Comparison of Swedish and German Immigrant Integration Policies within the light of the European Union Framework

Author: Toros Korkmaz
Supervisor: Dr. Ronnie Hjorth

Linköping-2005
To my dearest family
ACKNOWLEDGEMENTS

First of all, I would like to thank the Swedish Institute, which has financially supported me during my whole stay in Sweden by providing a scholarship.

Second, I would like to thank my dear friend Efe Peker who has besides sharing his friendship, motivated me and made valuable contributions to the study.

Special thanks to my supervisor Ronnie Hjorth, with whom I had the chance to exchange ideas about the structure of the whole thesis.

Last, but not least, I would like to express my most inner gratitude to my dearest parents for their significant support, humor and love; on these days where we are physically apart.
Abstract

Problems of immigrant integration and therefore, the issue of relevant policy-making have occupied the agenda both in the member states, and of the supranational institutions of the EU. This research aims to compare the immigrant integration policies of Germany and Sweden at the macro level, within the light of the emerging pertinent framework of the EU. The selection of these member states has been made on the grounds that they have developed their policies deriving from different theoretical models of immigration. The results obtained from the comparison will hopefully illuminate which model seems to be theoretically more competent in terms of policy development on the matter. Furthermore, fruitful insights can be drawn about the future direction of policy-making in the EU, taking into account the theoretical debate on immigrant integration.
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>CNN</td>
<td>Cable News Network</td>
</tr>
<tr>
<td>DG</td>
<td>Directorate General</td>
</tr>
<tr>
<td>EC</td>
<td>European Community</td>
</tr>
<tr>
<td>ECJ</td>
<td>European Court of Justice</td>
</tr>
<tr>
<td>EP</td>
<td>European Parliament</td>
</tr>
<tr>
<td>ERF</td>
<td>European Refugee Fund</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FRG</td>
<td>Federal Republic of Germany</td>
</tr>
<tr>
<td>GDR</td>
<td>German Democratic Republic</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labor Organization</td>
</tr>
<tr>
<td>INTI</td>
<td>Integration of Third Country Nationals</td>
</tr>
<tr>
<td>IT</td>
<td>Information Technologies</td>
</tr>
<tr>
<td>NCP</td>
<td>National Contact Points</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental Organizations</td>
</tr>
<tr>
<td>OECD</td>
<td>Organization for Economic Cooperation and Development</td>
</tr>
<tr>
<td>TCNs</td>
<td>Third Country Nationals</td>
</tr>
<tr>
<td>UNESCO</td>
<td>United Nations Educational Scientific and Cultural Organization</td>
</tr>
<tr>
<td>USA</td>
<td>United States of America</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organization</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

## CHAPTER 1: INTRODUCTION

1.1. Background and Problem Definition ................................................................. 1
1.2. Aim of the Study and the Research Questions .................................................. 2
1.3. Delimitation of the Study .................................................................................. 3
1.4. Defining the Concept: Integration of Immigrants ............................................. 4
1.5. Structure of the Thesis ..................................................................................... 6

## CHAPTER 2: THEORETICAL FRAMEWORK OF IMMIGRANT INTEGRATION .......... 7

2.1. Theoretical Models .......................................................................................... 7
2.2 The Concept of Citizenship .............................................................................. 8
2.3 Citizenship Models ......................................................................................... 10
   a) the folk or ethnic model ............................................................................. 11
   b) the multicultural model ............................................................................. 11
2.4 Model 1: Assimilationist Approach to Immigrant Integration ......................... 11
2.5 Model 2: Differential-Exclusionary Approach to Immigrant Integration .......... 12
2.6 Model 3: Multicultural Approach to Immigrant Integration ............................. 13
2.7 Connecting Theoretical Models to Policy-Making: the Inevitable Imperfection .... 14
2.8 Policymaking Theories at the EU Level ............................................................ 17
   a) Liberal Intergovernmentalism ................................................................. 17
   b) New Institutionalism .............................................................................. 18
2.9 Policy-Making Mode Regarding Immigration Integration at the EU ................ 19
   a) Intensive Transgovernmentalism ............................................................ 19
   b) Policy Coordination and Benchmarking .................................................. 20
CHAPTER 3:
RESEARCH METHODOLOGY

3.1 Research Design
3.2 Data Collection and Analysis of Data
3.3 Methodological Strategy

CHAPTER 4:
IMMIGRATION INTEGRATION POLICY OF EUROPEAN UNION

4.1 Background of the EU Integration Policy
4.2 The EU Immigration Policy Developments after the Amsterdam Treaty
4.3 The EU Policy Context for Immigrant Integration
   a) Integration into the Labor Market
   b) Education and Language Skills
   c) Housing and Urban Issues
   d) Social and Cultural Environment
   e) Nationality, Civic Citizenship and Respect for Diversity
   f) Fight Against Discrimination and Racism
4.4 EU Legal Framework for Immigrant Integration
4.5 Other Measures of the EU for the Integration Process of Immigrants
   a) Financial Programs
   b) Policy Harmonization
   c) Raising Awareness
4.6 Analysis of the EU Integration Policy
   a) The Core Principles of the EU Integration Process
   b) Theoretical Findings for the EU Integration Policy
“Friday was the ninth straight night of vandalism that has spread to at least 20 communities among largely immigrant populations frustrated by poverty, high unemployment and what they see as discrimination in society.”

CNN International Saturday, November 5, 2005

CHAPTER 1:
INTRODUCTION

1.1. Background and Problem Definition

Throughout history, migration has always had a profound impact on countries, their societies and economies. The current dispersion of people around the world has been created through many small and large-scale migration movements: raids, invasions, conquests, slave trade and colonization as well as pilgrimage and settlement beyond frontier areas. Migration movements have at times created problems and conflicts that have been studied by social scientists. Particularly the 20th century, which brought about two world wars and the fall of the “iron curtain”, produced migration flows to an extent that surpassed many countries’ experiences with migration, and its effects. International migration has become an ongoing and increasingly global process.

Western Europe is presently a region of intense immigration. Great numbers of people coming from difficult political, social and economic conditions choose Europe as their safe haven. Nevertheless, only since the late 1980s have such migratory movements become a major concern due to changes of internal and international factors, and now are regarded to be of primary and common significance for the member states of the EU. Especially the integration of immigrants into host societies has become one of the hot issue areas in the member states where there is a considerable amount of immigrant population. The general

---

immigration policies that existed up to that time exhibited inefficiency to solve the problems of immigrants who had settled in the host societies. As a result of this, there emerged many types of government policies and programs potentially affecting immigrant reception and incorporation. The integration dimension of immigration has become part of the general immigration policy. Parallel to this, there has been a lot of academic research conducted regarding the integration policy of immigrants in almost each member state of the EU for the last two decades. Researchers from various academic backgrounds have scrutinized the issue since that it has multiple aspects enabling multidisciplinary approaches ranging from demographics to political science or to sociology. Moreover, the topic is not merely in the domain of academia, but has also attracted the attention of politicians, press, and regular citizens. Lively debates are going on everywhere about handling the integration of immigrants into host societies, due to the influential nature of the issue on daily life and politics.

1.2 Aim of the Study and the Research Questions

As mentioned above immigrant integration has become a major issue in the European research area. The possibility of non-integration of immigrants to the societies in the member states of the EU in the near future is regarded as a social catastrophe, when the related problems with the phenomenon are envisaged. For this reason, it is worthwhile to examine the policies developed in the area of immigrant integration in the member states of the EU.

In this study, Sweden and Germany are chosen for evaluation with that respect, on the grounds that both countries are the members of the EU and have significant numbers of immigrant population. Moreover, they have approached to the issue from very different perspectives, -developing their policies grounding on different immigration models-, as it shall be explained thoroughly in the following sections. Comparison of the distinct integration policies of the two countries regarding the issue is quite possible, and deemed to be fruitful. As Bryan puts out, the power of comparison lies in the logic that social phenomena be better understood when two contrasting cases or situations are compared.

---

The objective of this research, accordingly, is to analyze the comparison of the immigrant integration policies in Germany and Sweden in the light of the emerging common EU immigrant integration policy. My intention is firstly to understand the framework of the different theoretical models that have been utilized in each country in the policy formation or decision making pertinent to the area. As the study is concluded, I hope to be able to depict that one country has developed a more coherent integration policy than the other one, on the grounds of utilizing a particular immigrant integration theoretical model. The second intention is to produce inferences on the recently emerging immigrant integration policy at the EU level.

As a result, the thesis is aimed to answer two main questions. First, which country has hitherto developed a more coherent immigrant integration policy with regards to its theoretical preferences? Second, to which extent these policies, as well as theoretical models, are compatible with the supranational policies and regulations developed at the EU level?

1.3 Delimitation of the Study

The focus of the study will be about the immigration integration policies that are developed for immigrants who are mostly “Third-Country Nationals” (TCNs), and not immigrants from other EU member states. The underlying reason for this is that both at the national and the EU level, the issue of immigrant integration has been emanated concerning mostly TCNs and policies are shaped accordingly. Plus, regarding legal immigration and its integration as a center of attention, the illegal immigrants and policies related to them are excluded.

Secondly, due to the theoretical outlook we are to pursue in the comparison of Sweden and Germany’s immigrant integration policies; the examination will remain at the macro level of decision making, and not feature the details of policy implementation. This is to say, the two countries’ integration policies will be studied as having derived from their theoretical considerations regarding the issue; but will not focus on how these policies are executed at the sublevels of national institutions.
1.4 Defining the Concept: Integration of Immigrants

To understand the policymaking process in the relevant area, it is essential to have a clear definition of the concept of immigrant integration. The concept is explained according to the agreed interpretation of the term that has been reached at that supranational level of the EU. Parallel to this, several relevant Communications of the EU Commission have been chosen to reveal the EU’s stance about the concept. In addition, the definitions of the renowned academicians who work on this are also given out to approach the subject from different angles.

In the Commission Communication of 2003, integration is defined as a two-way process based on mutual rights and corresponding obligations of legally resident TCNs and the host society, which provides for full participation of the immigrants to all sectors of the society. This implies on the one hand that it is the responsibility of the host society to ensure that the formal rights of immigrants are in place in such a way that the individual has the possibility of participating in economic, social, cultural, and civil life. In response, the immigrants should respect the fundamental norms and values of the host society and participate actively in the integration process, without having to relinquish their own identity.\(^9\)

The Commission identified in its Communications of 2000 and 2001 a number of principles, which are equally valid today. The most important emphasis in these documents is the need for a holistic approach which takes into account not only the economic and social aspects of integration, but also the issues related to cultural and religious diversity, citizenship, participation and political rights. And the Commission, accordingly, has determined the key elements of immigrant integration as follows:\(^10\)

- respect for fundamental values in a democratic society;
- the right for an immigrant to maintain his or her own cultural identity;
- rights comparable to those of EU citizens, corresponding obligations;
- active participation in all aspects of life of on an equal footing (economic, social, cultural, political, civil).

The academic world has at times converged with or disagreed with the criteria defined as such by the EU. According to Pennix, for instance, the comprehensive definition of integration is

---

understood in terms of the process of becoming an accepted part of society for immigrants. He suggests that integration is not an ending process; it is rather open and has a developmental character. The reason for this is that there are no particular requirements stated for acceptance by host societies. This leaves room for contextual variations and for different temporal and final outcomes. As a result, policies can diverge among different nations or even cities. Moreover, he concludes that any integration process -and thus policies- should look at three dimensions or domains: the legal/political domain, the socio-economic domain and the cultural/religious domain.

Heckman argues that it is very difficult to come out with one single definition of integration due to its complexity in relation to possessing a multilevel character. He sees immigrant integration as the inclusion of new populations into existing social structures. Integration, he holds, is measured by the kind and quality of connecting these new populations to the existing system of socio-economic, legal and cultural relations. According to him, this is a complex, multilevel process and for this reason integration and integration policies cannot be meaningfully analyzed in an abstracted and summarized manner. Heckman claims four different dimensions for integration grounding on the pervious works of other academicians. Building upon concepts of Milton Gordon (1964) and Hartmut Esser (1990) there are four major dimensions of the integration process. First one is ‘structural integration; i.e. “the acquisition of rights and the access to positions and statuses by the immigrants”. The second is the ‘cultural’ dimension, -or ‘acculturation’-; which involves the cognitive, cultural, behavioral and attitudinal changes not only of immigrants, but also of natives. Third, ‘social integration’, is about the development of personal relations and group memberships of immigrants in relation to native people. Lastly, ‘identificational integration’ is linked with the “formation of feelings of belonging and identity in relation to the immigration society”.

Another academic, Myron Weiner, considers three factors for a successful integration process of immigrants: the willingness of the society to absorb the immigrants; the commitment of the

---

10 Ibid. p. 18.
13 Ibid.
immigrants to their new society; and the structure of the relations of production. Each of these factors is also interrelated to each other in a way that if one is not realized, the other ones are likely not to occur.

All of these remarks demonstrate the variety of definitions provided for the concept of integration, which all entail divergent –although similar at times- policy-making to deal with the issue. This, I believe, crystallizes the importance of the governmental selection of theoretical perceptions on integration, for it is within these boundaries that policies are offered and implemented.

1.5 Structure of the Thesis
This dissertation consists of six chapters, -which are divided in smaller subchapters-; followed by a Conclusion, Bibliography and Appendix. Supplying the general structure of the remaining chapters, I believe, would clarify the way in which our goals are to be met. The second chapter presents the theoretical approaches and models used by Sweden and Germany in the development of immigrant integration and policymaking at the EU level. Different citizenship models are also discussed, due to their theoretical considerations. The third chapter introduces the research methodology in which the choice of scientific approach, methodological perspective, and the methods of data collection are explained. The fourth chapter elaborates the emerging immigrant integration policy at the EU level with reference to how it has evolved. In the fifth chapter, first, immigration in Germany and in Sweden is discussed in a historical context, and then the immigrant integration policies of the two countries are revealed. The sixth chapter is about the analytical comparison of the immigrant integration policies developed in the two countries, to be able to conclude the thesis.

CHAPTER 2:
THEORETICAL FRAMEWORK OF IMMIGRANT INTEGRATION

In this study, two different sets of theoretical concepts are to be discussed to understand the mechanism of immigrant integration. In the first category, different immigration integration models, which lead to the emergence of distinct integration policies, are going to be discussed. Then, the extents to which the theoretical models have an influence on the policymaking process will be argued. Under the second category, policymaking theories and in linkage with that the policymaking modes at the EU level in relevance to the issue will be revealed. Since, the research aims to compare the integration policies of the two countries in the light of EU’s emerging integration policy, it is essential to understand the mechanism of how they have been developing within the framework of the EU. These two types of theories, -the immigrant integration models and the policymaking theories-, are regarded as complements of each other to understand the immigrant integration policies and the relevant policymaking processes both at the national and the EU levels exhaustively.

2.1. Theoretical Models

Through years of study and public debate, four main theoretical models are defined that is effective to explain the formation of different immigrant integration policies. They are the ‘assimilationist’, ‘melting pot’, ‘multicultural’ and ‘differential- exclusionary’ models.\(^\text{15}\) The first three models propose different types of integration policies, whereas the last one bases its assumptions to develop policies that led to non-integration of immigrants. In this study, out of four models, three of them, the assimilationist, and the differential-exclusionary and multicultural models will be utilized insofar as the integration policies of the two countries can be best explained within their frameworks. To understand the German immigration integration policy; both the differential-exclusionary and assimilationist models are taken into account, whereas for Sweden, the multicultural approach is to be examined. The reasons why these three models have the most competence for the analysis of the integration policies of these countries will be elucidated in chapter 6. In the next section, it will be discussed to

which extent the policymaking in the area of integration is grounded on the theoretical models.

The emergence of the models ground on the different perceptions of nationhood within the nation-states and in linkage with this, the distinct understandings of the concept of citizenship, and the citizenship regimes, (models), derived from it. Therefore, it is essential to expound these concepts at the first stage, to comprehend the basics of the theoretical models.

2.2 The Concept of Citizenship

The concept of citizenship dates back to a historical period initiated with the great liberal revolutions in the late 18th century. It is a notion characterized by the pre-eminence of the state-nation as the political community that comprised of individuals. In the contemporary world, the nation state (of which there are some 200) is regarded as the ideal form of political organization. It derives its legitimacy from the claim of representing the aspirations of its people –citizens-. The state regulates political, economic and social relations in a bounded territory. Most modern nation-states are formally defined by a constitution and laws, according to which all powers derive from the people of the nation. Constitutional membership to this entity, then, is marked by the status of ‘citizenship’, which lays down rights and duties attached to this belongingness.

Citizenship is regarded as the essential link between the state and the nation, and obtaining citizenship is of central importance for newcomers to a country. It embodies exclusion and inclusion as possible mechanisms, -the decision about who should belong to the nation within the boundaries of that particular state-, both formally and substantively, in its field of operation. It is inclusive in relation to its members, and exclusive in relation to the people outside. The process of molding persons into citizenship in its full economic, political and eventually social meaning has its historical roots in T.H. Marshall’s definition made in 1928. He suggested citizenship to include the rights of economic welfare and security, the right to fully share social heritage, and to live the life of a civilized being according to prevailing contextual standards within the society. The model acknowledged not only the rights necessary for individual freedom -such as the rights of freedom of thought, speech and

\[\text{http://www.historiasiglo20.org/europe/ciudadaeuropea.htm}\]


\[\text{Ibid.}\]

\[\text{Bauböck, R. “Migration and citizenship”, New Community, 1991, Volume: 18, No: 1, p. 28.}\]
faith-, but also economic and political rights such as the right to own property, and hold political office.

Citizenship designates the equality of rights of all citizens within a political community, as well as a corresponding set of institutions guaranteeing these rights.\textsuperscript{19} However formal/legal equality rarely leads to equality in practice. For instance, citizenship has always meant something different for men than for women for a long period of time. The concept of the citizen has been premised on the male family-father, who represents his women and children.\textsuperscript{20} In other cases, the citizen has generally been defined in terms of cultures, values and interests of the majority ethnic group,\textsuperscript{21} thus creating another type of discrimination.

Moreover, the concept of citizenship has evolved in time with the development of new political entities. The distinction between citizens and non-citizens is becoming less clear-cut. For instance, immigrants who have been legally residing in a country -and are active participants to the society’s workforce for many years- can obtain a special status, tantamount to ‘quasi-citizenship’.\textsuperscript{22} This may confer certain privileges such as rights to work, seek employment and a business, to entitle to social security benefits and health services, and access to education and training. It also may bestow a secure residence status, and limited political rights such as the rights to association and of assembly.\textsuperscript{23} In Sweden and the Netherlands, for instance, long-term foreign residents have voting rights in local elections. Such arrangements create a new legal status, which is less than a regular citizen, but more than that of a quasi-citizen. Hammar has suggested the term ‘denizen’ for people who are foreign citizens with a legal and permanent resident status.\textsuperscript{24}

The development of international human rights standards, -as lied down by the bodies like the UN, the ILO, WTO-, has further developed the emergence of quasi-citizenship. A whole range of civil and social rights is legally guaranteed for citizens and non-citizens alike in

\textsuperscript{19} Ibid.
\textsuperscript{22} Ibid. p. 44.
\textsuperscript{23} Ibid.
nation-states that adopt these international norms. However, the legal protection provided by international conventions can be deficient when states do not incorporate the norms into their national law, despite ratifying the conventions.

The EU provides the furthest-going example for transnational citizenship. The 1991 Maastricht Treaty established the legal notion of Citizenship of the EU, which embraced the following individual rights:

- Freedom of movement and residence in the territory of member states;
- The right to vote and to stand for office in local elections and the European Parliament elections in the state of residence;
- The right to diplomatic protection by diplomats of any EU state in a third country;
- The right to petition to the European Parliament and the possibility to appeal to an ombudsman.

Despite these entitlements, EU citizens living in another member state do not have the right to vote in elections for the national parliament of that state. Access to public employment is still generally restricted to nationals. For the time being, it seems more appropriate to treat EU citizenship as a case of quasi-citizenship. The limited character is made even clearer by the fact that an ‘EU passport’ is legally still a passport of one of the member countries. Most importantly, nevertheless, EU citizenship does nothing at all for the majority of immigrants, who come from outside of the EU.

2.3 Citizenship Models

In the late twentieth century, due to rising international migration, especially after the end of the cold war, problems concerning immigrant integration have intensified. The states of immigration countries had to devise a range of policies and institutions to respond to the newly emerging problems particularly sourced by an increase in ethnic diversity. The central issue was about defining who a citizen was, how newcomers would acquire the right to

---

27 Ibid. p. 41.
become citizens, and what this citizenship meant for them. The real citizenship concerns for the immigrants were about how it could be obtained, for achieving a legal status formally equal to that of other citizens was important in their account. Legal access to citizenship has varied considerably in different countries, depending on the dominant conceptualization they had on the nation-state. Among these varied models of citizenship regimes, two of them that are applied in Sweden and Germany will now be discussed.

a) the folk or ethnic model
Definition of belonging to the nation in terms of ethnicity (common descent, language and culture), which means exclusion of minorities from citizenship and from the community of the nation. Germany has come close to this model in the past, and is still not far away from it. The majority of the immigrants have not had the right to obtain a citizenship.

b) the multicultural model
The core of the model defines the nation as a political community based on a constitution, laws and citizenship. It entails the possibility of admitting newcomers to the community (provided that they adhere to the political rules), while at the same time accepting cultural differences and the formation of ethnic communities. This pluralist or multicultural approach of citizenship is relatively new. It has mostly gained grounds in Australia, Canada and Sweden, but is also influential in the Netherlands, USA, Britain and other countries.

2.4 Model 1: Assimilationist Approach to Immigrant Integration
The model assumes that, contact between the minority group of immigrants and the dominant culture results in a gradual process of change in the minority group; and its members, gradually abandon their culture of origin in order to adapt themselves to the host society. This process has frequently been described in terms of conformity and/or acculturation. Carmon emphasizes that in this model the numerical weight of the members of the dominant society, the frequency and intensity of the contacts and the passage of time were all considered assimilation-accelerating factors.

29 Ibid.
Here, the concept of nationhood is universalistic, with the possibility of admitting newcomers to the community, provided that they adjust to the political rules and assimilate into the national culture. Cultural and ethnic dimensions of assimilation are connected with the old way of ‘incorporating’ groups into society. The concept refers to describe both the model and the process of inclusion of people from different countries and different cultures, brought together as the consequence of the migration process. In this context, assimilation is often interpreted as a process of progressive adaptation leading towards inclusion in the host society, whose final outcome should be the disappearance of cultural differences.  

Essentially the assimilationist model permits people who have already become members of the civil society to join the nation and the state at the price of cultural assimilation. The assimilationist model has been applied in all highly developed immigration countries in certain time periods.

2.5 Model 2: Differential-Exclusionary Approach to Immigrant Integration

Differential exclusion model is predominantly utilized in countries where the nation is defined according to the majority populations’ ethnical background. The dominant group is unwilling to accept immigrants and their children as members of the nation. This reluctance is expressed through exclusionary immigration policies (especially limitation of family reunion and refusal to grant secure residence status), restrictive naturalization rules and the ideology of not being countries of immigration. Differential exclusion means that immigrants are incorporated into certain areas of society, -above all the labour market-, but denied access to others such as welfare systems, citizenship and political participation. Immigrants become ethnic minorities, which are part of civil society as workers, consumers, parents and so on, but are excluded from full participation in terms of economic, social, cultural and political relations. Thus, the ethnicity of the majority population within the nation provides the primary sources of the nationhood.

Germany and Austria for many years based their immigration policy on the differential-exclusionary model. Germany’s understanding of citizenship was based on common descent and policies were shaped accordingly. Ethnic Germans are privileged in the sense of having

---

32 Ibid.
the right to citizenship when they arrive in Germany, and plus are entitled to various integration measures, whereas the other immigrant groups frequently may not be granted citizenship, even in the case of the second or third generations.36

2.6 Model 3: Multicultural Approach to Immigrant Integration

Multicultural approach towards immigration emerged as an alternative model in response to the other prevailing models. Ideas of multiculturalism started to take shape, with the initiative of the UNESCO. “Union in Diversity” was the leading slogan of the Havana international conference in 1956, calling for cultural differentiation within a framework of social unity.37 During the last twenty to thirty years, the model of multiculturalism has been gradually endorsed by certain countries of immigration.

Multiculturalism in immigration countries advocates a model of society where heterogeneity is not seen as a transitory state, but rather as a permanent phenomenon. The concept infers that different groups in the society have an effect on each other reciprocally, and that together they create the national space. All people in the society are considered citizens with equal rights. The multicultural approach, according to Harald Runblow refers to attempts to integrate various categories of immigrants into the host society while giving them an opportunity to keep and develop their traditional culture and lifestyle, or at least essential parts of them.38 The goal of integration process was redefined as promoting civic unity while protecting ethnic diversity.39

The concept of multiculturalism has caused much controversy in the societies where policies have started to develop accordingly, due to its abstractness and complexity. The notion of multiculturalism is intellectually appealing and appears to be a desirable goal for complex societies that consist of different ethnic and religious groups. On the other hand, the concept itself remains rather vague; and theoretical models delineating multicultural society are

conspicuously absent.\textsuperscript{40} Moreover, there has not yet been consensus about how successfully the model has been operationalized. Thus the model is relatively new in comparison to the other ones.

Canada and Australia, who have large immigrant populations, stand out as the few countries where multiculturalism is utilized for policymaking. In the case of Canada, multiculturalism was developed as the official government response to the increasing separatist movement in Quebec as well as a growing assertiveness of ‘other ethnic groups.’\textsuperscript{41} In 1971 the Prime Minister of Canada in his speech defined the concept as the acceptance and recognition of ethnocultural minorities.\textsuperscript{42} The bilingual and multicultural feature of the nation was emphasized. Promoting acceptance of differences, supporting ethnic organizations, -financially or otherwise-, making use of the ethnic press as a standard part of government communication and encouraging institutions and organizations to explore areas of common concern such as human rights and racism were the main policies carried out grounded on the model.\textsuperscript{43}

In Europe by and large, the idea of multiculturalism did not originate within policy-makers, but rather with intellectuals and immigrant sympathizers that are associated with the political left. Sweden and Netherlands took the initiative to implement the model into their national agenda in the beginning of the 70’s.

2.7 Connecting Theoretical Models to Policy-Making: the Inevitable Imperfection

Integration policies vary greatly across countries, both historically and contemporarily. The policies range from permanently excluding immigrants from full membership into the society, to the insistence on more or less complete assimilation into a presumed national structure; and finally to the relative recognition of their cultural identities and making adjustments accordingly. There is an explicit linkage between these realized theoretical models, and the

respective policies of integration. However, this is not to say that states possess a truly coherent integration policy that can be totally explained and grounded on one theoretical model.\textsuperscript{44} It is rather the case that theory provides a framework in which policies are shaped. This situation can be explained by the complex nature of policymaking.

Policymaking involves an extremely complex set of interacting elements over time.\textsuperscript{45} There are hundreds of actors from various interest groups, governmental agencies and legislatures at different levels of government in the policymaking process that can share very diverging opinions on the issue. In any given policy domain, there are normally different programs involving multiple levels of government that are operating.\textsuperscript{46} Furthermore, the minimum duration of most policymaking cycles, -from emergence of a problem through sufficient experience with implementation to render a reasonably fair evaluation of program impact-, takes at least a decade.\textsuperscript{47} Integration policy as well, carries all these characteristics. Therefore, a reductionism implying that for each theoretical model there exists only one kind of coherent uniform policy should not be assumed. Freeman argues that integration policy is multifaceted and comprises of loosely connected sets of regulatory rules, institutions, and practices in various domains of society within which migrants and natives work out their differences.\textsuperscript{48} Interaction occurs not only among the institutions, but also within the society, among the migrants and the natives. Integration policy comes out as an accumulation of these interactions.

The point where theoretical models are best suitable to be utilized, for making integration policies, is on the three key sets of sub-policy areas.\textsuperscript{49} These are the regulations about ‘border controls’, ‘citizenship regimes’ and the ‘cultural structure’ of the country. It is noteworthy to mention that they do not show the same consistency in other areas related to integration.

The entrance regulations (border controls) for immigrants, and the citizenship regimes are established by the consensus reached at the governmental level through legislative action. The legal circumstances that are determined by the state for immigrants about their first entry to the country have a vital importance for the latter integration process. Thus, the type of immigrant accetaption, -whether it would be labor or refugee-, is mostly decided by the nation-state at this phase. Second, the citizenship policy directly shapes the ability of migrants to acquire full legal and constitutional rights. At this point, the theoretical model that has been employed affects how polices are developed. In a differential-exclusionary model, for instance, the entrance regulations and the citizenship regime would be quite restricted, whereas in a multiculturalist approach, relatively more humanitarian concerns would be taken into consideration.

Lastly, for cultural recognition and expression, state policies either enable immigrants to preserve or lose their original cultural identities. The level of the cultural transformation of the host society by newcomers is also determined by the direction of the policy. Empirical studies of state policies towards cultural practice have focused on two broad topics. First is about the decision to which extent the cultural diversity should be recognized. The countries of immigration are located along the ‘integration spectrum’, which includes efforts of marginalization and exclusion, expectations of assimilation, and endorsement of official multiculturalism. Second is about the decision whether the immigrants would be seen as individuals or as members of ethnic or national-origin groups. Here, the theoretical model that is applied by the state becomes important to which extent there will be space for cultural preservation or recognition of ethnic identities. For instance if differential-exclusionary model is used, then there is no room for preserving cultural identity for immigrants; on the other hand, if multiculturalism is prioritized, then the outcome would be the preservation of the immigrant culture, and leaving space for also transformation of the host society.

These three sub-policy areas will be taken into consideration in chapter 6, as the theoretical models and their country-wise application will be compared and analyzed.

---

2.8 Policymaking Theories at the EU Level

Theories of European integration and public policymaking are useful in providing with the analytical tools to explain EU policymaking. The theories that are chosen to understand the EU’s immigration and integration policy are new institutionalism and liberal intergovernmentalism. These theories are selected on the basis that, decision-making at the EU level is considered to have a multilevel character. And for each level a particular theory is considered to have a more explanatory power.

Bomberg argues that the EU decision-making is explained by a range of different decisions taken at different levels in a multi-level system of governance. The decisions are classified under three categories grounding on their scope of effect. At the top super-systemic-level, there is history-level decisions in which the structure of the EU is transformed and the core interests of the member states are challenged; in the middle systemic level there is policy-setting decisions in which policies of the EU are arbitrated; and at the bottom sub-systemic level there is policy-shaping decisions in which the details of a certain policy are determined.

The decisions about immigration and integration policy of the EU, which are examined in the research, are carried at both super and middle systemic levels. On the one hand, the sovereignty of the member states is at the stake in certain issues which is in the domain of super-systemic level, and on the other hand most of the process is carried out regarding policy-setting and shaping which belongs to middle and sub-systemic levels. As the reasons will be elucidated below, liberal intergovernmentalism is deemed to be more appropriate for the examination of super systemic decisions, whereas new institutionalism provides more insights to examine policies that are in middle systemic levels.

a) Liberal Intergovernmentalism

Liberal intergovernmentalism is an integration theory, which emphasizes the role of the states, an alternative to the classic neofunctionalist theory-, as capable of acting rationally.\textsuperscript{54} The approach rests on the assumption that, state behavior reflects the rational actions of governments constrained at home by domestic societal pressures and abroad by their strategic environment.\textsuperscript{55} Both internal and external levels are attached equal importance. States try to maximize their interests by taking into consideration of the two levels. Governments to escape from domestic pressures utilize international arena, and also to provide low transaction costs and rich information settings. On the other hand, the cooperation of governments at the international arena strengthens states towards their home polities, as they use institutional environment of the EU for legitimization of their actions and maintenance of their preferences.

Liberal intergovernmentalists claim that states prefer EU level of cooperation, because it enables them to neglect domestic level institutional constraints stem by bureaucracy or judiciary. Especially in the issue of immigration, in the words of Guiraudun, state policy makers escaped to Europe by consciously shifting to EU level cooperation by Europeanization of immigration issues, which helped state officials to get rid of national constrictions.\textsuperscript{56}

\textbf{b) New Institutionalism}

New institutionalist analysis of the EU, emphasize that common institutions are often more than mere arbiters in the decision-making process, and have actually become key players in their own right.\textsuperscript{57} According to Bulmer, the definition of institution comprises of formal and informal institutions, conventions, and the norms and symbols embedded in them, and policy instruments and procedures.\textsuperscript{58}

Institutions structure the access of political forces to the political process, creating a kind of bias. Thus institutional rules, norms, resources or symbols shape actors' behavior. They can

\textsuperscript{54} Laursen, Finns. \textit{Theories of European Integration}, 
\url{http://www.lib.tku.edu.tw/eudoc/eulecture/Theories%20of%20European%20Integration.pdf} accessed on 23/12/05.


themselves develop endogenous institutional impetus for policy change that exceeds mere institutional mediation.\(^5^9\) Once the institutions are formed, in a while the original founders are likely to lose control of them and they began to act for their own sake. This very much presents an analogy for the EU integration process. Member states, which created the institutions of the EU with certain purposes in mind at the beginning, can experience unintended consequences at the end. The outcomes of policymaking at the institutional level can be quite different with the initial expectations of the member states.

Regarding the immigration policy of the EU, certain levels of policymaking has been developed by the interactions of the institutions. It is not to say that, member states do not have a role in the procedure, but governments’ policy proposals are very much reformulated and transformed.

2.9 Policy-Making Mode Regarding Immigration Integration at the EU

To understand how integration policies are developed; it is essential to understand which kind of policymaking mode is used for immigration policy at the EU level. Wallace mentions about five different types of policy form.\(^6^0\) These are distinctive Community method, the EU regulatory model, multi-level governance, policy coordination and benchmarking, and intensive transgovernmentalism. Among them, intensive transgovernmentalism and policy coordination and benchmarking seem to be more relevant with the topic.

a) Intensive Transgovernmentalism

In this mode of policymaking, national policymakers have more roles than the EU institutions. It is used in areas, where core aspects of national sovereignty are touched or in which EU level integration is newly emerging. Supranational structures are mostly regarded as venues for discussion for national policymakers. The main characteristics of this policy mode are:\(^6^1\)

- European Council mainly sets the general direction of policy;
- Council of ministers controls the consolidating of cooperation;


\(^{61}\) Ibid. p. 34.
Commission has a limited role;
EP and ECJ is almost excluded from the involvement;
Special mechanisms for cooperation management;
The policy process is not open to national parliaments and public.

Especially in issues related to border controls, asylum and refugee problems, this form of policy has been widely used since that they are in linkage with sensitive national interests of the member states.

b) Policy Coordination and Benchmarking
This type of policymaking method has stemmed from the experience of the OECD, which developed from the practice of comparing and evaluating the public policies of each state. The method is mostly used by the EU Commission to bring up new issues to the agenda for future policy developments. Technical specialists are consulted for their opinions on the issues to develop a common approach. The main characteristics of the method can be defined as: ⁶²

- The Commission develops networks of experts that promote ideas;
- High level groups in the council are organized for brainstorming;
- Specialist committees of EP are consulted about the issue.

National, local and even sectoral practices are compared to find out which of these are the most successful, and then key indicators are determined for policy development relating to the topic. By this, improvements and changes in performance in certain issues become viable. Supranationalization is encouraged via the convergence of national policies on one hand, while the nationalization is promoted by introducing solely the best national practice on the other hand. Especially, in issues relating to immigrant integration, -in which there is a considerable need to find out the key indicators of integration-, benchmarking has been applied by the Commission.
CHAPTER 3: RESEARCH METHODOLOGY

In this dissertation, both qualitative and quantitative methods of research are applied in order to analyze the topic comprehensively. Rather than only relying on one research approach, the combination of these two is needed to increase the scope, depth and power of the research. In this way, the particular disadvantages of each of the methods are minimized, whereas the benefits are maximized. Since the early 1980s there has been an increase in the combination of both research methods.

Qualitative research is a strategy that usually emphasizes words rather than quantification in the collection and analysis of data. One of the advantages of the qualitative approach is that its research methods encompass multiple methods and strategies. K.F. Punch points on its more ‘flexibleness’ so that it can be utilized in a wider range of purposes and can be modified as a study progress. In the thesis, the constructionist and the interpretive feature of the qualitative analysis is very important, especially in the examination of the theories of immigrant integration and in the immigrant integration policies conducted at the EU and the national level. Policies are socially constructed and processed by policymakers, in which academicians conceptualize these structures and processes. The approach suits well to analyze these socially constructed policies and the concepts to which different meanings can be attributed.

On the other hand, the quantitative approach emphasizes quantification and numbers in the collection and in the analysis of data. In very broad terms, quantitative research can be characterized as exhibiting certain preoccupations, the most central of which are: measurement, causality, generalization and replication. In the thesis, there shall be plenty of numerical data concerning the immigrant population, survey results, etc. The evaluation of all

---

65 Ibid.
66 Ibid. p. 264.
of these findings, encompassing their reliability and validity, shall be checked in accordance with the quantitative research method.

### 3.1 Research Design

Research design is defined as a framework for the collection and analysis of data. A choice of research design reflects decisions about the priority being given to the dimensions of the research process.\(^6^8\) In the thesis, comparative research design is applied since the topic is about comparing the level of immigrant integration in both countries. Hantrais holds the opinion that comparisons provide an analytical framework for examining and explaining social and cultural differences and specificity. They serve as a tool for developing classifications of social phenomena and for comprehending if the shared phenomena can be explained by the same causes. Different societies, their structures and institutions can be better understood by cross-national comparisons.\(^6^9\)

Considering Hantrais’ argument, I believe the comparative research design fits very well to the subject that shall be studied. The main criticism that can be brought up to the research design is about the possible risks of interpreting the compared concepts, independent of their contexts in the two countries. From a constructionist stance, which asserts that social phenomena and their meanings are continually being accomplished by social factors,\(^7^0\), it is a valid argument. As Hantrais notes, linguistic and cultural factors, together with differences in research traditions and administrative structures, might affect the quality of the results of the whole project in a comparative analysis.\(^7^1\)

### 3.2 Data Collection and Analysis of Data

Multiple sources of data and data collection shall be used in the thesis. This involves both quantitative and qualitative data collection techniques. Quantitative data to be obtained is mostly comprised of secondary analysis of the data, collected by others and official statistics. Bryman argues that this way of collecting data has considerable advantages such as cost and time spent on research is reduced, high quality data generated by experienced researchers is

---


obtained easily.\textsuperscript{72} Moreover the secondary analysis of comparable data from two or more countries can provide one possible model for conducting cross-cultural research.\textsuperscript{73} The challenges that can be encountered in collecting secondary data lie in the fact that they are sometimes regarded as being too complex. Moreover, data collected by others for their own purposes can lack one or two variables that are needed by the researcher.\textsuperscript{74}

The qualitative method of data collection shall entail primary documents of EU institutions in form of treaties, communications, and state official documents. Moreover, the review of existing relevant literature, books, journals and articles are to provide insights for the utilization of immigrant integration theoretical models and practices in Germany and Sweden. The collection of the qualitative data is also relatively easy to access and in economic terms, it is not an expensive way of data collection.\textsuperscript{75}

Here, it is worthwhile to mention that most of the books we make use of are not directly about immigrant integration, but generally on immigration. Articles found in academic journals and websites have been very helpful especially for the evaluation of theoretical comparison. Empirical literature is utilized to understand the different policy models of immigration, as well as their application to Germany and Sweden. Statistics on immigrants, official reports, and communications of the EU institutions, -especially the Commission--; the official websites of governments about the immigration policy, and several articles of experienced researchers working on immigrant integration have been useful for the conduct of the study.

3.3 Methodological Strategy
All of these materials to be evaluated and the discussed methodological considerations are focused on three purposes: first, to theorize the immigration conceptions of Germany, Sweden, and the EU within the theoretical models we have studied in the previous chapter. Second is to establish a connection between theoretical understandings and policy developments in Germany and Sweden; which entails the employment of quantitative and qualitative findings related to policies, and evaluate them within the light of the immigration

\textsuperscript{73} Ibid. p. 199.
\textsuperscript{74} Ibid. p. 201.
\textsuperscript{75} B. Chadwick. Social Science Research Methods, (New Jersey, Prentice Hall, 1984), pp.243-245.
models. Third is to scrutinize the relevant EU documents in order to test the applicability of the policy-conceptions in Germany and Sweden, both at the theoretical and practical levels.

To be able to achieve these goals, the next chapter elaborates on the EU’s conceptualization of the issue of immigrant integration, and the newly emerging policy regulations developing in accordance with that outlook. In the fifth chapter, the elucidation of Germany and Sweden’s immigrant integration perceptions will be carried out in three consecutive steps: first, by featuring the historical background of the types of immigrant population the two countries welcomed; second, immigration policies Germany and Sweden initiated in response to the rising number of immigrant inhabitants; and finally, their policies of immigrant integration developed in relation to immigration policies.

The sixth chapter will combine theory and practice with regards to the analysis of immigrant integration, to claim that integration policies issued in Germany and Sweden are directly in linkage with having chosen particular paths of immigration policies that can be categorized under the theoretical models we have discussed. Furthermore, the analysis will complete the theorization of the EU’s policymaking in the relevant area, and assess the extent to which Germany and Sweden’s immigrant integration policies –and accordingly their models- are in line with those envisaged by the European Union.
CHAPTER 4:
IMMIGRANT INTEGRATION POLICY OF THE EUROPEAN UNION

4.1. Background of the EU Integration Policy

The immigrant integration policy of the EU has emerged as a ramification of the general immigration policy since the beginning of the late 90’s. Integration policies have begun to be considered as an indispensable part of the immigration policy after the sign of the Amsterdam Treaty. As Penninx puts it, the lack of consistent integration policies and the obstacles to the integration of increasingly diverse streams of newcomers, lead in turn to mainly negative perceptions of migration and immigrants, which reinforces defensive immigration policies.  

Therefore, the success of a common immigration policy at the EU level is highly depended on the successful integration of immigrants.

All EU countries have become immigration countries. Not only the traditional immigration countries of the rich north, but even the southern EU countries such as Italy, Spain, Portugal, Greece which were once regarded as countries of emigration, have recently become immigration states. In 1998, the migrant population in the European Economic Area (henceforth EEA) space was 5.1 percent of which 3.5 percent were non-EEA nationals.

Between 1950 and 1992 the foreign born proportion of the Western Europe’s population almost quadrupled from 1.3 percent to 4.9 percent.

The main reasons for this increase in the migration population are the results of four major developments. First, in countries where the first large-scale, postwar immigration took place (Germany, the Netherlands, Belgium and France), policies to encourage foreign residents to return to their country of origin were abandoned in the 1980s. Second, the southern European countries have started to experience large migratory flows from Africa and the Middle Asia. Third, the number of asylum-seekers and refugees coming notably from the former

---

Yugoslavia, Africa and Asia to Europe increased dramatically in the last twenty years. Fourth, the collapse of the communist regimes has induced migration flows from Russia.\footnote{Rea, Andrea. Wrench, John and Ouali, Nouria. Discrimination and Diversity in Migrants, Ethnic Minorities and the Labour Market (ed.) by Rea Andrea and others. London: Macmillan Press, 1999, p. 1.}

The member states of the EU, responded to these migration flows mostly in repressive law and order logic.\footnote{Bigo, D., Polices en reseaux, Paris, Presses de Sciences Politiques, 1996.} Often the EU immigration policy was characterized as building a ‘Fortress Europe’. The walls of supposed European Union have represented the combination of tightly restrictive immigration policies, and the social and the political exclusion of settled migrants and their descendants. Geddes explains the EU immigration policy with the ‘net´ allegory. It is designed to ‘catch’ certain immigrants and ‘allow’ others go.\footnote{Geddes, A. Immigration and European Integration: Towards Fortress Europe? Manchester and New York: Manchester University Press, 2000, p. 6.} Highly skilled workers from developed countries can move relatively easy. They are encouraged and facilitated by European countries to overcome skills’ shortages and counter the effects of an aging population, whereas, unskilled workers or asylum seekers have become increasingly ‘unwanted’; and the subject of restrictive policies and encounter formidable obstacles.\footnote{Ibid. p.7}

Whatever the restrictive policies are, immigration to Europe, non-stop continues and there is no evidence that in the near future the process will come to an end. The challenges posed to the member states have significantly increased due to the increased number of foreign population. Ucarer argues that, western societies are gradually developing an apprehension that immigrants will weaken national identities, and pose threats to welfare states by claiming to share those welfare benefits that were initially intended for nationals.\footnote{Ucarer, E. M., Puchala, D. Immigration into the Western societies: Problems and policies, London and Washington: Pinter publications, 1997, p. 8.} Consequently, as a proof of his claims, the escalation of discriminatory attitudes, beliefs and behavior towards immigrants are intensified in the countries of immigration. Moreover, the political parties, which represent the escalating anti-immigrant notions, have gained power in most of the Western European countries.

Throughout the EU, according to a barometer survey, 45 percent of the population considers that the numbers of foreigners were too many, 40 percent many, and only 10 percent not
There is also a growing belief that asylum seekers are bogus or exploitative in the sense that they endeavor to avoid strict controls on economic migration and are burdensome to welfare states.

As it is indicated in the beginning of the chapter, integration policy is a sub-branch of the general immigration policy. This entails that the recent developments that took place regarding the immigration policy in the issues such as decision making or share of competencies among the institutions of the EU, has a direct effect on the integration policy. Therefore, in the next section the immigration policy developments after the sign of the Amsterdam Treaty are discussed.

4.2. The EU Immigration Policy Developments after the Amsterdam Treaty

The development of a coherent and a systematic approach to establish a common immigration policy started with the adoption of the Treaty of Amsterdam in 1997 (It came into force in 1999). This was the first big step to develop a common harmonized EU immigration policy. The immigration and asylum issues were incorporated into the first community pillar via a new title IV that intended that EU gained significant competence on immigration matters. Amsterdam has been acknowledged as a landmark for the supranationalization of the immigrant policy of the EU. According to Peers, “the argument over competence was over” and now the “argument over substance” has started.

The institutional changes brought by the Treaty were the increasing competence of the EU institutions (Commission, EP and ECJ). It is decided that after five years of transition period (2004), -which is over right now-, the Commission would gain its sole right to initiative on immigration issues, -until that time-, it had had to share this right with the Council. Following the period, the Parliament gained the right to share the legislative power as a result of co-decision procedure in certain areas. And the ECJ has the jurisdiction to rule on interpretation of title IV on a request from the Council, the Commission and the member states.

---

85 Analysis of the Treaty of Amsterdam in so far as it relate to Asylum Policy by the European Council on Refugees and Exiles. [http://www.ecre.org/research/analysis.pdf](http://www.ecre.org/research/analysis.pdf), accessed: 05/11/05.
86 Ibid. p. 32.
The Treaty also changed the decision-making process at the EU. Immigration and asylum policies were made subject to standard EU policy instruments, such as binding regulations, decisions and directives. Moreover the Schengen acquis (abolition of border controls between participating member states) was fully incorporated into the EU’s single institutional framework. The Treaty gave Denmark, United Kingdom and Ireland opt-outs or the right to be bound by the policy output unless they would choose so, and this added certain flexibility to the arrangements.

According to Geddes, the Amsterdam Treaty brought immigration and asylum into the Community pillar in a new Treaty title covering free movement, immigration and asylum; but at the same time confirmed intergovernmentalism as the basis for decision-making until 2004. This meant that immigration and asylum were thus ‘communitarised’ in the sense that they moved to the Community pillar, but were not ‘supranationalised’ in the sense of being made subject to day-to-day processes of integration.\(^{88}\)

After the adoption of the Amsterdam Treaty, the most significant development regarding the harmonization of immigration policy was the decisions of the EU’s Tampere summit. The Council held the meeting on 15 and 16 October 1999 in Tampere on the creation of an area of freedom, security and justice in the European Union.\(^{89}\) At the summit, a Common European Asylum System was established, and immigration issues were embedded within a broader context through the development of a comprehensive approach to migration addressing political, human rights, and development issues in countries of origin and transit.\(^{90}\) On the original text of the Presidency Conclusions of the Summit, common asylum policy was defined as follows:

> The European Council reaffirms the importance the Union and Member States attach to absolute respect of the right to seek asylum. It has agreed to work towards establishing a Common European Asylum System, based on the full and inclusive

---


\(^{89}\) Tampere European Council 15 And 16 October 1999 Presidency Conclusions, [http://www.europarl.eu.int/summits/tam_en.htm\#a](http://www.europarl.eu.int/summits/tam_en.htm\#a) accessed on 10/11/05.

application of the Geneva Convention, thus ensuring that nobody is sent back to persecution, i.e. maintaining the principle of non-refoulement.\footnote{91}

Moreover, in Tampere special attention was given to the situation of the TCNs in the sense of their integration problems. It was concluded that fair treatment of TCNs living in the member states should be provided. Since the summit, immigration issues have more or less begun to be institutionalized. Whereby the entire acquis is quite complex, vague and ad hoc; an identifiable set of governing arrangements at the European level, have gradually transformed into binding EC directives and regulations.\footnote{92} The Commission specifically, has started to play a significant role as an initiator of the proposals that shapes the member states’ preferences and policymaking in the relevant area.

Most of the criticisms about the structure of the immigration policy at the EU level are about the inefficient decision-making procedure. Geddes argues that, there is a slow move towards communitarisation of migration issues, coupled with reluctance among member states to empower supranational institutions. He holds the opinion that the requirement for unanimity at the Council acts as a brake on common decision-making. To counter the deficiencies of ‘formal’ agenda setting in the issue of immigration, he emphasizes the role of the ‘informal’ agenda setting activity. He suggests that the pro-migrant lobby groups at supranational level have sought to exercise informal agenda setting influence. This should be put forward by establishing mutually reinforcing pro-European integration alliances with Community institutions in the quest for ‘more Europe’ in order to counter the intergovernmental decision-making in the Council of Ministers, which is regarded as the lowest common denominator.\footnote{93}

\section*{4.3 The EU Policy Context for Immigrant Integration}

The EU has not yet acquired full competence in the issue of immigrant integration. Up to now, what the EU has succeeded should be deemed as an effort to create a general framework for integration, and act as a facilitator for the member states to maintain their integration policies. On the other hand, the member states have not been successful in the area of integration. The increasing threats derived from this situation such as the segmentation of the

\footnote{91} Tampere European Council 15 And 16 October 1999 Presidency Conclusions, \url{http://www.europarl.eu.int/summits/tam_en.htm#a} accessed on 10/11/05.


society, and the uprising of the far-right political movements, increased the opportunity for the EU to have more voice on the topic.

It can be argued that three major factors have put pressure for a more effective EU strategy to promote the economic, social, cultural, and political integration of immigrants. First, is the fact that past immigrants have not been integrated effectively into the society and the second one is the fear about the rising power of the right wing parties due to this situation. The third factor has been the notice that immigration will be a permanent process of Europe’s future. Other than regulation of the ‘border controls’ (rules and regulations determined about visas of TCNs and asylum seekers), much attention has been given by the EU to the integration problems of the immigrants in the member states.

The EU has developed a holistic approach to integrate immigrants. This means that other than economic and social aspects of integration, issues related to cultural and religious diversity, citizenship, participation and political rights are an indispensable part of the process. The aim should be to integrate immigrants to full extent into the society. The Communication issued on 2003 summarized the policy areas, in which member states should take considerable attention to reach the goals of the holistic approach. These policy areas are stated as follows:

a) **Integration into the Labor Market**

Problems regarding the obstacles to employment have been identified as the greatest barrier to integration for immigrants in the member states. The average employment rate among the TCNs is at 52.7%, whereas it is 64.4% for EU nationals. The member states should work to find solutions regarding the problem. Diversity management could be an effective means to promote the integration of immigrants in the labor market.

b) **Education And Language Skills**

Although most of the immigrants have some qualities that are needed in the EU labor market, insufficient language skills and unrecognized academic attainments and professional

---

qualifications create great problems for integration. Therefore, member states should focus more on language programs and make fair judgements on the previously acquired academic skills and qualifications of the immigrants, which are obtained outside the EU.

c) Housing and Urban Issues
Problems concerning housing constitute a big obstacle for integration. Immigrants are encountering two major problems in the relevant issue. First, grounding on belonging to low income groups, it is not easy for immigrants to find housing at normal standards in ethnically mixed areas. Second, in linkage with that, immigrant residence concentrates in particular areas, having the risk of being isolated from the rest of the society, which can increase the threats of racism and xenophobia. Programs should be implemented to facilitate housing for immigrants.

d) Social and Cultural Environment
Most of the immigrant groups have their own cultural traditions and religions apart from the rest of the host society. Interaction and tolerance between different cultures and religions is necessary for the integration process. Immigrant groups should be encouraged to participate in community life, and have their voice in public debates. Accurate information about immigrants and their positive contributions to the society should be publicized to prevent resentment, social exclusion, and the rise of racism and xenophobia. Politicians and the mass media should play the role as educators of the public opinion.

e) Nationality, Civic Citizenship and Respect for Diversity
The sense of belonging to the society has definitely positive effects on the integration process of immigrants. In some of the member states, even the second and third generations do lack the citizenship. The EU insists on the member states to change the citizenship regimes, which will facilitate to get the citizenship of the country. Other than that, immigrants should have more political rights and their participation to any kinds of political activity should be encouraged. Immigrants should not be passive agents in the political process.

f) Fight Against Discrimination and Racism
Unfortunately there is considerable level of discrimination towards immigrants in the labor market. Moreover, in the last ten years, the far-right political movements have gained significant public support in most of the member states. These developments have definitely
negative effects on the integration process of immigrants. Measures taken by the EU on the fights against discrimination should be implemented into the national agendas effectively.

4.4 EU Legal Framework for Immigrant Integration

The EU has very recently started to establish a general framework setting out the rights and obligations of TCNs, which aims better integration of them into host societies. However, it is also worthwhile to mention that all the norm setting that has been put forward in this purpose are still in the developmental phase.

Until the adoption of the Treaty of Amsterdam, under the EU and EC law, there existed a great difference in the treatment between the EC citizens and TCNs. EC migrants were able to gain important rights and protection under EC social and free movement chapters. On the contrary, except for a few categories, those provisions did not cover the TCNs. Most of the countries regarded them as guest workers that would return to their original countries at the end and therefore not considered them as the integral parts of their society. Taking into account of this condition, until recently, the competence to deal with matters related to immigration, was principally circumscribed to the third Pillar under which member states had great powers. Only very few measures have been adopted to regulate the legal status of those TCNs lawfully settled within the EU’s territory. Significant legal arrangements have been incorporated regarding the integration of the TCNs for the last six years and most of the legal framework amendments have been realized by the initiative of the Commission through adopting directives regulating the status of the TCNs.

At the Tampere Council summit in 1999, for the first time, it was recognized that “a more vigorous integration policy” was needed which should aim at granting the TCNs rights and obligations comparable to those of the EU citizens. The Proclamation of the Charter of Fundamental Rights was a second big step for the bettering off the legal conditions of the TCNs since most of its provisions were applicable to all persons living in EU member states irrespective of their nationalities. Then the Council adopted several directives and regulations to serve the aims determined previously in the area of integrating the TCNs.

---

The Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and the Directive establishing a general framework for equal treatment in employment and occupation were the first legal bindings of the EU. These two directives were adopted in June and November 2000. The aims of these two directives are to develop the legal framework for combating discrimination in the EU. The directives are very important in the sense that equal treatment is promoted and discrimination on the grounds of racial or ethnic origin is prohibited. The adopted anti-discrimination directives definitely put in place the legal framework to combat discriminating which facilitates the integration process of the TCNs.

The Directive which determined the conditions of entry and residence of TCNs for the purpose of paid employment and self-employed economic activities, and to determine standards on procedures for the issue of entry and residence permits was approved in February, 2003 by the parliament. The holder of a “residence permit worker” even after a temporary residence in that country acquired many rights which set the standards in the issue of employment. These rights include entering and residing in the territory of the Member State that issued the permit, to exercise the activities authorized by the permit, to enjoy the same conditions as EU citizens (working conditions, pay, vocational training, social security, medical care, freedom of association, etc.).

The TCNs were granted the same protection as the EU workers by the adoption of a Council Regulation in May 2003, which extended the provisions of Regulations No 1408/71 and No 574/72 in the field of social security. These arrangements are considered as an essential cornerstone in view of the adoption of the directives on the status of long term residents in the EU admission for employment. Moreover, they were the first binding measures concerning legal immigration ever agreed in Council.

The directive on the right to family reunification which was adopted in the Council in September 2003 recognized the right to family reunification for TCNs holding residence

---

98 Ibid.
permits of one year or more who have reasonable prospects of obtaining permanent residence.\textsuperscript{101} The directive has implications for integrating people who are planning to settle on a long-term basis in the EU.

The directive which was adopted by the Council in November 2003, concerning the status of TCNs who are long term residents, regulates the conditions for long-term resident status, a period of continuous legal residence of five years being the fundamental requirement.\textsuperscript{102} The directive was grounded on the long tradition in the Member states that, the more the length of stay for the persons, the more rights that they should acquire. At the end of 5 years of legal permanent stay, the TCNs will have the right to obtain a long-term permanent residence. Long-term residents have also gained the right to live in another member state for employment or study purposes, grounding on the conditions set out in the directive. The arrangement has given the TCNs a comparable equal legal status to the EU citizens who also have to wait for a 5-year period to acquire a long-term residence permit.

4.5 Other Measures of the EU for the Integration Process of Immigrants

Other than establishing a legal framework for the integration of immigrants, the EU has developed various instruments to serve the relevant purpose. This involves attempts to develop financial instruments to reach political commitments, to constitute policy harmonization between the member states, to develop projects to raise awareness among the people in the EU, and to issue annual reports about the topic.

a) Financial Programs

The Commission has prepared a number of specific budget lines and programs, which aid the integration of immigrants. The European Social Fund supports integration through the ‘Equal’ target program. This initiative is testing, since 2001, new ways of tackling discrimination and inequality experienced by those in work and those looking for a job. The activities are co-financed in all EU Member States. The EU contribution to the program of 3.274 billion Euros is matched by national funding.\textsuperscript{103}

A new budget line on integration of the TCNs was established in 2003, which amounts to 4 million Euros in 2004 and 6 million Euro in 2006. For this purpose, the program INTI is founded. It is a funding program for preparatory actions promoting integration in the member states for people who are not citizens of the EU. Its aim is also to promote dialogue with civil society, develop integration models, seek out and evaluate best practices in the integration field and set up networks at European level.\textsuperscript{104} The Commission has been emphasizing the creation of networks and co-operation with immigrant organizations to tackle the prejudices and intolerance in the EU towards immigrants and the program is utilized for these needs.

The European Refugee Fund (ERF) was established in 2000, which intended to be a major financial instrument aiming at immigrants. Its objective is to support action of the member states for the promotion of the social and economic integration of refugees, in so far as it contributes to economic and social cohesion. During 2000-2002, 28 \% of the total budget of ERF for integration activities was 20 million Euros. Most of the aid was distributed for particular language training programs, activities promoting employment and providing advice on housing, social benefits, and education.\textsuperscript{105}

In the field of education and culture, the SOCRATES, the LEONARDO DA VINCI, the YOUTH, and the CULTURE-2000 programs were implemented. The most important beneficiaries of the programs have been immigrants for the purpose of integration process.\textsuperscript{106}

b.) Policy Harmonization

Following the Thessaloniki Council in 2003, National Contact Points (NCP) were created among all the member states to reinforce the exchange of information on existing integration policies of national and local level.\textsuperscript{107} The aim of the policy is to develop a coherent framework for integration by strengthening coordination of relevant policies at the national and the EU level. This group of the NCP has been meeting regularly under the coordination of the European Commission DG of JHA.

\textsuperscript{103} How does Equal Work? \url{http://europa.eu.int/comm/employment_social/equal/about/index_en.cfm} accessed on 13/11/05.

\textsuperscript{104} Official website of the Commission on JHA. \url{http://europé.eu.int/comm/justice} home/funding/inti/wai/funding inti en.htm, accessed on 13/11/05.

\textsuperscript{105} Niessen, J. \textit{Five years of EU migration and asylum policy-making under Amsterdam and Tampere mandates}, Migration Policy Group, pp. 24-25.

In the autumn 2004, the NCP has issued a handbook on integration, which considers on two specific elements of integration programs for the member states: Introduction programs for newly arrived immigrants and recognized refugees; and programs of civic participation. In the handbook, there are general principles and policy recommendations for the integration policy. Other than that, the NCP organized three seminars in Copenhagen, Lisbon and London during the spring of 2004 hosted by the member states and supported by the Commission. Governmental and non-governmental policy makers and practitioners exchanged information on three issues: introduction programs, participation in civic and political life and the development of integration indicators.

c) Raising Awareness

Improvements in the availability and access to information concerning immigration at the European and the member state level are essential to support policy and decision making within the EU. Most of the time, the public is not aware of the contribution which immigrants bring to economic, social and cultural life. For this purpose in 2002, a European Migration Network as a pilot project was established for exchanging information on asylum, immigration and countries of origin. The Migration Network has been basis for monitoring and analyzing the multidimensional phenomenon of immigration and asylum by covering a variety of its dimensions.

4.6 Analysis of the EU Integration Policy

I will analyze the integration policy of the EU, by focusing on the structure of policymaking and the decision-making process. The core principles that the policy is grounded on and its linkage between the theoretical concepts, and then the policy as a whole are elaborated in the following sub-sections.

Integration policy has begun to emerge after the sign of the Amsterdam Treaty in 1997. The attempts to form a common EU immigration policy paved the way to focus more on integration policy. As it has been explained in the previous sections, the interconnectedness of the two policies has become explicit for the success of the general immigration policy. As a

108 Niessen, J. & Schibel, Y. Handbook on Integration for policy-makers and practitioners, Migration Policy Group for European Commission, p. 8-10.
result of it, in 2001 at the Tampere Council, immigrant integration policy was officially proclaimed as one of the four main elements of the EU immigration policy.

The adoption of the Amsterdam Treaty introduced the supranationalization of competence regarding the issues of immigration, which signified that member states were not the sole actors any longer. The share of the institutions increased in the decision-making process in the relevant issue.

Regarding the share of competence at the supranational level, the European Commission has gradually become more preeminent in comparison to other institutions. The European Council gave a mandate for the Commission to develop a common immigration and asylum policy in the Tampere Summit. As Ucarer argues, constitutional delegation of responsibility to the Commission after the adoption of the Amsterdam Treaty, and organizational changes within the Commission, has empowered its role in policy-making and agenda setting. The Commission has initiated binding legislation, -such as Directives- or policy recommendations about the pertinent issues and started to develop networks among NGO’s, institutions and relevant organizations for the last five years. Moreover, with the end of the 5-year transition period, the Commission has taken the sole right of initiative in immigrant issues.

Among the other two institutions, the European Council’s capability has relatively diminished by the successive Treaty reforms. In the post-2004 period, -after the end of the 5-year transition period-, the unanimity rule for the acts of the Council in immigrant issues is moved towards qualified majority voting. However, the Council has a lot of responsibilities in shaping the agenda and in policy-making structures. Every two months the JHA Council brings together related ministers to discuss the development and implementation of cooperation and common policies in this sector. Concerning the European Parliament, though it has the less competence in the decision-making process among the institutions, after the adoption of the Amsterdam and Nice Treaties, it has gained co-decision power in certain issues. The Parliament is in close cooperation with the Commission to have more influence on the policy-making process.

---

It is also worthwhile to mention that, as Pennix noted, integration process takes place at the national or even local levels, not at the EU level. Therefore, member states have the responsibility for the implementation of the integration policies that have been developed by the EU.\footnote{European Policy Centre, \textit{What European Union strategy for integrating migrants?} : EPC-KBF Migration Dialogues, June, 30, 2004. \url{http://www.theepc.be/} accessed on 14/12/05.}

\textbf{a) The Core Principles of the EU Integration Process}

EU has considered integration as a dynamic, long-term, and continuous reciprocal process, which includes the participation of immigrants and the host society in equal terms.\footnote{Common Basic Principles For Immigrant Integration Policy in the European Union, \textit{Annex}. \url{www.hlhr.gr/emd/docs/Integration_ST13680-EN04.DOC-} accessed on 08/12/05.} Immigrants should be well incorporated to the legal, economic, social, and cultural domains of the society in the process of integration. This is deeply influenced by a broad range of policies that cut across institutional competencies and levels of government. In relation with that, a mainstream consideration in policy formulation and implementation is needed in addition to specific policies developed targeting integration. Since integration occurs in all spheres of public and private life, apart from the governments of the member states, all formal and non-formal institutions such as trade unions, businesses, employer organizations, political parties, the media and cultural, social, and religious organizations should be encouraged to participate in the process.

In the EU legislation, it is emphasized that the basic values of the Union should be adhered closely in the area of integration policy development and implementation. These include respect for the principles of liberty, democracy, human rights and fundamental freedoms, and the rule of law. The concepts of dignity, freedom, equality, solidarity, citizen’s rights, justice and non-discrimination have all are covered by the legislation. As it is mentioned in the previous sections, in linkage with these concepts, certain Directives were implemented prohibiting discrimination on the grounds of racial or ethnical origin in employment, education, social security, health care, and access to goods and services.

Employment is regarded as a key part of the integration process in the sense that success in the labor market makes the contributions of the immigrants visible eroding the negative prejudices attributed to them by the host society. EU legislation tried to increase TCNs employability opportunities by arranging the status of work permits, making proposals for the

\textbf{\textcolor{red}{References}}

\footnotetext[111]{European Policy Centre, \textit{What European Union strategy for integrating migrants?} : EPC-KBF Migration Dialogues, June, 30, 2004. \url{http://www.theepc.be/} accessed on 14/12/05.}
\footnotetext[112]{Common Basic Principles For Immigrant Integration Policy in the European Union, \textit{Annex}. \url{www.hlhr.gr/emd/docs/Integration_ST13680-EN04.DOC-} accessed on 08/12/05.}
recognition of qualifications and offering training programs, which would provide skills demanded at the workplace.

In addition to the provision of general education to newcomers, the importance of giving basic linguistic, historic, and civic knowledge of the host society are recognized as necessities for immigrant integration. Policy recommendations were issued and certain programs were established in these areas.

Intensifying interaction between the host society and immigrants is deemed as a fundamental mechanism for speeding up the integration process. The frequency and quality of private interactions and exchanges between immigrants and the rest of the residents, strengthens mutual understanding within the society. The EU has implemented anti-discrimination policies and awareness raising programs to promote the process.

The Charter of Fundamental Rights has guaranteed the practice of diverse cultures and religions within the member states. The Communication of the Commission has also underlined the fact that tolerance and respect to different cultures and faiths stimulates the process of integration; and in relation with that, any kind of discriminatory behavior and xenophobic attitudes have to be combated. EU not only implemented legislation concerning the topic, but in addition, the Commission recommended from member states to initiate certain programs to provide an environment where the practice of different cultures and faiths could be maximized insofar they do not clash with the fundamental rights of the EU.

Furthermore, the EU has encouraged participation of immigrants to the social and political life. The increase in the level of participation in these domains will create a self-belonging to the nation and the passive status of immigrants will transform into an active one enabling their voice to be heard more on the decision-making process.

**b) Theoretical Findings for the EU Integration Policy**

In this section, the EU integration policy is examined grounding on the theoretical concepts discussed in the second chapter. The theories in the first set (assimilationist, multiculturalist, etc.) are to bring insights to the integration process, whereas, in the second type (new-institutionalism, liberal intergovernmentalism, etc.), they serve to explain the policymaking process at the EU level.
A holistic approach towards integration takes into account of all aspects of private and social spheres within the society and develops strategies to incorporate immigrants to full extent into the society. According to this view, economic, social, legal, and cultural domains are all interconnected. All actors in the society that could have responsibility in the issue should be involved in the integration process. It is also very apparent to infer from the works of the EU that there have been considerable attempts to encourage as many actors as possible to the integration process. The role that non-governmental organizations, local authorities and social partners can play is stressed in the integration process in the relevant documents of the EU. This ultimately leads to the involvement of every citizen. Intense interactions occur between immigrants and the rest of the population where exchange of culture and knowledge is in great amounts, which inevitably transforms the whole society.

In the light of policy development at the EU level, which serves the ends depicted above, the multiculturalist model seems to have a more weight to explain the principles of EU policy development. As we have already seen in the theory part, multiculturalism is in favor of a holistic approach in integration, which is also accepted by the EU. Furthermore, multiculturalism implies that immigrants should be granted equal rights in all spheres of society, -legal, economical, social, and cultural-, without being expected to give up their diversity. Immigrants should have the opportunity to preserve and practice their culture and faiths while not violating the basic principles of democracy. EU has initiated policies, which comprehend the notions of equality, - equal rights with the rest of the society, and diversity, practicability of culture and faith-, for immigrants. The relevant communications of the EU Commission, -which we have already mentioned before-, emphasizes the importance of these rights.

On the other hand, the assimilationist and the differential-exclusionary models do not have an explanatory power to explain the EU integration policies. The assimilationist stance neglects diversity within the society, and the differential exclusionary approach lacks the notion of any kind of integration. The EU, however, has developed policies totally in the opposite direction, which cannot be explained by these two theoretical immigration models.

For explaining most parts of the policymaking and decision-making process, it can be argued that both liberal intergovernmentalism and liberal institutionalism bring fruitful insights. As it is discussed in the theory chapter, the core assumptions of liberal intergovernmentalism consider states as the main actors and that they negotiate over their differences in the international arena.\textsuperscript{114} Regarding the relevant policies of immigration, states perceive supranational institutions as venues to develop new European level cooperation in the sense that they are used to avoid domestic legal and political constraints. In most of the immigration countries, as we have illustrated, a considerable segment of public opinion is mostly negative towards immigrants, and due to that, the rise of extreme right wing parties and spread of xenophobia is a well-known phenomenon. Institutional cooperation within the EU provides domestic legitimization and pursuit of choice that member states are in need of. In the words of Geddes, they escape to Europe to attain domestic policy objectives.\textsuperscript{115} States have most of the times acted in accordance with this assumption. The decisions that were taken in the last few years to better off the conditions of the TCNs, -which were regulated by the Directives of the Commission-, are primary examples of such acts.

Moreover, member states have been reluctant to cede their competence in the sensitive areas of sovereignty. As, it is discussed above, member states are most of the times share their competence with supranational institutions to strengthen their positions. In some cases, however, they do not want to loosen the grips, at all. For instance, even now, it is very difficult to say that all the policies regarding immigration are totally supranationalised. Unanimous decision-making process is still the rule in the Council regarding the relevant issues. The situation can be grounded on the fact that, the formulation and implementation of EU policy depends on a balance between member state interests and the pursuit of common EU objectives by supranational institutions.\textsuperscript{116} This balance mechanism, -as a result of the national interests of the states and the recent emergence of the integration process of EU-, indicates that liberal intergovernmentalism is still capable of explaining policymaking process at super-systemic level regarding the decisions that touch the very interests of the states.


New institutionalist approach began to be influential as the capabilities of the EU institutions augmented. As it is discussed earlier, the basic assumption of new institutionalism is “that institutions matter... they are the source of much political behavior and not impartial ‘black boxes’ which simply transform preferences into policies.” Pertinent to immigration issues, the Amsterdam Treaty should be deemed as a cornerstone since the supranationalization process have commenced. Not only certain policies are ‘communitarised’ such as the asylum policy, but also the role of the Commission, -which represents the interests of the EU as a whole-, has intensified. Especially in issues related to integration, the Commission has taken the role of an initiator. It provided the concept of holistic approach to gain grounds by issuing Communications. For this purpose, it has established a network of alliances between pro-migrant NGO’s, the media, experts from the academia, and other supranational institutions. This forms a kind of institutional culture in which lobbying process for pro-migration has intensified within the societies of the immigration countries.

---

CHAPTER 5:
INTEGRATION POLICY OF GERMANY AND SWEDEN

Immigrant integration policies of the two countries will be examined in the light of the EU’s increasing impact. Before that, to comprehend the gradual process of the development of the integration policies in both countries, the history of immigration and the policies shaped accordingly, are elaborated. The analysis of the integration policies of the countries through the lenses of EU’s framework are to be conducted in the next chapter by utilizing theoretical concepts that are examined in the second chapter.

5.1 Immigration in Germany from a Historical Perspective (1945-Today)

After the end of the Second World War, West Germany was continually exposed to massive immigration.\textsuperscript{118} The sources of the post-war immigration can be classified under four categories. First, \textit{Aussiedler},\textsuperscript{119} migration occurred between the years of 1945 and 1955, in which around 12 million people fled to Germany as a result of the political persecution in the Soviet bloc countries. The status of \textit{Aussiedler} was designed by the codification of the Basic Law in 1949. According to that, access to German citizenship was provided for anyone, \textit{"who has been admitted to the territory of the German Reich within the boundaries of December 31, 1937 as a refugee or expellee of German ethnic origin or as the spouse or descendant of such person"}.\textsuperscript{120} During the years after the founding of the GDR and the construction of the Berlin Wall in East Germany, it became the most important source of immigration. Around 3, 8 million people fled to the West Germany.\textsuperscript{121}

The second source of immigration was the recruitment of ‘guestworkers’. Between 1945 and 1955 the number of \textit{Aussiedler} had initially filled the labor market gaps, but their numbers were insufficient to meet the demands of cheap labor force. The first contract for recruitment of foreign labor was signed in 1955 with Italy. After the recruitment treaty, there followed the corresponding agreements with Greece, Spain, Turkey, Morocco, Portugal, Tunisia, and with

\textsuperscript{119} Ethnical Germans.
\textsuperscript{121} Munz, R. And Ohliger, R. “Deutsch Minderheiten in Ostmittel und Osteuropa, Aussiedler in Deutschland”, \textit{Demographie Aktuell}, No: 9, Berlin: Humboldt Universität.
Yugoslavia.\textsuperscript{122} Decisions about the recruitment were designed within the corporatist context of the Federal Labor Ministry with representatives of employers’ organizations, trade unions and government.\textsuperscript{123} The recruitment took place according to the labor market policies and was subjugated to the economic interests of the Federal Republic.\textsuperscript{124} Article 2(1) of the 1965 Law made it explicit by issuing a residence permit on the grounds that the presence of the foreigner would not harm the interest of the FRG.\textsuperscript{125} The number of the guestworkers peaked at 2.6 million in 1973. The composition of the guestworkers population changed rapidly. At the beginning of 1970s, 13 percent of the foreign population was Turks; by 1980 it was more than 33 percent.\textsuperscript{126} In 1971, foreigners who had been living for at least five years in Germany received a five-year work permit. This was the first time in which a regulation was established taking into humanitarian considerations.\textsuperscript{127}

This type of recruitment was supported by almost all social groups in Germany. The employers benefited by overcoming a labor bottleneck, while unions took part in the decision-making process of recruitment policies and had won equal pay for foreign workers, as well as their inclusion, in the social security system. It is argued that the employment of foreign workers functioned as an economic buffer for native workers guaranteeing higher employment stability for them. Then, the labor-intensive sectors of production did not move to low wage countries, which could cause an economic recession. Moreover, the employment of a foreign workforce at the lower end of the occupational hierarchy created opportunities for occupational advancement for foreign workers. At this phase, the introduction of foreign workers hardly encountered any opposition since the state’s stability and security concerns were addressed.\textsuperscript{128}

The third major source of immigration was the coming family members of the guest workers. Though, the demand for them fell off in 1973, when Germany entered a period of economic

\textsuperscript{122} Ibid. p.15.
\textsuperscript{124} Dohse, K. \textit{Ausländische Arbeiter und burgerlicher Staat. Genese und Funktion von staatlicher Ausländer politik und Ausländerrecht.}, Koningstein, 1981.
\textsuperscript{127} Angenendt, S. \textit{Ausländerforschung in Frankreich und der Bundesrepublik Deutschland}. Frankfurt/M, New York, 1992, p. 155.
recession by the cause of the oil shock, high levels of immigration continued due to the family reunification of the remaining workers. 129

The fourth main source was asylum seekers. Changing geopolitics and numerous crises within continental Europe led to dramatic increases in the number of people seeking asylum in Germany. Between the years 1988 and 1992 a total of 1.1 million asylum applications were lodged. In addition to the asylum seekers, Germany offered protection to 345,000 refugees from Herzegovina in the early to mid 1990s. 130 Germany’s comparatively liberal provisions of the constitution on the right to asylum played also a significant role for the selection of the country as a destiny for the asylum seekers. 131

In 2003, the number of legally resident foreigners in Germany was 7.3 million, which comprised of 8.9 percent of the total population. The largest shares of this number are the citizens of the former guest-worker countries which notably included 1.9 million Turkish citizens of whom 654,000 were born in Germany, 1,050,000 people from the former Yugoslavia, 600,000 from Italy, 355,000 from Greece and 325,000 from Poland. Overall, 80 percent of the foreigners came from Europe, while 12 percent were Asians. 132

5.2 German Immigration Policy

German immigration policy is to be examined taking into account the recent developments in the area after the reunification of the two German republics. The reason is that, before the reunification in 1990 there was hardly any coherent immigration policy, but only regulations addressing specific areas. Germany considered herself as a, - kein Einwanderungsland-, non-immigrant country in the 1977 naturalisation regulations, by which at that time, there were already 4 million foreign immigrants in Germany. 133 This should be seen as a political cultural norm in relation with an element of national self-understanding. 134 The citizenship regime of Germany based on the ethnic model, which asserted that belonging to the nation, was defined in terms of ethnicity (common descent, language and culture). This meant the exclusion of:

---

130 Ibid.
immigrants other than German descendants from citizenship and from the community of the nation.\textsuperscript{135} The situation should be seen as a political cultural norm in linkage with an element of national self-understanding.\textsuperscript{136}

Since reunification, growing transnational migration pressures, as well as increasing political opposition against immigrants, have led to a substantial change in German migration policies.\textsuperscript{137} Major changes have taken place in the areas of both external and internal migration policies. In other words, regarding the external policy there has been a gradual change on border controls, visa regulations, and on the reassessing of the status of asylum seekers. And for the first time regarding the internal policy, foreigners have started to be conceptualized as immigrants and policies have been put forward on the agenda, correspondingly.\textsuperscript{138} The latter developments, concerning the internal immigration policies will be examined in the next section as part of the immigrant integration policies.

In 1990 the first step was taken in the external policy by changing the regulation of \textit{Aussiedler} migration to Germany. The 1990 Ethnic German Reception Law stipulated that an application to move to Germany had to be made from the country of origin. This put too much emphasis on the sending countries where admission process was complicated. Then in 1992, quotas were placed on \textit{Aussiedler} immigration by a law that limited the right to claim \textit{Aussiedler} status to people born before September 1, 1993, with a 225,000 annual quota.\textsuperscript{139}

The second step was the reform of the asylum law. The influx of asylum seekers has been a major concern of German politics especially since the unification. After high numbers of applicants have coincided with high numbers of refusals of recognition, -which indicated economic grounds of migration-, the public began to label the situation as the abuse of the asylum law. Moreover, political pressure, including right-wing extremism and xenophobic violence had created an atmosphere in which the conservative government coalition and the social democrat opposition agreed to change the Asylum Procedures Law and the Basic Law

\begin{thebibliography}{9}
\bibitem{}\textsuperscript{134} Ibid. p.82.
\bibitem{}\textsuperscript{136} Ibid. p. 82.
\bibitem{}\textsuperscript{138} Ibid.
\bibitem{}\textsuperscript{139} Geddes, A. \textit{Immigration and European Integration: Towards Fortress Europe?} Manchester and New York: Manchester University Press, 2003, p. 84.
\end{thebibliography}
in which, it is laid down as a fundamental right.\textsuperscript{140} The development of EU co-operation policy on asylum also provided an opportunity for Germany to make the reform.\textsuperscript{141} Hence, the new EU’s asylum arrangements had more restrictive measures than the former German policy. The amendment made to Article 16 by the Asylum Compromise of 1993 brought German law and practices in line with other member states and with the Dublin Convention, agreed by those states in 1990.\textsuperscript{142} The 1993 legislation provided for:

- Fast track applications deemed to be ‘manifestly unfounded’ because of, for instance the possibility of forged documents prepared by applicants.
- Countries including Poland, Czech Republic and Switzerland were considered as safe third countries so that no admission was accepted from asylum seekers if they would come to Germany via these countries.
- Certain countries were listed as ‘safe country of origin’ inferring that they respect to human rights so that admissions from these countries by asylum seekers were not taken into account.
- Special airport procedures were introduced to applicants who were coming by plane.\textsuperscript{143}

Since then, the recent policy developments in the area of immigration mostly revolve around the issues of integration. Therefore, they will be discussed in the following section below.

5.3 German Immigrant Integration Policy

In Germany there has not been yet an established institutionalized coherent immigrant integration policy. Rather it can be argued that, there have been certain policy developments for the integration of immigrants.\textsuperscript{144} At the policymaking level, there is a considerable debate going on for the development of a substantial policy in the relevant area. It should also be noted that, the EU acts as an external pressure on the process.

The most important policy formation is the amendment of the ethno-cultural nationality laws, which defines citizenship. For many years a paradoxical situation characterized migration and citizenship regulations in Germany. Though, the immigrant population was more than any other state throughout Europe, the country stood out as an example for one of the most outdated citizenship laws in Europe, which based solely on descent. German nationality laws were argued as a form of ‘institutional racism’ because of their ethno-cultural foundations and exclusion of non-Germans.

Until 1990, the conditions for naturalisation were covered by Section 8 of the 1913 Nationality Law, which conceived the nation as an organic cultural community, -a volksgemeinschaft-, within which nationhood is an ethnocultural, not a political identity. In 1977 new Naturalisation Guidelines for foreigners were adopted. The arrangements obliged immigrants to have sufficient oral and written German skills, and substantial knowledge of the country’s political system. Immigrants, who had resided for at least 10 years, could benefit from these arrangements. In paragraph 2.3 of the regulations, it was emphasized that nationality would only be granted if it served the public interest. It was written in the law that “The Federal Republic is not a country of immigration; it does not seek to deliberately increase the number of German citizens through naturalisation.” The consequence of these kinds of restrictive measures was an annual naturalisation rate during the 1980’s of less than 0, 5 percent of the foreign population.

The parties on the left spectrum of German politics heavily criticized these nationality provisions. The Social Democrats and the Greens were holding more negative opinions for such laws solely depended on that strict national entitlement. Moreover, the integration process of the EU opened a space for the emergence of more liberal approaches on the citizenship regime. The failure of integrating the millions of “guest workers” into German society and the rise of xenophobia and violence after German unification fueled the quest for

---

146 Ibid. p. 91.
149 Ibid.
a liberal, republican model of citizenship based on a “post-national identity”. For instance, an arson attack in the city of Solingen on May 29, 1993 killed five Turkish residents, all members of a family, who had lived in Germany for 23 years. The attack led to many pro-Turkish/anti-xenophobia demonstrations, and to a public discussion about right-wing activities and skinheads in Germany. Moreover, the Treaty on the European Union (Maastricht Treaty) had stipulated the notion of “European citizenship”, which served to frame the issue beyond the national state. The ethno-cultural notion of the German citizenship posed a challenge to the democratic and liberal approaches to citizenship in other countries. But it was not until the SPD-Green government came to power in 1998, that the discourse on citizenship and migration resulted in a legal change.

The new law’s amendments to the ascription of German citizenship at birth constituted a significant departure from the traditional practice of relying solely on jus sanguinis. It was determined that a child born of non-German parents in Germany will receive German citizenship from birth if one of the parents had a minimum legal residence period of eight years, or held an unlimited residence permit for at least three years or a residence entitlement. A transition arrangement was established which allowed children born in Germany within the last ten years to naturalize under these conditions by 31 December 2000. It was stated that a child who obtained German citizenship via jus soli (or the transitional arrangement) must choose between his or her citizenship’s upon reaching the age of majority, or face loosing German nationality by the age of 23 (“option-model”). Moreover, to obtain German citizenship knowledge of the language and acceptance of the constitution became preconditions. The demographic effects of the new citizenship law have already begun to show its effects. In 2000, about 41,300 children born of parents with non-German citizenship became German by birth.

Germany initiated a Green Card program that would bring in 20,000 foreign IT workers to alleviate its shortage of qualified information technology experts. This was the first concerted

---

151 Multicultural German Project. http://german.berkeley.edu/mg/Chronology.php accessed on 30/11/05.
153 Ibid.
immigration effort since the guest worker program (that brought in workers primarily from Italy, Greece, and Turkey) that came to a halt in 1973. The German program allowed computer experts from non-EU countries to work in Germany for up to five years. Green card recipients received a work visa for three years, which can be extended for a maximum of another two years and were also allowed to bring their families with them.\textsuperscript{155}

In 2000, the government appointed a commission to work out proposals for establishing a coherent immigrant integration policy. The commission was comprised of experts from various backgrounds such as the academia, the politics and even the church. The Commission presented a report titled “Structuring and Fostering Immigration.”\textsuperscript{156} The report was very important in the sense that, for the first time, a holistic approach was assumed in the issue of integration. Since the previous policy recommendations had mostly involved the economical dimensions of integration. The humanistic aspects of integration were emphasized which covered up the educational, cultural and family and religious dimensions. It was proposed that a new integration policy, -which was based on a conclusive overall concept-, should be adopted.

The report argued that there was a considerable deficit among young immigrants in the area of vocational and school education. To resolve the problem, informing parents about the consequences of having low educational qualifications were suggested. Moreover, insufficient language skill was considered as a main barrier for immigrants to integrate into the society. Therefore, the German language course was to be included as a second language for the immigrant youth in the curriculum. The report advised that for the rest of the immigrant population, who had low language skills, differentiated courses should become available according to the language proficiency and the education level of the group.

The family unit was decided as the actual place where immigration took place; since it provided resources for immigrants and contributed by means of family networks. It was suggested that, immediate family members who were living abroad should be allowed to immigrate to join their families.

\textsuperscript{155}Schumacher, A. Mary. Germany's Green Card Program, \url{http://www.careerframes.com/articles/germany_greencard.htm} accessed on 03/11/05.

\textsuperscript{156}Oezcan, Veyesel. Germany: Immigrants in Transition. \url{http://www.migrationinformation.org/Profiles/display.cfm?ID=235} accessed on 16/11/05.
The individual practice of cultural ways of life and religious convictions based on the rules of the liberal-democratic constitutional system was regarded as a necessity. The report held the opinion that in the area of religion, especially for people belonging to the Muslim faith, there existed a difficulty for practice. Therefore, it was suggested that other than increasing tolerance to other faiths in the society; there was a need for teaching regular Islamic courses in schools.

The report emphasized the significance of easier access to education and to the labor market for new immigrants. It proposed an urgency of resettlement assistance, which had been already applied in Sweden and Netherlands, for newly arrived immigrants. The assistance should include familiarization of the German language, the essential features of the political order and regulations about the German labor market. It was also recommended that a special agreement should be concluded for immigrants that should necessitate participation in 600 hours of language courses to speed up the learning process of the language. Lastly, a quick translation of the EU Directives implementing the principle of equal persons irrespective of racial or ethnic origins was recommended to combat discrimination and racism within the society.

One of the most important contributions the report brought up concerning the integration policy, was the proposal for the codification of a new German Federal Immigration and Integration Law. The creation of such a law was regarded as an opportunity to bring about a comprehensible simplification and adjustment of other laws so that greater comprehensibility and transparency could be established.  

In November 2001, the ruling Social Democrat and Green coalition proposed a bill about immigrant integration, which took into account of the previous integration report. A compromise was reached in the parliament after three years of long-running and difficult negotiations in June 2004. The agreed-upon legislation included several of the recommendations submitted in the report and also included parts from that year’s proposed immigration bill about labor migration and integration. The new law introduced such new regulations:

---

Highly qualified non-EU-workers such as scientists or top-level managers are allowed to obtain a residence permit of unlimited duration at the outset.

Foreign students are to be allowed to stay in Germany for a year after finishing their studies to look for a job.

New language courses were established for immigrants. The failure to attend the courses is to have a negative effect in extending residence permits.

Asylum seekers who were persecuted because of their sex are to be recognized as refugees.158

Since then, there has been no important policy formation taking shape regarding the integration of immigrants. As it will be analyzed in the last chapter, Germany is far behind the standards set out at the EU level and still lacks a true coherent integration policy that is based on a holistic approach.

5.4 Immigration in Sweden from a Historical Perspective (1945-Today)

Today, the total population of Sweden is around 9 million and the immigrant population represents 11-12 percent of it. The number goes as high as to 20 percent as the children of the immigrants were counted.159 The rapid increase in the immigration population happened after the Second World War due to certain developments, which can be examined under two categories.

In the first category there is labor immigration that took place in order to meet the shortages of the Swedish labor market from the beginning of the late 40’s to up to the early 70s. And in the second category, there is refugee immigration from mid 70’s to nowadays which has taken place as a part of the Swedish humanitarian foreign policy.160

a) Labor Immigration

Immediately following the war, industry in Sweden experienced tremendous prosperity, driven by the demand of goods from all over Europe that was left in ruins, as a result of the war. Left relatively unharmed by the war, the country retained the technological and social infrastructure to supply products to meet the expanding demand from Europe.


Labor immigration was dominated not only from other parts of Scandinavia, as it used to be before the war, but also from other countries of Europe such as Italy, Greece, Yugoslavia, and Turkey. Immigrants mostly found their ways to Sweden by themselves, but also were brought to the country in organized groups, by the labor market authorities. The demand for labor in Sweden was so great that the Swedish employers together, with the governmental employment office traveled through southern and central Europe, especially to Italy and Yugoslavia and started to employ groups of workers directly to a workplace.

The 60's represented a transition to the second period of post-war immigration. During the 60's, bureaucracy was established to deal with the increasing number of immigrants. Westin notes that committees and commissions were authorized to deal with practical matters of immigrant adjustments, information and legal issues relating to residence permits, work permits, and citizenship. Restrictions to the previously uninhibited flow of labor immigrants were gradually established. In 1967, having a work permit before arrival became a condition for the issuance of a residence permit. Finally, in 1972, it was decided to put a halt to labor immigration into Sweden.

b) Refugee Immigration

Swedish immigration pattern was changed by the influx of refugees beginning from the middle of the 70's. A big wave of refugees in the late 1970s and early 1980s increased the number of asylum-seekers to between 10,000 and 30,000 per year. In the 70’s refugees were predominantly from Chile that fled from the military dictatorship. The second source of refugee population came from the countries of the Middle East where oppressive regimes initiated the flow. The most recent major surge of refugees occurred in 1992-94, when Sweden provided sanctuary to more than 170,000 people fleeing from the war in the former

---


Yugoslavia. Most of the refugee population in Sweden is composed from Iranians, Iraqis, Chileans, Argentineans, Peruvians, Kurds and Eritreans.

5.5 Immigration Policy in Sweden

Swedish immigration policy can be categorized under three different time periods since the end of the Second World War. The first period is from 1945 to 1964 in which assimilation for immigrants was considered to be an automatic social process. For this reason, there was no comprehensive integration policy implemented towards immigrants; nevertheless, the assimilationist policy at least did not fully exclude the newcomers, although it was the case in which policies were shaped grounding on exclusionist perspectives. The second period is the years between 1965 and 1975 where real policy engagement started. The policies initiated during these years could be regarded as the preparations for the multicultural approach that would be adopted in 1975. The policy aims were shifted via mutual adaptation to freedom of choice for immigrants. In 1975 immigration policy was based on a multiculturalist approach signifying a new period which has lasted up to nowadays.

The integration dimension became the part of the immigration policy by the implementation of the principles of multiculturalism. Taking this into account, developments after 1975 in the area of immigration are to be examined in the next section under the immigrant integration policy.

In 1965 an Aliens Decree was issued which specified that for immigrants, coming other than Nordic countries, needed to apply for a work permit in their own country of origin. This was confirmed in the parliament in 1968. The regulation was a response to the unexpected arrivals of immigrants. In the same year all immigrants were provided with the right to free courses in Swedish at evening schools. The next year the government appointed a working group on immigrant questions and the Finnish-Swedish Council to be created to improve the education of the Finnish minority. In 1967 a governmental foundation started to publish a magazine addressing the problems of immigrants. The editions were in English, French, Polish, Spanish, Czech, Turkish, Arabic and German. In 1968, immigrant children got the

---


right to learn their home language at least two hours per week. In the same year, the government initiated an investigation for the situation of immigrants regarding their cultural and social adaptation to the host society. In 1969 The New Immigration Board was established. This was the name given to the agency, bringing together three separate fields of activity:

- Permit issues from what was then the Aliens Commission;
- Citizenship issues from the Ministry of Justice;
- Assimilation issues from the Working Group for Immigrant Affairs (The name was then the Ministry of the Interior).\textsuperscript{169}

In 1972 the Swedish language courses for immigrants were improved and from then the municipalities and organizations could get support for activities to engage immigrants in the courses. In 1973, immigrant workers got the right to courses in Swedish for foreigners during working time paid by the employers, for a maximum of 240 hours. The Swedish libraries were funded to buy books in immigrant languages by the government. Religious organizations founded by immigrants began to get support in the same way as other churches outside the official Swedish church. In the town of Haparanda near the Finnish border where large amounts of Finnish population live, Finnish People’s University was established.\textsuperscript{170}

5.6 Immigrant Integration Policy of Sweden

Immigrant integration dimension was incorporated to the immigration policy in 1975. The parliament acknowledged that immigration policy should be grounded on the principles of that equality, freedom of choice and cooperation. By equality, it was inferred that immigrants should enjoy equal rights and opportunities as the rest of the society. The cultural of choice was to leave the decision to immigrants to which extent they would like to adapt the host society’s culture and to preserve their original cultural features. The cooperation and solidarity was about encouraging togetherness among immigrants and the nationals in all

\textsuperscript{169} History of the Swedish Migration Board.
spheres of life in the interest of developing a common sense within the society. Ålund and Schierup described this new policy as an ambitious attempt to create social equality among ethnic groups with its respect for immigrant culture and for its emphasis on providing immigrants with resources which can be used to exercise political influence.

The logic behind the immigrant integration policy was very much in linkage with the characteristics of the political and economic environment of the country in the 70’s. Sweden had long been dominated by a social welfare ideology up to that time which played a significant role in the spreading of egalitarian notions within the society. This meant that the principle of equality was recognized as valid for all legal residents including the immigrants. Moreover, the corporatist structure, which had been established in line with the welfare ideology enabled for immigration related policies to be dealt in these corporatist arenas. Decisions could be made without wider political debate in relatively shielded, bureaucratic and legislative arenas. In general this policy got positive responses from the public, political parties and the policy makers in Sweden. The new model grounded on the principles of multiculturalism was even quoted as a model for other countries.

In line with the new policy, the parliament decided about a long list of reforms. In 1975 the Swedish Immigration Board started to give economic support to immigrant organizations in which journals and magazines concerning the problems of immigrants began to be published. The next year for the first time, foreign citizens who lived in Sweden for more than three years got the right to vote in the local and regional elections, as well as, in the elections to the church. In the same year, the parliament decided that immigrant children should have the right to follow courses in their mother tongue both in the pre-school and in the primary education from class 1 to class 9. Programs started in the immigrant languages, besides the Finnish, in the Swedish Radio and Television Company. In 1986 the government authority of

---

174 Geddes, A. *Immigration and European Integration: Towards Fortress Europe?* Manchester and New York: Manchester University Press, 2003, p. 120
Discrimination Ombudsman was established. The ombudsman’s task was to help immigrants in personal cases of discrimination grounded on their ethnical background. 176

In 1997 Sweden declared that it moved from an immigration policy to integration policy. It was stated that Integration policy comprised of issues relating to the introduction of immigrants into Swedish society, grants to municipalities for the reception of refugees, Swedish citizenship, and measures to promote equal rights covering responsibilities and opportunities for all, irrespective of ethnic origin. Measures to prevent and counteract ethnic discrimination, xenophobia and racism were also underpinned in the agenda. The objectives of the integration policy were determined as follows:

- Equal rights, responsibilities and opportunities for everyone, irrespective of ethnic and cultural background;
- Social cohesion built on diversity;
- Social development characterized by mutual respect within the boundaries following from society’s fundamental democratic values in which everyone, irrespective of background, should participate and share a sense of commitment. 177

In that same year, the Swedish Immigration Board was divided into two different organizations, the Swedish Integration Board and the Swedish Immigration Board. The Immigration Board later on, changed its name to the Migration Board. 178

On the first of July in 2001 the new law on Swedish citizenship was implemented. According to the new law the earlier principle of preventing the occurrence of dual citizenship has been abandoned which has allowed for a dual citizenship. The new law states that Swedish citizenship is acquired if one parent is a Swedish citizenship. 179

In 2003 as the most recent integration policy development, a new law prohibiting discrimination was put into force. The new law asserted that effective protection against

discrimination should comprise all kinds of discrimination by ethnicity, religion, sexual preference or handicap.  

Sweden’s accession to the EU in 1995 had also an impact on certain issues relating to immigration. The most significant effect was seen on the asylum policy. Sweden became part of the Dublin Convention (From 2003 Dublin Regulation), which came into force on 1 October 1997. The Dublin regulation, -which set out to limit asylum seekers’ choice of country-, aimed to harmonize the relevant policy of the EU covering all the member states. Since Sweden has been one of the top three asylum receiving countries within the EU, taking part in the regulation, was considered as an act for the country to protect herself from large number of asylum flows.

In the last five years Sweden has implemented the EU legislation relevant to integration. The binding legislation covers up the Directives that are pertained to anti-discrimination and the working rights of the TCNs. Due to the establishment of an integration policy before the initiatives of the EU, there had already been plenty of regulations in these areas. For instance Sweden started combat against discrimination by founding the authority of an Ombudsman in 1986 even before the constitution of the EU. Nevertheless, the EU legislation reinforced the present integration policy in the country.

---

179 Swedish Citizenship. Ministry of Justice. [http://www.sweden.gov.se/sb/d/2188/a/19449;jsessionid=aPR0_59Z1P2h](http://www.sweden.gov.se/sb/d/2188/a/19449;jsessionid=aPR0_59Z1P2h) accessed on 09/12/05.


CHAPTER 6:
ANALYSIS & CONCLUSIONS

In this chapter, I will analyze the immigrant integration policy of the two countries in the light of recent policy developments at the EU level. The integration policies of the two countries are separately examined utilizing the theoretical models and taking account the research questions presented in the first chapter. Finally, there will be the conclusion remarks about the whole research.

6.1 Analysis of the German Integration Policy

To understand the present integration policy in Germany, it is essential to take into consideration of the chronological developments pertaining to the issue. The perception of the nationhood, based on ethnicity and establishing a citizenship regime consequently; paved the way to the selection of certain immigration models which were utilized in policy formation relevant to the issue.

During the postwar period there have been three types of migration flows to Germany. The first is the *Aussiedler* (German descendants’) population, which mostly immigrated, in the initial ten years after the end of the Second World War. The second one, is the guestworkers intensive immigration until the early 70’s, with the later participation of their family members to them. And the third type, has been the flow of asylum seekers, -though, their number is too less in comparison with the other two groups-, constantly to Germany over the last fifty years due to a relatively more liberal asylum laws than the rest of the countries in Europe.¹⁸⁴ The country responded to the increasing immigration population differently according to their ethnical backgrounds of the newcomers. German descendants, *Aussiedler*, were at once given equal rights and enjoyed nearly equal opportunities with the rest of the population and they were never recognized as immigrants. However, others, -especially the guestworkers-, were considered to be as temporary labor force until the 90s, and consequently, they possessed to a certain extent legal and economic, but not social and political rights.¹⁸⁵ This meant that they

---


had right to live and work in the country while having no chance of obtaining a German citizenship and no effect in the political system.

The different conditions and the standards applied for Aussiedler and guestworkers, suggest that the two distinct models of immigration were taken into consideration. The Aussiedler welcomed at once, and enjoyed equal legal, social and economic rights with the rest of the society which implies that their integration was designed on the grounds of the assimilationist model. On the other hand the guestworkers were incorporated into certain areas of society, - above all the labor market- but denied access to others such as welfare systems, citizenship and political participation. The differential-exclusionist approach was realized to its full extents to this group. The lack of any integration programs for guestworkers due to the differential-exclusionary model began to create problems as their numbers increased by family reunification programs.

In the examination of the chronological developments of the German immigration policy, the first regulations about the integrative policies concerning the foreign population, -immigrants other than Aussiedler-, were revealed in the area of citizenship. Then, the second decisive step was the publication of the integration report in 2000, which emphasized the more humanitarian aspects of integration. The external pressure of the EU on the national agenda, - implemented by relevant EU legislation-, should also be counted as part of the recent policy developments.

The prevailing ethno-cultural nationality laws constituted formidable obstacles to any kinds of attempts in integration for a very long time. For instance, immigrants who were born in Germany and lived all their lives in the country were still identified as foreigners and had no opportunity to obtain citizenship. As it is discussed in the previous chapter, several amendments have taken place in the legislation since the year 1990. The changes implied the abandonment of the exclusionist approach, which had insisted on to perceive immigrants as ‘the other’, although, it was obvious that they were permanent settlers. The integration report prepared by the experts publicized in 2000, -with the support of the government-, indicated that a holistic integration dimension was to be taken into account in the further policymaking in the issue. For the first time, humanitarian aspects of integration such as the respect for

different cultures and religions, the significance of the family, the education level of the immigrant youth and many relevant topics were brought up. This can be inferred that multiculturalist model could become dominant in the integration policy formation in the following years.

The EU’s impact on the development of integration policies in Germany has become tangible, by the implementation of the Directives that regulate the legal status and working conditions of the TCNs and the combat against discrimination. The Europeanization of the immigration policy has created a more liberal climate in which the concept of nationality could be revised and pro-reform governments could have more space. In accordance with the liberal intergovernmentalist stance, the EU has offered a chance for these governments to dodge domestic and legal constraints in the pursuit of policymaking in the pertinent topic.187

Consequently, it can be argued that Germany has not yet succeeded to establish a coherent integration policy with clear defined goals. The EU should be regarded as an external pressure, which speeds up the policymaking process towards inclusion of a more holistic integration approach.

6.2 Analysis of the Swedish Integration Policy
The analysis of the Swedish integration policy is based on the empirical founding and theoretical concepts discussed in the second chapter. The possible effects of the policymaking process of the EU have, also been taken into account.

Sweden is one of the few countries in the world that has established a coherent integration policy framework with defined policy objectives. She has openly declared that the integration policy is an indispensable part of her immigration policy, and other policy developments in relevance to the general immigration policy are to be developed in accordance. As it is argued before, the objectives of the integration policy have been shaped by taking into consideration of the holistic approach, -which emphasizes the interconnectedness of all the dimensions e.g. legal, economic, social, and cultural concerning integration-. This has been adopted long before the EU’s policy formulation in the area of integration. In this respect, it is a special case in Europe, unlike most of the other immigration countries, which have developed

---

integration policies with the imposition of the EU. The most underlying factor that gives Sweden its privileged position can be understood in terms of her developing distinct immigration policies than the rest of the countries which are later on categorized under different immigration models.

As it has been revealed before, the most important migration flow to Sweden, in the first twenty years of the postwar period, was the labor immigration. Sweden, unlike the other immigration countries at that time, adopted an assimilationist model, eschewing the notion of a ‘guest worker’ which implied an exclusionist approach towards immigrants. The logic behind this, can be attributed to the significant weight of the Swedish welfare state, which implied universalism; a principle whereby all individuals are eligible for the same type of welfare services. In spite of the assimilationist approach imposed on immigrants to abandon their origins, -which is one of the tenets of the model-, it provided more or less equal conditions on legal and economic terms for immigrants in comparison with the rest of immigrant populations living in Europe. This also enabled the policy convergence to multiculturalism to be relatively smooth, taking account the fact that no exclusionist policies were ever developed.

In 1975, Sweden declared that immigration policies were to be shaped grounding on multiculturalism in which integration of immigrants was regarded crucial. The core principle of the model, -as it is discussed in the theory part-, assumes the goal of integration process, as to promote civic unity while protecting ethnic diversity in the society. For the last thirty years, Sweden developed policies based on the tenets of the model, which ultimately led to the overt statement that immigration policy converged to integration policy in 1997.

The current debates about the integration policy revolve around whether multiculturalism had provided sufficient success in the area of integration. It is claimed that the decision about incorporating policies utilizing multiculturalism was given at a time, when Sweden was
relatively a homogenous country in ethnical, cultural and social respects.\textsuperscript{191} The criticism towards the policy is its inefficacy for the social inclusion of immigrants, as the immigrant population increased in years.\textsuperscript{192} In economic terms, it is argued that immigrants are having difficulties regarding employability based on certain levels of hidden discriminatory behavior of the natives. To support this claim, the relative high unemployment rate among immigrants, - it was 5, 3 percent among native Swedes, compared to 27 percent of the immigrant population in 1999-, is revealed as a proof to the situation.\textsuperscript{193} On the other hand, in social terms, there exist doubts, if some features of immigrant culture can be compatible with the Swedish way of life.

Westin argues that there are key issues to be resolved in the policymaking process of integration. They revolve around to which extent diversity can be accepted without overt expressions of social conflict and without loss of control over social developments.\textsuperscript{194} For instance, the public feels threatened about the continuation of traditional life styles of immigrant groups, -e.g., the shocking execution-style of murder of Fadime Sahindal-, incompatible with the basic values of the Swedish society. Nevertheless, policymakers seem determined to ensure that integration policy permeates all policy areas. The prevailing ethnical and cultural composition of the society is seen as the basis for all policy-making measures at all levels.\textsuperscript{195}

The EU’s role on the Swedish integration policy is limited as long as the country’s standards are ahead of the tenets set out at the supranational level. The EU legislation has, up to now, acted as an additional enforcement to the prevailing arrangements regarding the issue.

\textsuperscript{191} Fricke, Tobin. \textit{Immigration, Multiculturalism, Sweden.} \url{http://splorg.org:8080/people/tobin/papers/multiculturalism.html} accessed on 10/11/05.
\textsuperscript{193} Ibid. p. 122.
\textsuperscript{195} Report of the Integration Policy for the 21\textsuperscript{st} Century. \url{http://www.sweden.gov.se/content/1/c6/02/07/12/343893b3.pdf} accessed on 20/12/05.
CONCLUDING REMARKS

According to this research, certain conclusions were reached concerning the comparison of the immigrant integration policies of Germany and Sweden in the framework of the EU’s developing policy in the relevant area. Let us reiterate, out of these conclusions, the findings that are in linkage with the aims of the study.

First of all, the thesis aimed to find out which country has succeeded to develop a more coherent integration policy with regards to its theoretical preferences. Sweden stands out as more successful in the area of establishing a coherent integration policy in comparison to Germany, based on her utilization of a particular theoretical model. The empirical data has shown that Sweden has already developed a coherent policy framework in which the problems are well defined and policy objectives are set out clearly. The systematic policy implementation process has already started –since almost thirty years. On the other hand, Germany has developed certain policies which could enhance the integration process, but not yet succeeded to establish a consistent framework with clear objectives. This difference between the countries emerged, as we have argued, as a result of basing their relevant policies on different theoretical models of immigration. Sweden incorporated policies in regards to assimilationist model in the beginning, which converged into a multiculturalist one after a while. Due to that, immigrants, from the beginning, have enjoyed equal legal, economic and social rights and, subsequently cultural rights, with the transformation of the model. Germany grounded her policies solely on the differential exclusionist model for the majority of the immigrant population, -the guestworkers-, and as a result, the group was deprived nearly from all the rights, -except for some economic rights- that were valid for the Swedish immigrants.

In Sweden, out of the multiculturalist perspective, policy-making has increasingly taken into account a holistic approach in integration, whereas in Germany there has not been a policy evolvement towards that direction. The study showed that among the models that have been utilized in these countries, the multicultural model proves to be more compatible with a holistic approach; -which I deem to be crucial especially considering that the holistic dimension has become officially recognized at the EU level for the development of immigrant integration policies-. 
Second, the thesis aimed to find out the extent to which these policies, as well as the theoretical models, are compatible with the supranational policies and regulations developed at the EU level. Accordingly, examining the EU policymaking revealed (in chapter 4) that a holistic approach of integration, -in which legal, economic, social and cultural aspects are regarded as interconnected to each other-, is preferred and to reach this goal; policies have been formed depending on the multiculturalist model. Since Sweden has developed policies grounding on the multiculturalist model for a long time, they are not solely in accordance with the EU’s principles in the issue. Instead, they are ahead of them, for the reasons we have explained; which could generate a fruitful framework of reference for the EU’s future policymaking. On the other hand, Germany, for a long time, failed to develop the notion of integration for immigrants, and shaped policies correspondingly; which, in turn, results today in the need for the country to follow the emerging criteria of the EU.
BIBLIOGRAPHY:

Books:

Angenendt, S. *Ausländerforschung in Frankreich und der Bundesrepublik Deutschland*. Frankfurt/M, New York, 1992.


**Academic Articles and Policy Works:**


Munz, R. And Ohliger, R. “Deutsch Minderheiten in Ostmittel und Osteuropa, Aussiedler in Deutschland”, Demographie Aktuell, No: 9, Berlin: Humboldt Universitat.


Penninx, R. Immigration without integration: a recipe for disaster, Policy Brief 17.


**Official Documentation:**


Websites:


http://migration.ucdavis.edu/rs Heckman, Friedrich. National Modes of Immigrant Integration: How can They be Conceptualized and Described, accessed on: 28/10/05.


http://www.ecre.org/research/analysis.pdf, Analysis of the Treaty of Amsterdam in so far as it relates to Asylum Policy by the European Council on Refugees and Exiles, accessed on: 05/11/05.


Benito, Miguel. Active Civic Participation of Immigrants in Sweden, accessed on: 15/11/05.


History of the Swedish Migration. Swedish Migration Board, accessed on: 19/11/05.

Hegen, Dirk. Recent Immigration Developments in Germany and France, accessed on: 22/11/05


Multicultural German Project, accessed on: 30/11/05.

Ucarer, E. M. From the Sidelines to Center Stage: Sidekick No More? The European Commission in Justice and Home Affairs, European Integration online Papers, Vol. 5. No: 5, accessed on: 05/12/05.

www.hlhr.gr/emd/docs/Integration_ST13680-EN04.DOC-Common Basic Principles For Immigrant Integration Policy in the European Union, Annex, accessed on: 08/12/05

http://www.sweden.gov.se/sb/d/2188/a/19449;jsessionid=aPR0_59Z1P2h.. Swedish Citizenship, Ministry of Justice, accessed on: 09/12/05.


## APPENDIX

### Table 1. Evolution of Immigration Policy Competences of EU Institutions

<table>
<thead>
<tr>
<th></th>
<th>Pre-Maastricht</th>
<th>Post-Maastricht Third Pillar</th>
<th>Post-Amsterdam First Pillar (communitarised areas of former Third Pillar)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Asylum, Immigration, External Borders</strong></td>
<td>Domestic policy-making giving way to intergovernmental cooperation outside the Community framework</td>
<td>Third Pillar, Title VI, Article K of TEU</td>
<td>Article 73 of Amsterdam Treaty</td>
</tr>
<tr>
<td><strong>European Parliament</strong></td>
<td>No role</td>
<td>Limited role</td>
<td>Consultation for the first five years after Amsterdam Treaty takes effect, co-decision afterwards</td>
</tr>
<tr>
<td><strong>European Court of Justice</strong></td>
<td>No jurisdiction</td>
<td>No jurisdiction</td>
<td>Referral for an obligatory first ruling for national last-instance courts</td>
</tr>
<tr>
<td><strong>Decision-making</strong></td>
<td>Intergovernmental negotiations</td>
<td>Unanimity rule on all issues</td>
<td>Council acts unanimously on proposals from Commission and member states for the first five years</td>
</tr>
<tr>
<td></td>
<td>Nonbinding decisions in the form of resolutions</td>
<td></td>
<td>Council will act unanimously on a move towards qualified majority voting (with no need for national ratification of this decision)</td>
</tr>
<tr>
<td></td>
<td>Binding decisions in the form of treaties</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Commission's Right of Initiative</strong></td>
<td>None</td>
<td>Shared right of initiative for the Commission and Member States</td>
<td>Commission has shared right of initiative (member states have encouraged the Commission to assume an exclusive right for asylum issues)</td>
</tr>
<tr>
<td></td>
<td>Occasional observer status at intergovernmental meetings</td>
<td></td>
<td>Commission has exclusive right of initiative in Title IIIa</td>
</tr>
</tbody>
</table>

Source: Ucarer, E. M. From the Sidelines to Center Stage: Sidekick No More? The European Commission in Justice and Home Affairs. [http://eiop.or.at/eiop/texte/2001-005t.htm#(1)](http://eiop.or.at/eiop/texte/2001-005t.htm#(1)).
### Table 2. Percentage of immigrant population in Germany and Sweden

<table>
<thead>
<tr>
<th></th>
<th>Population</th>
<th>Immigrants</th>
<th>Immigrants % of population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>82,017,000</td>
<td>7,349,000</td>
<td>%9</td>
</tr>
<tr>
<td>Sweden</td>
<td>8,842,000</td>
<td>993,000</td>
<td>%11.2</td>
</tr>
</tbody>
</table>

Source: United Nations Population Division, Department of Economic and Social Affairs, International Migration 2002. (A shortened version of the chart)