Social Democrats were critical on their effects on family reunification, but accepted the solution as a painful compromise. The Greens and the liberal FDP, but also all major NGOs working the field and the churches opposed the introduction of pre-entry testing.

In the Netherlands, there was a common consensus on the introduction of pre- and post-entry measures. The introduction of post-entry measures nearly met no criticism

at all, pre-entry measures were mainly criticised by municipal governments and academics, who argued that they would jeopardize the right to family life and European Union family reunification legislation.

In the Spain and Sweden the debate reflected the traditional left-right division of the political spectrum. In Spain, during the conservative coalition government, integration was debated in cultural terms stressing adaption to the Spanish way of life and the fight against irregular migration, whereas under the Social Democrat led government equal rights, antidiscrimination and the regularisation of migrants in an irregular status dominated the debate. A further specific factor of Spanish integration policies concerned the regional autonomy, in particular in Catalonia and Valencia, where integration was defined as acquisition of the regional language (Catalonia) or Spanish and Valencian (Valencia) and in practice the attention of integration courses was made compulsory (which is not the case in other provinces). In the Basque country, integration was defined as equal treatment and access to citizenship, and the debate was instrumental to demand an extension of autonomy rights by granting the autonomous regional government the right to naturalisation.

In Sweden, the debate was triggered mainly by the need to improve the labour market participation of immigrants. Here, a conservative government was the driver to impose financial requirements for family reunification and to reorganise the provision of language classes in Swedish and the financial incentives offered to immigrants for participation. The imposition of financial conditions for family reunification was met with opposition by the left parties and the Greens. None of the actors suggested the imposition of compulsory integration measures.

Neither the Czech Republic nor the UK fit into one of these groups. In the Czech Republic, the debate did not attract much attention, and the political parties were rather inconsistent in their arguments. Whereas the Social Democrats on the one hand opposed a liberalisation of immigration, they also supported the moves to attract more qualified immigrants. The Conservatives favoured a more liberal immigration politics, but also demanded stricter measures against irregular migration.

In the UK, the debate was triggered mainly by the growing immigration from the new EU member states since the beginning of the new millennium. In the UK, integration was not used as a political frame for migrants policies, which was debate in a language of antidiscrimination, multiculturalism and community relations. The integration debate was triggered on the one hand by local councils demanding more support for services reaching out to newly arriving intra-EU-migrants often not fluent in English, and on the other hand by research and reports of the Ministry of the Interior and the UK Border Agency, which, following Inner City riots in several larger cities and the terrorist attacks by home-grown Islamists stressed the risk of certain ethnic communities slipping into parallel lives and segregation. In the debate, the acquisition of English and citizenship training were prominently addressed as means for better social cohesion. On the political level, this debate found strong support not only among the Conservative Party, but also among Labour, which in the last years of their government adopted a critical stance on immigration, particular with regard to limited means of social and housing services.

When in 2010 a Conservative-Liberal coalition came into government, the tone of the debate first did not change dramatically, but nevertheless a stronger focus on language acquisition and pre-entry testing could be found. The government now strongly focused

on a reduction of immigration and abolished the points-system governing immigration to the UK. Nevertheless, recently (March 7, 2012), Communities Secretary pledged to “end the era of British multiculturalism” and “to restore the English language and Christian faith to the centre of public life” (Daily Mail, March 7, 2012). Thus also the UK under a Conservative/Liberal government seems to join into the abrogation of multiculturalism and to stress a more assimilationist understanding of integration

Summing up, compulsory integration has been a policy introduced under the leadership of conservative or far right wing thinking, which in some countries was also met with support of the Social Democratic Parties, whereas the Green Parties, the Churches and humanitarian NGOs most often opposed compulsory integration measures. Post- entry integration measures have found considerable broader support than pre-entry measures, which in most cases have been opposed by Social Democrats and left wing and Green parties.

In chronological terms, the debate follows a pattern of policy-learning from the Dutch model, which first was spread to Austria and Germany and to Italy. In all four countries compulsory integration measures were i.a. legitimated as means to prevent forced marriages and to strengthen the position of women in immigrant families, in Austria and Italy these measures also initially were argued as means to select “deserving migrants”, although this martial rhetoric was not met with practices. These arguments have not been prominent in the other countries. Here either a focus on labour market integration and participation was laid (Czech Republic, Sweden), or regional identity issues played a major role (Spain). In the UK, the debate first centred on issues of usage of public services, and then shifted to a debate on parallel lives of ethnic communities, language acquisition and British values. Despite a process of policy learning leading to common conceptions and issues nevertheless specific histories of immigration policies secure a high degree of path-driven specificities in the discourses on integration in Europe today.

IX Conclusions

The reframing of “integration”

Since the end of the 1990s, a reframing of the understanding of integration took place in most European countries. The term “integration” has first been used in the United Kingdom in the late 1960s, when the then Home Secretary Roy Jenkins clearly delineated integration from assimilation:

“Integration is perhaps a rather loose word. I do not regard it as meaning the loss, by immigrants, of their own national characteristics and culture. I do not think that we need in this country a ‘melting pot’, which will turn everybody out in a common mould, as one of a series of carbon copies of someone’s misplaced vision of the stereotyped Englishman... It would deprive us of most of the positive benefits of immigration that I believe to be very great indeed. I define integration, therefore, not a flattening process of assimilation but as equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance.” (Jenkins 1967, 267).

Despite its early usage, the term vanished from the debate in the UK in the 1970s and 1980s and was replaced by multiculturalist concepts. It resurfaced on the continent in Germany at the end of the 1970s, when in 1979 the first Commissioner of the Federal

Government for Foreigners, Heinz Kühn, published a “Memorandum on the Condition and Development of the Integration of Foreign Workers and their Families in Germany” (Kühn 1979), which demanded to accept, that the “guestworkers” had turned permanent immigrants and that a “consequent policy of integration” should secure full legal and factual equality of the part of the population willing to integrate with citizens (Kühn 1979, 16). To achieve factual integration, Kühn suggested a variety of measures including i.a. residence security, local franchise and a right to naturalisation at the age of maturity, but also measures regarding language acquisition of German and pedagogical support for the Second Generation.

In France, in 1974 the State Secretary for Immigration Paul Dijoud announced a withdrawal from the policy of assimilation and announced a new policy of “integration” (Withol de Wenden 2011, 65). Family reunification and naturalisation were defined as a main element of integration, thus the rules for both were eased, but still assimilation and knowledge of French were deemed important (Losego 2009, pp.202). Furthermore, social rights were extended to foreigners, and they were granted the right to assembly and the formation of political organizations. In the 1980s, the influence of multicultural ideas on the one hand and the interest to foster return on the other for a short time supported the notion of “insertion”, the integration of immigrants as culturally distinct groups, but this approach did not gain a majority (Sackmann 2001, 84). “Integration” was firmly anchored as the leading policy paradigm, when in 1989 the “Haut Conseil à l’Intégration” was set up and given the task to advise the government on immigrant integration policies. Although there exists no official definition of integration in France, integration, according to an interview with the General Secretary of the “Haut Conseil”, was conceived as a mutual process of accommodation securing full participation of immigrants in society, but not demanding to abandon specific cultural traits, although the concept would also not include to publicly advocate cultural diversity (Sackmann 2001, 84). In Sweden, integration was understood as a combination of legal equality of immigrants and citizens combined with strict immigration control. In the 1980s multicultural approaches gained more influence, and the preservation of cultural diversity was defined as a part of integration, which should accompany legal equality. Unlike in the Netherlands, the UK or Canada, however, Sweden never developed a group-oriented model of multiculturalism giving ethnic organisation the role of the intermediary between the state and the individual, but from the beginning the individual was the point of reference (Parussel 2009, 8).

As these examples show, until the 1990s integration was set in a rights-based frame focusing on legal equality, residence security and social and political participation. In this understanding, the state was defined as the main actor of integration, which should have the duty to remove barriers prohibiting equality and equal access to the labour market and society, should implement measures against discrimination and should care for sufficient social and pedagogical support for immigrants. In this concept, societal integration was understood as an effect of legal equality.

In the 1990s integration policies were reframed around a duty-based concept defining the individual immigrant as the main actor of integration. Compulsory measures aimed at the individual immigrant – language training and testing and training and testing about the history and political system of the country of residence – were implemented in a growing number of countries and defined as core of “integration policies”. Now proving the readiness to integrate by attending courses and passing tests in the first years of residence became the precondition for a permanent residence permit.

Language and society tests already had been established in the naturalisation policies of many countries, now they were transferred to the field of residence. The new frame that emerged in this epoch not just restricted immigration in order to further integration, but also saw the toughening of integration programmes as a means for limiting immigration among categories of migrants that were seen as hard to integrate, in particular family migrants from Islamic countries like Turkey and Morocco. In this way, the previously economic focus of compulsory integration measures had been linked with a culturalist understanding of integration defining integration mainly as a problem of Muslim immigrants.

The spread of compulsory post-entry integration programmes

The implementation of compulsory post-entry integration measures in Europe is an apt example of policy learning and policy-copying within the EU. The Netherlands were the first country, which started to reframe the understanding of integration in this way. The shift was triggered by research results on the labour market participation and educational success rates of migrants' children, particularly from Morocco and Turkey. Following a policy report of the Scientific Council for Government Policy of 1989, which showed, that lack of proficiency in Dutch was the main obstacle for their participation in the labour market and their weak educational success, a debate on compulsory language courses started. Finally, in 1998 a law was enacted that regulated the integration of newcomers into Dutch society by obliging them to participate in civic integration courses (without an integration exam). This marked the formal beginning of the now so renowned Dutch "inburgeringsbeleid".

In 2000, an evaluation of the programme showed, that in many municipalities the implementation of the courses was deficient and only had little effects. At the same time, a leading intellectual, Paul Scheffer, denounced the Dutch integration approach a "multicultural tragedy" in an essay in a leading newspaper. Triggered by this essay and reports about the lenient implementation of integration measures a broad debate on integration developed, which encompassed all parts of Dutch society. In this debate, Pim Fortuyn, a former professor of sociology at the Erasmus University of Rotterdam, became a main actor. Fortuyn decided to enter politics, became the lead candidate of the party "Leefbaar Nederland" and later formed his own party. His policies mixed right-wing populism with traditional liberal positions and focused on a sharp criticism of the Dutch integration policies and in particularly the role of Islam, but he also was critical towards the animal rights' movement. A few days before the elections of 2002, he was shot by an animal rights' activist.

After the sensational parliamentary elections in 2002, which made the far right Party of the late Pim Fortuyn, which campaigned strongly against immigration, the second largest in the country, a broad national consensus on the need for a reframing of integration policies was forged. In 2003, the government decided, to implement language and society tests as a precondition for permanent residence, to raise the language requirements, and to implement language and integration testing abroad as condition for family reunification/formation.

The first country to follow the Netherlands was Austria, which introduced an "Integration Agreement"- albeit with minimal demands of proving knowledge of German at the level A1 of the CEFR - in 2003, making clear reference to the success of the Dutch model (Perchinig 2010, 32). Like in the Netherlands, requirements for

fulfilment were raised since then (A2 in 2005, B1 in 2011). As in the Netherlands, the far – right Freedom Party (FPÖ) was the driving force for the implementation.

In France, the “Contrats d’accueil et de l’intégration” was made compulsory in 2003, consisting of one day of civic instruction and 500 hours of French language instruction, if deemed necessary. Denmark, which already had offered optional language and orientation courses for immigrants since 1999, made them compulsory in 2004. In Germany, already in 1999 language knowledge was linked to access to permanent residence, but it was the Independent Commission on Migration to Germany, established 2000, which, referring to the Dutch example, advocated the imposition of compulsory language training and testing in 2001. In 2005, compulsory integration measures were implemented as a precondition for access to permanent residence.

A group of “latecomers” started to implement compulsory integration measures at the end of the first decennium. In the United Kingdom, a “Life in the UK” test was introduced in the naturalisation procedure in 2004. In 2007, passing the “Life in the UK test” and the duty to attend English language training, if the level of knowledge was below B1, was made a precondition to be granted “indefinitive leave to remain”, the most important permanent residence status¹⁶⁹. In the Czech Republic, knowledge of the Czech language at the level A1 of the Common Reference Framework has to be proven as condition for permanent residence since January 1, 2009. The test has to be taken in writing. In Italy, law n. 94/2009 introduced the so called “Integration Agreement”, to be undersigned by the immigrant at the moment of the issuing of the residence permit, and which commits him to achieve specific integration goals at the expiry of his residence permit, in particular a good command of Italian. In Spain, post-arrival language courses have been implemented since 2008 in the autonomous communities of Catalonia and Valencia (Davies 2008, 2010)

Except of the Czech Republic, where labour market integration was at the core of the arguments for compulsory integration, in the other countries integration was mainly debated as an identity-issue. Furthermore, in several countries, in particular in Austria and Italy, compulsory integration measures were also sold to the public as a means to select “deserving” migrants or migrants “ready to integrate”. In the Netherlands, Germany and Austria, compulsory integration courses also were depicted as a means to foster the position of women in immigrant families and to prevent forced marriages. In the UK, the debate first centred on issues of usage of public services, and then shifted to a debate on parallel lives of ethnic communities, language acquisition and British values.

In Spain, regional, and not national, identity played a major role. Compulsory integration measures were mainly introduced in the autonomous region with other languages than Spanish as first or second official language, and mainly aimed at the acquisition of the regional language and the regional culture. So despite a process of policy learning leading to common conceptions, issues and programmes, specific histories of immigration policies secured a high degree of path-driven specificities in the discourses on integration in Europe today.

Post-entry programmes in practice

The existing post-entry programmes differ widely with regard to the requested requirements, in particular the level of language knowledge, the way of testing and the

¹⁶⁹ Information about the test can be found at <http://lifeintheuktest.ukba.homeoffice.gov.uk/>

duty to course attendance. There is a highly unequal level of conditions for access to permanent residence, ranging between individual choice of targets for integration to fixed levels of language knowledge, which itself vary from A1 to B1, translated into everyday language, from simple touristic language knowledge to knowledge at the secondary and postsecondary level. Even more striking is the difference between demands regarding knowledge of society, which range from nil to a level similar to naturalisation requirements like in the UK. It is quite obvious, that there is no common understanding of integration beyond the acquisition of language knowledge between the countries. Given the fact, that post-entry measures condition access to a genuine European status, the status of Long Term Residence, which should lead to a common status of long term resident third country nationals comparable to those of Union Citizens, one has to wonder, if the huge differences with regard to access to this status still are reconcilable with the policy goals defined by the respective directives.

There also is an astonishing lack of evaluation of the long term effects of post-entry integration measures on the socio-economic and societal integration of immigrants and their families and the long term effects on knowledge and usage of the language spoken in the respective country. Wherever evaluations are available, they show mixed results and pinpoint to the need for individually tailored language acquisition measures. As well the Dutch as the German evaluations give the picture, that courses were well received by the target group, whereas the Swiss studies report discontent on the side of the participants.

This lack of evaluation is a clearly hints at the symbolic dimension of integration policy making. The introduction of integration measures also was a signal to the general public "to do something about integration". As most aspects of integration are influenced by a variety of factors and are not easily influenced by policies, the imposition of compulsory language courses was an element allowing administrations to demonstrate activity and measure outcomes, thus the focus on language acquisition might also be interpreted as having been strongly influenced by the functional logics of administration. (Bommes 2006).

The implementation of pre-entry measures

In all countries immigration covered by the study regulations for labour migrants differ clearly from regulations for family reunification. Usually, labour migrants need to prove the existence of a job offer to be granted a right of residence according to the rules of the respective state, but they need not prove language competency or other skills. This focus reflects the understanding that participation in the labour market is the key for integration, and that the employer is the sole agent judging the qualifications needed for a particular job.

This traditional paradigm of a labour-market oriented migration management is currently being supplemented or even replaced in three countries of the sample (A, CZ, UK), which have introduced a migration management system defining language competencies, education and work experience as central criteria for the granting of an immigration permit. In Switzerland, language skills may be taken into account as criterion for the granting of an immigration permit. In the Netherlands, only ministers of religion coming to the Netherlands in order to enter the labour market have to take the integration test.

In these countries, the logic of control of competencies of the employee has been partially shifted from the employer-employee relationship to the state, which controls

the migrants' educational status and adaptability, the latter being judged by knowledge of the language of the country, whereby the readiness to acquire language knowledge before immigration is seen as a sign of adaptability.

Whereas socio-economic criteria like e.g. a certain income level of the requesting spouse, proof of health insurance and/or of suitable accommodation have served as criteria for family reunification for third country nationals since the 1980s, pre-entry conditions like the proof of knowledge of the language of the country of immigration have been implemented in Austria, Germany, the Netherlands and the United Kingdom rather recently. These pre-entry requirements do not target all third country immigrants in all countries: In the Netherlands, citizens of a number of countries, mainly those from the "Western" OECD - world, are exempt from fulfilling the requirements. In the United Kingdom, citizens of English speaking countries or those having graduated from a university teaching in English are excluded from the duty to take the test. In Germany, citizens of Andorra, Australia, Canada, Honduras, Israel, Japan, the Republic of Korea, Monaco, New Zealand, San Marino and the USA are exempt. There are no origin - based exemptions in Austria. Exemptions for medical reasons or reasons of age exist in all countries. The introduction of mandatory pre-entry language tests for family reunification with third country nationals also is a clear, but more limited case of policy learning. Starting in the Netherlands in 2006, the idea spread to Germany (2007)¹⁷⁰, the UK (2010) and Austria (2011). The Netherlands, and in Austria also Germany, also have served as a reference in the political debates. Comparable pre-entry policies, though without a direct link to admission, have been developed in France. In Denmark, the pre-entry test is taken in Denmark itself, prospective immigrants are issued a short time visa to enter the country and prepare for the test. Also in Denmark the Netherlands were the country of reference.

There have been two driving rationales for the implementation of pre-entry tests, a) the fight against arranged or forced marriages between second and third generation males and brides from the country of origin of their parents and grandparents and b) the strengthening of the position of women in marriage. In the debate, migration control, in particular restricting marriage migration of lowly educated women from Islamic countries, was the main policy goal. The debate reflects a re-evaluation of the link between integration and family status. Whereas in the 1980s and 1990s, family reunification was largely seen as supporting integration, now marriages between second and third generation males resident in the country and spouses from the countries of origin of the parents and grandparents of the males were portrayed as an element contributing to the low educational success of migrants' children. In practice childrearing would be the responsibility of the mothers, who would neither speak the language of the country nor know the educational system nor be able to communicate with teachers, and thus would not be able to support her children successfully.

When compared to the other countries, the Dutch government has been most explicit in mentioning the limitation of immigration as an anticipated side-effect or side-goal of policies. In the Netherlands, several politicians clearly claimed, that the reduction of family formation and reunification migration with lowly educated spouses was a main target of the tests. In Germany, this argument was brought forward by the media and

¹⁷⁰ Pre-entry language had already been implemented with the new Immigration Act in 2005 for accompanying family members of ethnic German repatriates, following a recommendation the Independent Commission on Migration to Germany had given in its report published in 2001.

the opposition, but was clearly rejected by the government, which argued, that the intention of the pre-entry tests was to strengthen the position of women, not to limit or prevent spouse immigration.

Political debates on integration

The introduction of compulsory pre- and post-entry integration measures have been an issue of intense political debates in most of the countries studied. In most countries, the respective Ministries of the Interior were the main institutional actors pressing for the introduction of compulsory integration measures. On the political scene, in a majority of the countries studied the right-left divide was reflected in the debate on compulsory integration measures; and in the majority of the countries under review far right parties had initiated the political debate or played a decisive role in it.

On the parliamentary level, three groups of countries can be discerned:

In the first group, far right political parties were the first to suggest compulsory integration measures and played a prominent role in the debate (Austria, Switzerland, Italy). In Austria, compulsory integration measures first were suggested by the far right Freedom Party in order to select those immigrants “ready to integrate” in 1999. In Switzerland, the far right SVP was the driving force in the debate to introduce compulsory integration measures. In Italy, the Northern League was the first to suggest compulsory integration courses in order to select “deserving migrants”. Although the suggestions of these parties to impose compulsory integration programmes were adopted by the conservative parties in the three countries mentioned, the martial rhetoric on selection was not met by reality, but the conservative parties stressed the need of language acquisition for labour market and social integration, in particular of women.

In Germany and the Netherlands the introduction of post-entry measures were couched in a broad political consensus of the parliamentary parties, whereas the introduction of pre-entry measures was met by resistance of the opposition in Germany. In the Netherlands the murder of Pim Fortuyn had triggered a political consensus for pre- and post- integration measures, in Germany the Independent Commission for Migration had forged a consensus among the political elite to impose an integration regime akin to that of the Netherlands. So in both countries a general consensus on the need for improved integration emerged, and debates did not concern integration measures per se.

In the Spain and Sweden the debate reflected the traditional left-right division of the political spectrum. In Spain, during the conservative coalition government, integration was debated in cultural terms stressing adaption to the Spanish way of life and the fight against irregular migration, whereas under the Social Democrat led government equal rights, antidiscrimination and the regularisation of migrants in an irregular status dominated the debate. In Sweden, the debate was triggered mainly by the need to improve the labour market participation of immigrants. None of the actors suggested the imposition of compulsory integration measures.

Neither the Czech Republic nor the UK fit into one of these groups. In the Czech Republic, the debate did not attract much attention, and the political parties were rather inconsistent in their arguments. In the UK, the debate was triggered mainly by the growing immigration from the new EU member states since the beginning of the new millennium. The integration debate was triggered on the one hand by local councils demanding more support for services reaching out to newly arriving intra-EU-migrants

often not fluent in English, and on the other hand by research and reports of the Ministry of the Interior and the UK Border Agency, which, following Inner City riots in several larger cities and the terrorist attacks by home-grown Islamists stressed the risk of certain ethnic communities slipping into parallel lives and segregation.

Theoretical considerations

The implementation of pre- and post-entry policies have raised several questions in the theoretical debate on integration. Particularly the fact that the law refers to *demands* which have to be fulfilled by migrants have been considered as a “return of assimilation” (Brubaker 2001) by the scientific community (Michalowski 2006a, 63). This view was met by criticism from Bommès, who remarked in this context, that this was not a renewal of the former assimilation programmes of the European national states, but an activation of the individuals’ ability to include into the education system and the labour market and further into the fields of health, right and politics (Bommès 2006, 66). Against the background of an eroding welfare state it was no longer only centre-right parties, who claimed that newcomers should seek to integrate into the receiving society in an adequate manner, e.g. by acquiring language skills but also NGOs and migrant organisations who considered the acquisition of language skills to be an absolute necessity (Michalowski 2006b, 148). Concerning TCN newcomers and particularly those who are immigrating for family reasons, insufficient equipment with human capital is regarded as being the main impediment for rapid labour market integration. Especially lacking language proficiencies are seen as an obstacle with regard to integration into the labour market as well as into other fields of society. According to Michalowski, this is the central reason for the fact that a number of European member states, including Germany, introduced a so called ‘integration programme’ for newcomers at the turn of the millennium (Michalowski 2006b, 143).

By specifying migration and migrants as a problem and a responsibility of the welfare state during the 1990s, the German state put itself politically under pressure to act. Against the background of a quite unspecified definition of integration¹⁷¹ and therefore rather diffuse expectations, the government was confronted with the problem of how to practically implement ‘integration’. Bommès points out that one possibility for solving impossible tasks like the fulfilment of diffuse expectations was to build up solutions on the basis of already existing resources. With the implementation of integration courses that primarily consist of language tuition, the government did not only follow the advice, *the Independent Commission on Migration to Germany* had given in 2001 (254), but also mobilised existing organisational and financial structures (Bommès 2006, 71):

Integration programmes are the expression of an activating welfare state that makes it obligatory for newcomers to participate in a qualification programme in order to secure their permanent (particularly economic) integration. Background is the consideration, that on a long-term basis it will be cheaper to take a preventative influence on integration processes than having to care for former newcomers at a later point in time by transferring public benefits or by taking efforts of promoting a more expensive and difficult ‘belatedly integration’ (Michalowski 2006b, p. 156).

¹⁷¹ The Independent Commission on Migration to Germany had specified in 2001: “The objective of integration as a political responsibility is to facilitate the equal participation of immigrants in social, economic, cultural and political life, while respecting cultural diversity at the same time” (Independent Commission on Migration to Germany 2001, 196).

By demonstrating to be actively engaged in the field of integration, the government also aims to appease the native population, not least with an eye on recent calls for increasing legal immigration due to demographic and economic changes (Joppke 2007, 7).

“From this angle, the true addressees of civic integration may not be the immigrants but the natives, who are to be assured that the state is sternly requiring newcomers to adjust and thus protecting the status quo. In this sense, obligatory civic integration courses are a prime example of ‘symbolic politics’, whose mere existence matters more than the declared goals pursued by it.” (ibid., pp.7.)

Thus, the implementation of post- and pre-entry policy measures cannot be explained by solely referring to either the logics of securitisation or the idea of “integration”. They have rather to be understood as policies driven by a mixture of interests, including security issues, reduction of welfare-dependency of immigrants and symbolic policies aiming at the appeasement of the native population.

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