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**MULTICULTURALISM AND IMMIGRANT INTEGRATION IN
EUROPEAN SOCIETIES**
M.A. Thesis

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ÖZET

Bu tezin amacı Batı Avrupa’da çokkültürlülüğü araştırmaktır. Çokkültürlülük 1980lerde bir dünya trendi olarak hemen hemen tüm devletleri etkisi altına aldı. Batı Avrupa’da çokkültürlü politikaların hedefleri göçmenler oldu ve çokkültürlülük bir göçmen entegrasyonu modeli olarak geçtiğimiz on yılda akademisyenleri oldukça meşgul etti. Çokkültürlülüğün yanı sıra akademisyenlerin en çok tartıştıkları bir diğer konu postnasyonel bakış açısı oldu. Bazı akademisyenler, dünyanın giderek çokkültürlü, küresel ve uluslararası olmasının, ulus-devlet vatandaşlığını anlamsız kıldığını ve yeni bir üyeliğin, postnasyonel üyelik, ortaya çıktığını ileri sürdüler. Postnasyonel üyeliğin ortaya atılması ve çokkültürlü vatandaşlık modeli talepleri dikkatleri göç ve ulus-devlet vatandaşlığı ilişkisine çekti.

Bu çalışmanın sonuçları çokkültürlülüğün bir göçmen entegrasyon modeli olarak Batı Avrupa’da gerilediğini göstermektedir. Son yıllarda Batı Avrupa devletleri “yeni bir anlayışla entegrasyon” fikrine sarılmışlardır. Hemen hemen tüm Batı Avrupa ülkeleri yeni ve eski göçmenleri için entegrasyon programları başlatmışlardır. Öte yandan Batı Avrupa devletlerinin vatandaşlık rejimlerindeki gelişmeler postnasyonel üyeliği savunan akademisyenlerin yanıldıklarını ortaya koydu. Batı Avrupa devletleri 2. ve 3. nesil göçmenleri kapsayabilmek için vatandaşlık rejimlerini liberalleştirme yoluna gittiler. Bu gelişmelerin yanı sıra, Avrupa Birliği de göçmen entegrasyonu alanına girmeye başladı. 1999 Tampere Avrupa Konseyi Zirvesi’nde oluşturulmasına karar verilen Ortak İltica ve Göç Politikası, Avrupa’ya göçün iç ve dinamikleriyle daha iyi baş etmeye çalışmaktadır. Avrupa Birliği göçmenler için yasal düzenlemeler yapmaya devam etmektedir ve üye devletlere entegrasyon çabalarını arttırmaları için çağrı yapmaktadır.

ABSTRACT

This thesis is an attempt to examine multiculturalism in the Western Europe. In the 1980s multiculturalism as a world trend surrounded almost all states. The addressees of multicultural politics have become immigrants in Western Europe and multiculturalism as an immigrant integration model kept academics busy. Besides multiculturalism, postnational perspective has become the other hot topic of immigration studies in the last decade. Some academics have asserted that with the world being increasingly multicultural, global and transnational, citizenship of the nation-states has become insignificant and a new form of membership, namely postnational membership has been born. The assertion of postnational membership along with multicultural citizenship model attracted attention to the relationship of immigration and nation-state citizenship.

The findings of this study show that multiculturalism as an immigrant integration model is in decline in Western Europe. In the last few years Western European states have started to focus on a new notion of Integration. Almost all states have started integration programmes for their migrants. On the other hand, developments in the citizenship regimes proved postnationalists wrong. Western European states have tended to liberalize their citizenship regimes to include second and third generation migrants. Besides these developments, European Union has started to enter to the field of migrant integration. Since 1999 Tampere European Council, European Union has a Common Asylum and Migration Policy. European Union has made several legislations about migrants and it calls Member States to step up their efforts in migrant integration.

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INTRODUCTION

In the last decades a variety of political movements and discourses have been put forth by different groups including the indigenous groups, national minorities, immigrants, feminists, greens and the same sex couples. Although discourses of these groups differed a lot, they were all opposing majority society's homogenizing and assimilating policies. They wanted recognition for their differences, which they believed sprang from their identities. Rather than toleration they wanted respect, recognition and public approval. Some groups wanted equal treatment as the major society enjoyed and some of them wanted public authorities to respect their differences. These "struggles for the recognition of identity-based differences" have been placed under a plastic term 'multiculturalism' (Parekh, 2000: 1).

In the late 1970s and in early 1980s multiculturalism as a world trend surrounded almost all states. However, some of them declared official multiculturalism and cherished their societies' multicultural character by governmental policies. While multicultural policies targeted indigenous groups in US, Canada and Australia, the addressees of it have become immigrants in Europe. As a result multiculturalism as an immigrant integration model kept academics busy in the last decade. While most of the studies about immigration have connected to multiculturalism, to make a better analysis this study starts with the thorough examination of multiculturalism and it reflects the main points in the discussion of whether multiculturalism can be a feasible model for immigrant integration or not.

Besides multiculturalism, postnational perspective has become the other hot topic of immigration studies in the last decade. Some academics have asserted that with the world being increasingly multicultural, global and transnational, citizenship of the nation-states has become insignificant and a new form of membership, namely postnational membership has been born. Their starting point has been that although they have not been citizens, migrants have had social and civil rights as well as the ones that international regime has codified. Advocates of postnational membership have taken this situation as evidence denoting the weakening nature of nation-state as its membership has become

insignificant. The assertion of postnational membership along with multicultural citizenship model attracted attention to the relationship of immigration and nation-state citizenship. In the second chapter, traditional citizenship models, postnational membership, multicultural citizenship and Western European states' tendencies in this field are examined to reveal the dynamics of the relationship between citizenship and immigration.

According to the projections of the coming decades, it is known that the number of employed people in Europe will decrease gradually due to the demographic aging. It is believed that to fill the gap of workers European states will have to take new migration flows. However, their being far away from integrating the migrants of even the 1950s, make them look for the answers in the European level. In the third chapter, European Union's entrance into the field of migration and immigrant integration is discussed. European Union, as a new but a promising player in this field, has made several legislations for the well being of the immigrants. Since 1999 Tampere European Council, European Union has a Common Asylum and Migration Policy that aims to cope with the external and internal dimensions of migration better. European Council has also called for the establishment of a vigorous integration policy for the third country nationals. As it is told in the third chapter, EU promises success in this field.

Immigrant integration is a very complex and a wide field that witness many discussions. This study has been prepared to understand the main points in these discussions. As the most important point has been multiculturalism in the last decades, the study starts with the attempt to understand its meaning.

I. MULTICULTURALISM

In the 1980s the term “multiculturalism” began to enter Western political discourses, which were about the minorities, ethnic groups, immigrants and their legal rights vis a vis the state. Starting from the second half of the 1970s lots of articles have been written about multiculturalism and its implementations. However, despite this steady proliferation of academia with multiculturalism and multicultural practices, today multiculturalism still does not have a clear definition. As Hans-Rudolf Wicker writes multiculturalism is one of those ‘plastic words’, which fits for different definitions (quoted in Schierup, 1997: 111). It can be understood in different forms: “a) demographic description of a society (presence of x numbers of immigrants in a society), b) exotic otherness observed in the society with lively festivals, spirited dances, spicy cuisines, c) a vague vision of how society with its minorities should function d) public policy aimed at minorities including the promotion of equal opportunity, e) distinctive institutional arrangements for the benefit of specific minority groups including special advisory offices, consultation boards, representatives and funding”(Vertovec, 1996: 50). In this thesis multiculturalism will be examined as a vision or a policy of how societies with various minorities and ethnic groups should function.

As a governing method of administration for states with various minorities and ethnic groups it still lacks a clear definition. While Olaf Radtke (2003: 55) defines it as “a globally diffused blueprint, an institutional pattern to redefine and manage increasing ethnocultural polity”, Christian Joppke and Steven Lukes (1999, p.5) define it as an effort to give voice to the culturally oppressed groups by uncovering the pseudo universalism of the dominant groups, Will Kymlicka (1995: 10) defines it as “the challenge posed by minority groups for the recognition of their identity and accommodation of their cultural differences”, by using multiculturalism Amy Gutmann refers to a “state of society or the world containing many cultures that interact in some significant way with each other” (quoted in Solomos and Schuster, 2000: 76), Charles Taylor (1992, p.25) characterizes it as the politics of recognition and difference and Steven Vertovec (1998: 28) says

“multiculturalism in all its uses has something to do with ethnic pluralism”. There are also many other definitions made by different academicians. But what is clear is that as its name shows multiculturalism refers to not only one but many cultures in the same context. In this thesis multiculturalism is understood as an *attempt* used by both majority and minorities of the society in order to realize their claims. The people living in the margins of the society pose it as a challenge to change the existing structure whether it is political, educational, societal or judicial. They use it to break the dominant cultures’ established and rooted way of understanding and interpretation of themselves. On the other hand, majority use it to appease the claims of the minority for the sake of the system. They give minorities some rights and rules but in reality, they do this to protect and preserve their dominant position in the society.

Although all the identity based struggles are placed under the title of multiculturalism, in reality multiculturalism is the rhetoric of people who have been excluded because of cultural differences. Therefore, multiculturalism is about “cultural diversity or culturally embedded differences” (Parekh, 2000: 3). It must be noted here that while multiculturalism cannot be defined very clearly, a multicultural society and multiculturalism often cause confusion in the mind of the reader. A society, which includes more than two different cultural communities, is thought to be a multicultural society. This society can respond to its diversity in two ways; whether it tries to homogenize itself by assimilating these cultural communities or it welcomes the diversity and respects the differences and demands of the cultural communities, which derive from these differences. In both of these cases the society remains to be a multicultural one however only in the second case it is multiculturalist while it is monoculturalist in the first case. As a result while the term ‘multicultural’ denotes the fact that a society is culturally diverse one, the term ‘multiculturalism’ is a “normative response” to handle the cultural diversity of this society (Parekh, 2000: 8).

1.1.1. Multiculturalism as a Model

As a term or a doctrine multiculturalism first appeared in Canada and later in Australia in the 1970s. At that time these young immigrant societies were having difficulty

in appeasing their bereaved indigenous groups, so first Canada and then Australia have incorporated official multiculturalism into their political systems to handle the claims of the indigenous groups and new settlers. US and then lastly Europe have become the next stops of multiculturalism in its world tour.

The first appearance of multiculturalism in Canada and Australia is an understandable phenomenon. These societies were post-colonial immigrant societies, made up by the immigrants coming mostly from Europe and all other parts of the world. And while these societies were immigrant societies they did not have nation-founding myths to shape the political system but they did involve the dominant cultures' (white immigrants mostly) understanding and interpretation of the world. So while Canadian and Australian systems were being established, dominant cultures' ways of doing things were taken into account. This made indigenous groups and settlers disadvantaged vis a vis the state and its practices (Joppke and Lukes, 1999, p.3). In the 1970s indigenous groups have started to demand recognition for their differences, for their way of being, thinking and feeling.

As its name suggests multiculturalism denotes plurality of cultures and besides universalism, it is also critical of monoculturalism, in which only one culture dominates and tries to assimilate the others to maintain power. Monoculturalism tries to universalize the suppositions and norms of a single culture while denying others for not fitting its mould of "high culture" (Goldberg, 1995: 5)¹.

Assimilationist models designed for minorities and ethnic groups but especially for immigrants always accompanied monocultural practices. This is what Will Kymlicka calls as the Anglo-conformity model of immigration. The basic tenet of this model was

¹ Monoculturalism had emerged as an official ideology in the late nineteenth century in US. US' monoculturalism had European culture in its core. This was probably generated by the effect of the colonization; most of the people who held the power in their hands in US were immigrants from Europe. They had European culture in their background. By the twentieth century this monocultural and ethnoracial "Eurovision" had gained a dominant or hegemonic position in the US' ideology and practices. This Eurovision, interpreted and synthesized European culture, had become the high culture for the US. Having these characters and having melting-pot assimilationism in it, US' monoculturalism shaped its practices with ethnic groups and immigrants till the 1970s (Goldberg, 1995: 17). While ethnic groups' and immigrants' cultures were not fitting to the US' mould of high culture, these cultures were scorned, ignored and dismissed and these people were invited to give up all their un-American characteristics and assimilate into the "high" American culture.

assimilation in order to provide political stability. This kind of assimilation could only be legitimized by denigrating the cultures of the new comers, homeland minorities and other culturally different groups (Moodley, 1983, p.326). In the political systems that practice monoculturalism new comers were expected to leave their cultural heritages because they left their homes and came to take part in the dream of these countries; it was interpreted that they came because they thought these countries were better than theirs.

‘Ethnic mosaic’ model of Canada and ‘melting-pot’ ideology of US were both different forms of Anglo-conformity model. While in the ethnic mosaic model, new comers and homeland minorities had two choices of different cultures to integrate in, English and French cultures; in the US immigrants had to integrate into the American culture (Kymlicka, 1995: 14) ². But in the end they had to integrate, they had to assimilate to one culture, different from their own. And living in a society, which denies a person’s culture and which imposes another one is something very damaging, discouraging and even humiliating. Because that person is not respected for what he is, he has to change to be respected; he has to leave his own culture. As Charles Taylor diagnoses perfectly recognition by others is crucial in the formation of our identities and if that recognition does not exist, this situation can cause harm and can take a form of oppression on the individual, who may feel despised and humiliated (Taylor, 1992, p.25).

Multiculturalism is a challenge to the twentieth century dominance of monoculturalism. In that sense multiculturalism is modern because it resembles the failure of dominant monocultural social hierarchies and the end of the unsafe nature of identity under monoculturalism. Multiculturalism advocates particularistic identities, which are to be built by consciousness raising rather than being received. However, these particularistic

² ‘Melting Pot’ is the metaphor used to picture the idea that all immigrants can be transformed into the nationals of the state. The ideology is highly associated with the US that the immigrants coming from all over the world from different backgrounds can be transformed into Americans “in a crucible of democracy, freedom and civic responsibility” (Booth, 1998: 2). The metaphor was first put forward by Israel Zangwill as the name of his play that he wrote in 1908. The content of the play has already been forgotten but its name has become one of the most famous adjectives that are used to describe the US. In the melting pot approach of US, people that migrate to United States can naturalize easily and *jus soli* citizenship is entitled to every person that is born in the country. However, the immigrants are expected to be highly assimilated in the public sphere and the state does not recognize any cultural differences (Koopmans and Statham, 2000a, p.19).

identities' being primordial, ascribed and all-encompassing, makes ethnic heritage, racial features or sexual orientation are the only means within multiculturalism to fix or determine an individual's identity. So it turns out to be a different thing, multiculturalism does not favor individuals but groups or communities, which are homogeneous and exclusive by nature. As Iris Young makes clear multiculturalism does not favour any group but "social groups" defined by "cultural forms, practices or way of life" which are the results of "thrownness" rather than choice (Young, 1990: 42-48). Subordination of the individual to a group is inherent in the nature of multiculturalism and it contradicts with the modern principles of inclusion and individual differentiation. This makes multiculturalism vulnerable to the critics that will be examined later (Joppke, 1998, p.285).

In the 1970s US, Canada and Australia, under the pressure of ethnic minorities and immigrant groups, have given up their monocultural approach that involved assimilationist Anglo-conformity models and they started to adopt a more tolerant and a pluralistic policy, multiculturalism, which would enable immigrants and homeland minorities maintain their own cultural practices (Kymlicka, 1995, p.14).

1.1.2. Multiculturalism in the History

The existence of several systems to manage ethnic and cultural plurality under one rule since the medieval times shows that the practice of multiculturalism is not something new. It is often articulated that Roman citizenship, the millet system of Ottoman Empire and ghettos of Europe are examples of historical multicultural practices (Vertovec, 1998, p.28).

When Roman Empire conquered a city or a country, it did not touch the internal independency of that place. The conquered places were free to maintain their internal affairs according to their own way; they were free in matters of collection and allocation of taxes, local administration, education, law, etc. However, the foreign policy was dictated by Rome. The defeated people of that place would fall under four different classes; Citizens, Municipia, Latin Allies and Italian Allies. In this categorization citizens were in

the best situation. They had full rights and full privileges. Municipia were in the second category, they had Roman Citizenship, which was called *civitas*, but they did not have the right to vote. They were allowed to have their own local government and the rights of trade. Besides paying taxes, they also served in the army. Latin Allies comprised the third category. They were not citizens but they had the rights of trade. They were self-governed. They equipped Rome with foreign legions. Italian Allies were Roman protectorates. They sent troop levies to Rome and they shared in the spoils of war (Civitas, Britannica Concise Encyclopedia, 2005).

Actually this kind of categorization of the people under Roman Empire had a lot to do with the *Romanization* process. As the defeated people *Romanized* they became eligible for acquiring Roman Citizenship. So the process that leads to citizenship was a process of assimilation. Also by giving the autonomy by which the defeated people maintain their internal affairs the Roman Empire was sure that defeated people would not rebel against it. But *civitas*, the Roman Citizenship was so precious that people rebelled two times to acquire it. Interestingly they never understood or cared that they were assimilated in order to get it (Preuss, 2003, par. 6).

In premodern Middle East and Asia the identity of the people depended on their religions. In the Ottoman Empire, community life of the non-Muslim religious minorities was managed with a system known as the *Millet* system³. While monotheistic religions were respected and put in a different basket of dignity by Muslims; the non-Muslim religious communities with a holy book were granted a right of protection and a different social status in the Ottoman Empire (Braude, 1982, p.69).

In the Empire there were three major non-Muslim communities, the Jewish community, the Armenian community and the Greek community each of which were recognized as *millets*. The Millet system was mainly about the management of these non-Muslim communities. In the system every community had a leader being the most eminent religious person of the community; chief rabbi for Jews and the patriarchs for the

³ The '*millet*' meant "a religiously defined people" in the Ottoman understanding (Braude, 1983: 69).

Armenian and Greek communities. Communities had cultural and religious freedom and they enjoyed a great degree of autonomy in administrative, fiscal and legal terms namely in fields of education, collection and allocation of taxes, internal legal matters mostly related with the personal status of the members like, marriage, divorce and inheritance (Clogg, 1982, p.192; Itzkowitz, 2005, par.4). Millets had their own courts, schools and welfare systems. In sum, the communities had the control of their own lives.

However, besides its advantages, the Millet system had many handicaps, too. In the system, communities had relations with the Ottoman authorities through their ecclesiastical leader but they did not have any interaction with other communities. Together the system pictured a train in which each compartment knew nothing about the other. The communities were living in a segregated situation. They did not care about the others and they did not participate in the mainstream of the society. As a result being an Ottoman did not mean anything to them. When the nationalism started to spread around Europe in the 18th century all these communities except the Jewish one inspired to establish their own nation-states. And with the support of external powers, they seceded from the Ottoman Empire one by one. The Millet system was an appropriate method in dealing with ethnic groups for a multinational and polyethnic empire, but it gave so much autonomy to the communities that it became one of the factors that undermined the Ottoman Empire in the age of nationalism (Karpas, 1982, p.141; Levy, 1994, par.1).

The name *ghetto* refers to an area where people from the same ethnic background, culture or religion live as a group by their own will or by coercion. Historically the word meant restricted housing zones for Jews but today it is used for urban areas where very poor people live. In medieval Europe, ghettos were the destinations where designated people or communities were deported to live a separate life from the mainstream of the society. These destinations were generally border areas of the states or neighborhood of the main cities. The authorities were sending the people that they thought would contaminate the society. The first ghettos appeared in 13th century in Germany, Spain and Portugal. In Central Europe ghettos existed in Prague, Frankfurt, Mainz and elsewhere. Ghettos had different characteristics that changed as the time passed by. In some cases, the ghetto

comprised the Jewish community. In others, they involved people who were very poor. But generally ghettos were designed to separate Jewish from the other residents of the state.

The establishment of ghettos was accompanied with several regulations like prohibiting the residents to acquire any property outside the ghetto or forcing residents to erect high walls around the ghetto and not allowing them to go out without permission. Secluded from the others, residents had their own legal, administrative and educational systems. The ghettos were abolished one by one in 19th century following the ideals that French Revolution spread. The last Western European ghetto where Jewish people were deported was abolished in 1883. The Nazis reopened the ghettos in Eastern Europe, before and during the Second World War. During the war ghettos served as reservoirs of people that the Nazi administration wanted to keep an eye on. Through ghettos they controlled the population growth of Jewish, Romani and disabled people. The people kept in ghettos were among the first that were deported to extermination camps (Wikipedia The Free Encyclopedia, 2000, par.3).

But now the world is a different one in which boundaries are not easily changed by conquests and power. However, history has witnessed huge flows of immigration from one continent to another, from one country to others. And these people whose origins are in another place have made up *de facto* multicultural societies and they have started to demand recognition for their differences and for their ways of doing things (Moodley, 1983, p.324).

It is obvious that multiculturalism does not predicate a single opinion or a strategy for the present complex societies. However, many usages of the multiculturalism have reference to certain understandings of culture generally being “a kind of package of collective behavioral-moral-enhancive traits and customs, transmitted between generations, best suited to particular geographical origins yet not affected by history or a change of context, which enters drop by drop as a distinct quality into the feelings, values, practices, social relationships, tastes and intrinsic nature of the individual who belongs to it” (Vertovec, 1996: 51). All people in the world are classified into categories according to the core characteristics of their culture, which are assumed to be gained by birth.

In the last decades that kind of certain interpretation or understanding of culture has become prominent by the process of globalization: as the flow of people, goods and information increased, cultural differences have become more obvious. As a consequence people have started to view and define themselves according to the cultural differences, which have become the most important basis for economic and political contention (McLellan and Richmond, 1994, p.664).

In general lines 'culture' is defined as the "customs, beliefs, art, music, and all the other products of human thought made by a particular group of people at a particular group time" in Contemporary Longman Dictionary (Quirk, 1986: 251). In fact the notion of culture has double meaning. It's understood as the way a group becomes successful against nature and it also means a collectivity with personality. The first definition is singular because it's the story of only one group. Kant used a similar terminology of culture in the singular to make a differentiation between people who rationally maintain their lives according to universal moral laws and who cannot. Anglo-French civilization fit for the mould of Kant and he labeled them groups with culture. However, in the 19th century German historicists especially Herder formed another definition of cultures in the plural that "opposed the universalist pretensions of Anglo-French civilization" (Joppke and Lukes, 1999, p.3). According to Herder, every culture was unique and deserved respect while it was valuable for the group of people who associated themselves with that culture. Furthermore Herder thought that cultures were equal and as every culture was unique it would be unwise to judge a culture according to the standards of another. As Herder rejected the monist view and defended uniqueness of cultures, his thoughts were used by the German intelligentsia of that time to unify ethnic Germans under one rule (Parekh, 2000, p.70). For the German intelligentsia, who were trying to carve out a national identity for ethnic Germans, the only weapon against French could be a specific national culture. As Joppke and Lukes explain (1999:3); "If civilization, as the mode of French culture, was not pluralizable but conceived of as the highest stage in a development to which other parts of the world were expected to aspire, *Kultur*, as the mode of German culture, was inherently plural, because born in confrontation with another culture deemed superior." Today people use the notion of culture, which is particular and unique that Vertovec

defined above, however they are aware of the fact that there are other cultures to which they must resist and from which they must protect theirs. As this story tells us, except the Anglo-French, resistance is inherent in all other cultures. And may be that is the reason why cultural differences have become the main battleground today.

Triggered by globalism and economic difficulties, the understanding of culture; being distinct, transmitted to next generations, that suits one geographical context best but can still live in other places; has started to fuel minorities and immigrants to fight for the recognition of their differences and for their own cultures (Vertovec, 1996, p.51). These developments led to the emergence of “identity politics” to which multicultural policies and regulations can be attached. In general the purpose of identity politics is to rebuild “authentic narratives” that will bring back the dignity, self-confidence and the identities that have been lost, submerged or oppressed. (Schierup, 1997: 113)

“Multiculturalism envisages a mosaic society, which is made up of different, unmeltable, individually homogeneous minority uni-cultures that live under a similarly defined majority uni-culture” (Vertovec, 1996: 51). Generally speaking these uni-cultures are called as communities. And the rhetoric of multiculturalism is to create a mosaic society in which majority community and minority communities live without having conflicts and clashes. While minority communities would gain recognition and respect for their identity, besides accommodation for their cultural differences with the multiculturalism, the problem that they pose to the majority community with their claims would be overcome. As Parekh and Bhabha (1989:27) diagnose perfectly,

“multiculturalism doesn’t simply mean numerical plurality of different cultures, but rather a community which is creating, guaranteeing, encouraging spaces within which different communities are able to grow at their own pace. At the same time it means creating a space in which these communities are able to interact, enrich the existing culture in which they recognize reflections of their identity”.

People from minority uni-cultures are assumed to be able to integrate to the mainstream of society with these regulations. With this, uni-cultures retain all their characteristics but only one component of the definition of culture becomes unnecessary by multiculturalism: unmeltable. Because with multiculturalism minority communities do not

need to melt in order to adapt themselves to the majority community, they have another way to participate in the majority community, so this component of the definition loses its significance under multiculturalism.

Multiculturalism searches for the equal rights and the recognition for ethnic, racial, religious and sexually defined groups. It is viewed as a movement of the left because of its emphasis on equality and emancipation. However, because it defends ascriptively defined particularistic group identities, it conflicts with the understanding of the left and moves into a field that has been dealt with by the political right (Joppke, 1998, p.285). Besides this, as it is told earlier Charles Taylor defines multiculturalism as a “politics of difference” in which a combination of egalitarian and democratic rhetoric with emphasizing on authenticity and refusing western universalism exist (Taylor, 1992, p.53). Indeed multiculturalism has a character of rejection of Western universalism in itself. The underlying epistemology of multiculturalism is relativistic. In the rhetoric of Multiculturalism Western universalism is viewed as nothing but just only a homogenizing deception to continue holding power. As Iris Marion Young says, universalism is understood as a product of cultural imperialism, with which dominant group universalize its experience and “culture as the norm”; the one that is correct and as the standard that must be conformed to (Young, 1990: 59). It is obvious that universalism is not a product of only cultural imperialism but also colonialism; “subjugation of the Rest by the West” in Todorov’s words (quoted in Joppke and Lukes, 1999: 5). With the help of the imperialism and colonialism one group became dominant and managed to establish its own values and culture as the universal values. When it is examined carefully, there is indeed nothing universal but established values and norms of the dominant culture camouflaged in a bright attractive package. So in that sense multiculturalists are right in seeing universalism as another disguise of assimilationist attempts. Multiculturalism appears as an attempt to uncover this pseudo universalism of the dominant group and to give voice to the culturally oppressed groups.

Around the world official multicultural policies generally include dual citizenship, government support for newspapers, television and radio in minority languages, support for minority festivals, holidays and celebrations, acceptance of traditional and religious

dress in schools, in the military and in society, support for arts from cultures around the world, programmes to encourage minority representation in politics, education and the work force (Multiculturalism; Encyclopedia Britannica).

1.1.3. Different Dimensions of Multiculturalism

Christian Joppke defines three different dimensions of multiculturalism. “First as a challenge to the dominant cultural community of our time, the nation; second as a quest for recognition and compensatory treatment of historically disadvantaged and discriminated groups in society; and third as a generalized form of anticolonial discourse and struggle.” (Joppke, 1998:286). In the next sections these three dimensions will be examined.

1.1.3.a. Multiculturalism and the Nation-State

Nation-state is a “sovereign political organization, within which nationality and citizenship overlap” (Heywood, 1997: 117). The concept indicates that all members of the state are of the same nation, which is a very rare phenomenon. Therefore, it is an ideal (Entzinger, 2000, p.98). Still being the most important “export product of Western civilization”, nation-state is having difficulties in coping with the realities and problems of our age (Imhof, 1997: 57). However, it has been the most important, most advocated and most discussed form of political organization. Political scientists agree that nation-state has been the dominant form of political organization in the post 1789 era⁴. And major events in the history namely, the First World War, the Second World War and the collapse of Soviet Union verified the principle of nation-state being the most suitable political organization (Heywood, 1997, p.117).

⁴ As Kurt Imhof defines the idea of nation-state has gained universal validity in two ways. Firstly it has been viewed as a framework in which the shared beliefs of the minorities whether be it ethnic, linguistic, nationalistic, religious or culturalistic were amalgamated in order to acquire national sovereignty and self-government. And the second reason that strengthened the nation-state idea was the anti-colonial movements, which took the form of nationalistic movements and which gave rise to the birth of new minorities (Imhof, 1997, p.60).

The nation-state is the embodiment of the self-government of a nation; the people who share a common cultural and ethnic identity and who regard themselves as a distinctive political community. It offers cultural cohesion and political unity, to say it differently it envisages a form of political organization in which political and cultural boundaries are the same or congruent. In that sense the concept of the nation-state means the state of a nation, one state of only one nation. So the national and ethnic homogeneity are inherent in the character of the nation-state. However, the idea of nation-state in which the political and cultural boundaries are congruent or having people that are ethnically and nationally homogeneous under one rule is a myth. Because as W. Connor expresses “only 9.1 percent of the world’s existing states are ethnically homogeneous” and only in these states political and cultural boundaries are congruent, therefore only these states fit to be nation-states (quoted in Llobera, 1993, p.44). This means that 89.1 percent of the world’s existing states most of which call themselves nation-states are not ethnically homogeneous.

Today most of these so-called nation-states have minorities or immigrant groups, which together make up de facto multicultural societies. And the cultural boundary of a minority or an immigrant group generally does not coincide with that of the nation-state. This situation of course conflicts with the rhetoric of the nation-state. The problem arises here because the state and the nation are two different sides of a coin. While the state aspires to become a nation, the nation wants its own state. In the end while multiethnic states try to homogenize their multiethnic structures by erasing the other groups sometimes with coercion or inducement, the ethnic groups start to fight for their self-government with the assimilationist homogenizing impulses they take from the state (Llobera, 1993, p.47). Europe is a very good example for the so-called nation-states. European states, none of them being ethnically homogenous, have tried to reach their nationally homogenous people, they have changed the map of Europe several times with bloody wars but the result is still a couple of heterogeneous pseudo nation-states. Either the nation was wider than the state as in the case of Germany or the state was too big for only one invented nation as in the case of Italy. Actually, there is only a very thin line between a nation and an ethnic

group⁵. While sharing a common culture and a historical identity like a nation, differently from it an ethnic group does not have political aspirations (Heywood, 1997, p.404). But as history witnessed these ethnic groups can generate political aspirations with the impulses given from the assimilationist and homogenizing state as in the cases of Spain and UK.

The most important product of modernity the nation-state idea provided the necessary framework for handling the problems of the 19th and 20th centuries, however today in the beginning of 21st century, still being the dominant political organization, it has difficulties in dealing with the problems of our age. Not only the principle of nation state but also the ways of understanding and explaining social changes around the world has been under construction. As many authors stress modernity has given up its place to post-modernity.

The recent phase of modernity, which is defined as the postmodern condition or postmodernity, describes a stage in the development of technology and organization. Postmodern condition is a one that is characterized by a growing social, political and cultural self-awareness. Some authors say that it was generated by various reasons like post-second world war need for stability and security; post-war mass migrations and processes of decolonization, break of communist ideology, cultural unification and globalism (Spajic-Vrkas, 1996). Postmodern condition is used in description of a lot of issues, but its main argument is that, with the globalization of the economies, consumption and developments in the communication systems, nation-states have lost their control over the societies and identities of the members of these societies. Societies do not act collectively to realize a purpose anymore and even the most unified societies are getting decomposed (Modood, 2005, p.136). The end products of postmodern condition which are uniqueness, particularity, difference, search for roots, reconstruction of a cultural past and adherence to a traditional identity have become the key words of our age. Under these conditions it is not surprising that multiculturalism is a postmodern product.

⁵ An ethnic minority is a one whose members are tied each other with the ethnic bonds. The roots of the word 'ethnic' is found in Ancient Greek word 'ethnicity', which was used to indicate a group of people or animals that share "cultural or biological characteristics and who live and act in concert" in Ancient Greece (Hutchinson and Smith quoted in Nas, 2000: 46).

Culturally, like modernity postmodernity finds its roots in the cultural movements generated from a reaction against the previous discourses, narratives and symbolic representations. Some socio-anthropologists see postmodernity as a symbol of challenge to the idea of universalism, which is used to legitimate the processes of secularization, rationalization, social stratification, urbanization and industrialization. Ihab Hassan specifies different aspects of postmodernity, which are, “indeterminacy, fragmentation of the self, decanonization, the fictionalization of identity, irony, hybridization and carnivalization” (quoted in McLellan and Richmond, 1994: 666). All these aspects are important when we try to understand the conflicts of our age. These aspects throw a light on the main problems of today’s ethnic groups, immigrants and homeland minorities.

Postmodernity can also be viewed as a form of resistance to the cultural homogenization of industrial capitalism and mass-market consumerism, which take place through globalism. Indeed, globalization, with its power to penetrate even to the smallest cell of an organism whether be it a society, an organization or an individual, creates new battlefields in the discourses of the self, the ethnic group, belonging etc. It has a homogenizing effect. Globalism necessities new tools for the definition of new levels of conceptualization, and these tools are present in the intrinsic nature of the postmodernism. Against the globalism’s homogenizing effect, people employ postmodernism and its aspects defined above to protect, to recall and to recreate their own identities and cultures⁶. It is obvious today that postmodernism, globalism and identity politics to which multiculturalism can be attached go hand in hand.

Our postmodern age is a one characterized by universalism, fragmentation and particularism. It seems that the former triggers the latter. But this process of course is not a “universalism” in real terms. We are living in a world, which is becoming a global village more and more everyday, in which invisible hands direct liberal economies without the intervention of national governments or in which industrial capitalism touches and changes everything. In this global age the economy, technology and world system gave way to

⁶ As Jameson stresses “a proliferation of social codes relating to ethnicity, gender, race, religion and class have led to a rejection of dominant bourgeois ideologies. As a result, advanced capitalist countries today are now a field of stylistic and discursive heterogeneity without a norm” (McLellan and Richmond, 1994:666).

Anglo-Saxon hegemony. As it is told in the previous paragraphs, multiculturalists view universalism as a deception to impose dominant culture's values and norms. Interpreted in this way, it seems that Anglo-Saxon world, with its hegemony in economy, technology and politics exports its values and culture to the other world's states. What is exported to other states / to other people is the "popular culture- television shows, movies, rock and roll, jeans, Simpsons, Britney Spears, Oscar Awards, etc. Popular culture is directly related with economic hegemony and capitalism" (Goldberg, 1995: 10). As Karl Marx and Friedrich Engels foresaw in the Communist Manifesto, with capitalism and industrialism today's dominant power; Western world, breaks down the walls of the nation-states, renders all nations and cultural groups vulnerable and imposes its own culture on them (Marx and Engels, 1985, p.15).

Interpreted in this way universalism means Westernization. Indeed an uniformization is taking place, but interestingly, this does not give way to the disappearance of ethnic identities. In a way we are becoming more similar everyday as we use "the same cultural and material products", wearing the same jeans, listening to the same songs (Llobera, 1993: 51). But this does not mean that we are feeling the same. People react to the effects of globalism and industrial capitalism differently according to their identities.

It is obvious that nation-states are not as sovereign as they used to be. But this does not mean that they are becoming insignificant. In spite of the challenges they face, nation-states are still the most important political organizations (Koopmans and Statham, 2000b, p.218). However, it should be noted that their ways of dealing with the challenges are changing. As it was mentioned before our age is a one, which is characterized by the courage and the outrage of the minorities, with supranational and international organizations; liberal economies and globalism. These challenges showed that homogenizing and assimilationist policies are not working anymore. Today national governments do not have the luxury to impose their own cultures on the minorities. Furthermore it is worth noting that today cultures are the most important platform in the fight against inequalities and self-realization. So in this dimension on one hand multiculturalism is an expression of a postmodern situation where culture is no longer

defined and homogenized by or kept under the control of the nation state. On the other hand, multiculturalism has also appears as a tool of the nation-states to handle the claims of the minorities and indigenous groups.

1.1.3.b. Multiculturalism and Social Inequality

Before the 1960s the social differentiation of people were made on the basis of class, religion and nation. But these categories of social identification were blurred as search for roots and cultures started and as welfare; social and/or civil state models that posited citizenship over nationality were introduced. 'Ethnic, minority and indigenous identities have started to emerge as new types of "thick" identity based on both cultural and political interests' (Spajic-Vrkas, 1996:4). Since the 1960s, the world has witnessed the emergence of different groups' rhetorics built upon the demands for recognition and respect for their differences. Today academics agree that in most cases demands for the recognition of differences arise from the social inequalities that these groups face. Social inequalities may take the shape of exploitation in employment, unemployment or being locked in a status of underclass and exclusion (Wieviorka, 1998: 895).

Generally social inequalities are generated from the declining trend of the national economies. This phenomenon of course has a lot to do with the globalization of the economy and industrial capitalism. When the economies of nation-states start to decline, competitions for scarce resources occur. And it is believed that the losers of these competitions are not generally people who belong to the nation or the dominant culture. The members of non-national groups whether be it minorities, other ethnic groups or immigrants are excluded from access to the resources that are getting scarcer. These resources can be a number of available jobs in administration, army and industry (Helbling, 1997, p.233).

Under the pressure of social inequalities people have started to head identity politics and charge some of the characteristics of their identities that they have not been aware of before. Identity, by its nature, is something, which is always under construction. Like a play dough the person shapes it again and again according to the situation he is in. Therefore cultural differences that depend on identities are in a constant process of

production, which means that fragmentation and recomposition are permanent processes (Wieviorka, 1998, p.895). In a situation of growing social inequalities and cultural differences, when the population is divided into groups like the privileged ones and others, when the state has only limited capacity in dealing with the economic problems and when the organizations of the left are weak to ameliorate the living standards of the lower classes then conflicts along cultural lines between the lower classes of the majority and minorities are likely to occur. Unfortunately the inequalities between populations of the states are increasing as the world economy globalized and as the multinational corporations dominate it more (Helbling, 1997, p.242). And as a result people are increasingly divided with invisible cultural lines as the competition for scarce resources intensify. In that sense we see multiculturalism as a rhetoric used by these people who suffer from the social inequalities.

Social scientists take multiculturalism only as a political thought that fights for the cultural recognition. However, besides its cultural dimension it has a social-economic dimension, too. For example its practices in Canada, Sweden and Australia do not have a clear separation between cultural and economic aspects. Generally people targeted by multicultural practices in these countries did not only have cultural problems but they also had economic problems. In its practice in the US a new concept ‘affirmative action’ is entered into the theoretical framework of multiculturalism⁷.

In this second dimension historically disadvantaged and discriminated groups use multiculturalism for recognition and compensatory treatment. These groups are often referred as minorities. Homeland minorities have already had claims before the emergence of multiculturalism and as it is told in the previous paragraphs they generally strive to change the governing nation’s first among equals status. On the other hand migration-based minority groups are much more relevant in the context of multiculturalism. But

⁷ Pascal Noblet says that affirmative action is about “adjusting the racially oriented means to discriminatory ends” (quoted in Wieviorka, 1998: 896). And Nathan Glazer says that affirmative action is not related with the famous recognition of cultures but it is about jobs and admissions (Glazer, 1999, p.187). However, if we look at to the people targeted by affirmative action carefully, we see that social inequalities are conveyed with cultural disqualification (Wieviorka, 1998, p.894). When some people do not fit for the mould of ‘correct culture’, they are excluded from the benefits of the society and they suffer from the social inequalities very much. Here again we return to the question of culture.

again a queer situation occur because while they were not there since the beginning and while they come with their own will, their claims for the preservation and recognition of their cultures appear on a shakier ground. Because as it is mentioned before the host societies think that immigrants come because they think the host country, its culture or system are better than theirs.

1.1.3.c. Multiculturalism and Anti-colonialism

As Multiculturalism is moderate and Herderian understanding of culture, which is about rebuilding indigenous cultures that were lost or blurred in the process of colonization and migratory movements, is inherent in it as a third dimension it is used by anti-colonialists (Joppke and Lukes, 1999, p.5). Anticolonialists rely on the culture to emancipate from the restraints in the political, legal and social spheres. The anticolonial discourse that is expressed in multicultural tunes is also relativistic; it criticizes Western universalism for being wolf in the disguise of a sheep. They refuse the liberal understanding of inclusive citizenship and defend exclusive politics of identity (Joppke, 1998, p.288). Anticolonialists believe that while the West exercises power through dismantling the cultures of the colonized people, they can only emancipate with the reassertion of their own cultures and traditions (Benhabib, 1999, p.52). They see west and integration into the western societies as the assimilation, they believe political, cultural and legal emancipation can only come with separation rather than inclusion or integration. Here multiculturalism departs from the traditional social movements that fight for social inclusion or citizenship (Joppke, 1998, p.288). Traditional social movements fight to end the discrimination of some groups by realizing their claims, in general when their claims are met, the cementing factor that makes a number of people a group ceases to exist. As far as it seems traditional social movements fight to end the classification of the society, and to reach a classless one. On the other hand, multiculturalism is nourished from the existence and maintenance of claims-making groups. Therefore multiculturalism does not only care about answering claims of these groups but it also aims for the maintenance of them.

The immigration routes that start from the third world countries have facilitated the interpretation of multiculturalism as a “third world liberation ideology” (Joppke, 1998: 289). With migration western societies have become more and more diverse and claims for

building a society, which is ethnically and racially diverse become the core of the multicultural rhetoric. Multiculturalism is critical of assimilation of immigrants and in reality it is an alternative to traditional assimilation, whose aim is to eradicate the cultural difference that immigrants bring to the host societies.

As it is told earlier, the traditional assimilationist models, which Will Kymlicka calls as Anglo-Conformity models have become anachronistic for a variety of reasons. Today, migrations occur within a system of nation-states, having migrated from another nation-state, migrants are not hesitant about preserving their identities. With the developments in the transportation and technology people can be in touch with their relatives and monitor everything in their countries (Kymlicka, 1995, p.14). They can still feel the sense of belonging to their own countries and this situation makes them inassimilable. They have always the idea or the hope to return their home. For that reason they care to preserve their identities and culture. However, this often makes the situation difficult for them. They cannot integrate to the mainstream of the society in which they are living and working invisibly. Multiculturalism steps into the scene at this moment and say that these people must take their shares from the mainstream of society; even if their hearts belong to home or rather 'heimat' (Alund, 1997: 91), they are living in these societies and their bodies are working and producing for these host countries. For that reason, according to multiculturalism, they must have recognition and their integration into the mainstream of the society must be facilitated by some regulations.

1.2. Strong and Weak Multicultural Models

In the weak multicultural model, cultural differences are recognized only in the private sphere. And immigrants are expected to integrate to the society through an assimilation process. They are able to maintain their cultures, speak their languages and practice their customs in their private lives but in the public sphere of law and government, education, the market and employment they have to adapt to the norms of the society (Vertovec, 2001, p.6). In the states, which practice weak multicultural model, recognition for cultural differences is not granted via group membership. But all citizens of the state

are given the recognition for their cultural differences in order to maintain them in their private lives.

In the strong model of multiculturalism cultural differences are recognized and institutionalized in the public sphere. The model grants “strong, formal and constitutional recognition” to culturally different groups (Shachar, 1999: 89). Furthermore it allows them to govern their members according to the norms of their cultures (Shachar, 1999, p.92). Supporters of strong multicultural model want state to free culturally different groups from the rule of constitution, which, they believe, serves only to the dominant culture, and help the creation of self-governments for these groups and they also want these groups to be included to the political discourses.

It seems that weak multicultural model does not pose a threat to the normal regulation and the established norms of the societies. However, the strong one is criticized very much by many authors and the focus of this thesis is the strong multicultural model.

1.3. Multiculturalism gives rights to groups

While multiculturalism and its practices are being discussed, it is often asked which groups are qualified to participate in the multicultural practices. It seems a simple question but it is difficult to give a clear answer to it. In general terms, to be a multicultural group, the group must be a “*minority*, smaller than the majority”⁸ (Joppke and Lukes, 1999: 11). Here it must be clarified that being just a numerical minority does not qualify the group to be a demandeur under multiculturalism. Besides this, the group must be a *structural minority*, thrown into the status of minority by the majority group. Furthermore it must be

⁸ There are several definitions for the term ‘minority’. However Professor Francesco Capotorti’s definition, which he made in 1977, is the one that is most commonly accepted and used by the academia. He has depicted the minority as “ a group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members-being nationals of the state-possess ethnic, religious, or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language” (quoted in Nas, 2000: 31).

an *oppressed structural minority*. However, all types of oppression does not make the group a multicultural claimant. The form of oppression qualified here must be done on the basis of an unalterable distinctive (Joppke and Lukes, 1999, p.12). It means that the oppression made by the majority group on the minority must be made to change an unchangeable character of that minority group. In Iris Young's words only those people who have experienced "the epidermalizing of their world are legitimate multicultural claimants, seeking remedies for racism, sexism, homophobia, ageism and ableism" (Young, 1990:123).

After having brought light on the groups, which qualify for multiculturalism, here it will be better to define the rights that multiculturalism promises to give them. First of all as it is mentioned above multiculturalism aims saliently at recognition of minority groups. And this recognition brings different rights; one of which is the exemption from certain legal standards and duties (Joppke and Lukes, 1999, p. 13).

Another type of group rights is the special benefits accorded to individuals via group membership. These special benefits may take different forms but the most common one is the bilingual education programmes for the children of immigrants. Education is the most important and suitable process for embedding assimilation. According to multiculturalists people are given a low self-image of themselves with the existing curricula and education programmes. Therefore the main site of multiculturalist claims is education and it gives special emphasis on bilingual education programmes and the curricula. Multiculturalism advocates the "establishment of non-western-centric curricula, ethnic studies programmes and federally mandated bilingual education" (Joppke, 1999: 630). Multicultural policies may include "dual citizenship, government support for newspapers, broadcasting and radio in minority languages, support for minority festivals, holidays and celebrations, acceptance of religious and traditional dress in schools, the military and society, programs to encourage minority representation in politics, education and working environment" (Karr, 2002: 2).

And the last group right under multiculturalism is the self-government. As it is understandable this is the strongest claim of multiculturalism. In fact, it is not something

new, as Will Kymlicka states; according to the United Nations' Charter "all peoples have the right to self-determination" (Kymlicka, 1995:27). However, what is intriguing here is that United Nations has fallen short to clarify the "peoples" and this principle has mostly been applied to the peoples of the overseas colonies not to the internal national minorities although most of them have come into being as a result of the colonization process and conquests. When this principle has been reserved only for the colonial people, national minorities have started to assert that they are peoples, too. Multiculturalism promises self-government for the oppressed structural minorities if they wish so without the approval or recognition that they are peoples or nations (Kymlicka, 1995, p.28).

Besides these three rights that multiculturalism aims and fights for, Will Kymlicka defines another one that can be included here as the fourth right; special representation rights. The traditional worry of national minorities and ethnic groups has been protecting their cultures through gaining self-government and group rights as mentioned above, but in the last decades there has been an increasing interest within these communities to acquire special representation rights. The idea of or claim for the special representation rights derives from the fact that legislatures in most of the Western democracies lack the representation of ethnic and racial minorities. Ethnic and racial minorities will be able to represent themselves better through the reservation of certain number of seats for them in the legislatures under the special representation rights (Kymlicka, 1995, p.28).

1.4. Multicultural Cases from Western Europe

Before starting to examine the cases of France and Netherlands it is better to diagnose the different way that multiculturalism is perceived in Europe. In his article *Multiculturalism and American Exceptionalism* (1999, p.185) Nathan Glazer compares Western European states with US and concludes that multiculturalism and its practices target different groups of people in these states. While multicultural policies of US targets minorities that are conceived of as natives of the US, the addressees of multicultural policies in Western Europe are immigrants. It can be said that multiculturalism as a model is used for the integration of immigrants in the Western Europe.

After the Second World War, European economies have started to develop rapidly. However, the number of unskilled workers to embrace such a rapid economic growth was inadequate. This led western European states to recruit foreign labour (Rex, 1996, p.51). By the mid 1950s Europe has already had many immigrant workers from the peripheral areas of Europe, from developing countries and the former colonies. While both the migrants and the host countries thought that this recruitment was a temporary situation, no coherent policy for handling the social and political effects of the immigrant workers was enacted. In the mid 1970s it became clear that most of the guest workers were there to stay (Ireland, 2000, p.234). After that European states had started to look for solutions for these newly emerging immigrant ethnic minorities within their territories.

Multiculturalism is thought to be one of the three European responses to the arrival of immigrants in the post Second World War period. The other two is that of Assimilation, which has been identified with France and the *Gastarbeiter* system of Germany in which immigrant workers cannot acquire political citizenship⁹. As a third response multiculturalism is exemplified by Sweden, the Netherlands and the United Kingdom (Rex & Singh, 2003, p.3).

Multicultural policies have emerged almost in every European state in the 1980s. However, they did not give the expected results. As Nathan Glazer observes while “American multiculturalism turned people of different backgrounds to citizens, European multiculturalism turned immigrants to foreigners” (quoted in Joppke, 1998: 36). Multiculturalism in Western Europe has been confined with the recognition of immigrants publicly and with the tolerance that is shown to their ethnic differences. It does not consist of any affirmative action policy in Western Europe. It should be recalled that US have affirmative action regulations for the racial groups that have been discriminated and

⁹ France has been identified with the Assimilation model. In the model immigration is seen as permanent and immigrants are welcomed and given political rights as long as they are able to assimilate to the French cultural pattern (Entzinger, 2000, p.102). Germany’s *Gastarbeiter* (Guestworker) views that immigration takes place according to the needs of the labor market, it perceives immigrants as temporary elements that will return to their countries in the end. Therefore German government has not given any political rights to the immigrants while they have been entitled economic and social rights (Entzinger, 2000, p.101).

persecuted by the state itself during the colonization¹⁰. As the guestworkers arrived by their own will and the host states did not make any historical wrongs to these people, affirmative action policies are not existent in the European multiculturalism.

In the next section the case of Netherlands, in which both rise and decline of multiculturalism can be observed, and the case of France, which has become less assimilative with the multicultural trend in the world will be examined.

1.4.1. Multiculturalism in the Netherlands

1.4.1.a. The Rise of Multiculturalism

Along with Sweden, The Netherlands was often referred as the Europe's best example of multicultural model by the academia. Compared to its neighbors the Netherlands was late in magnetizing the migrants as it had little heavy industry (Ireland, 2000, p.243). Although it was late in getting immigrants it caught up with its neighbors in a very short time. Today it has immigrants from all over the world and one in every six person residing in the country has an immigrant ancestry (Entzinger, 2003, p.59). Netherlands indeed is a *de facto* multicultural country with its high immigrant population. The immigrants have come mostly from Indonesia, Turkey, Surinam, Morocco, the Netherlands Antilles and Aruba, former Yugoslavia, Germany, Belgium, and the United Kingdom (Kraal, 2001, p.16).

After the Second World War the first migrants came from the former colonies. While they were living under Dutch rule for centuries they did not have too much problems in integrating to the society. In the 1960s the Netherlands began recruiting guestworkers mostly from the Mediterranean countries. And in the mid-1970s unrests in many Dutch cities have started to appear in relation with the migrants, tensions occurred between the newcomers and the local people and a number of terrorist attacks, including the hijacking of two trains by Moluccan extremists created the urgency that government

¹⁰ As it was mentioned before, the affirmative action policies are enacted to compensate historical accidents that were made by the state. American Blacks are the major beneficiaries of the affirmative action policies in US. Britain adopted American style multiculturalism without implementing affirmative action policies. American Blacks have been the decisive factor for British attitude towards affirmative action. While the black people in US had been brought to the country as slaves, the black people in Britain had come voluntarily. And British state believed it did not do any historical wrongs against them (Joppke, 1999, p.631).

should act immediately (Thranhardt, 2000, p.169). These unrests were also related with the economic problems. With the restructuring of industry the unemployment rates among immigrants increased steadily. However, the Dutch state could not enact a coherent policy to facilitate the immigrant integration until the early 1980s. After the government understood that most of the people are not going back, and their integration into the society must be provided urgently, the Dutch Ethnic Minorities Policy “*Minderhennota*” was accepted by the Parliament in 1983 (Doomernik, 1998, p.51).

Under Ethnic Minorities Policy immigrants were categorized according to their group membership and “the importance was attached to the racial, national or ethnic origin that the immigrants were believed to share” (Entzinger, 2003: 62). The underlying idea of the policy was that with the immigration the Netherlands had become a multiethnic society in which all elements, both minorities and the majority should live side by side peacefully. The policy’s aim was to provide room for the integration of immigrants without being urged to give up their identities. *Minderhennota* pointed out eight groups as minorities: Turks, Moroccans and Tunisians, Surinamese, Dutch Antilleans, Moluccans, south Europeans, refugees and Romani people (Joppke and Morawska, 2003, p.14). As Dirk Jacobs (2002, p.255) observes a grouping of people from the same foreign origin is thought to be an ‘ethnic minority’ provided that the Dutch authorities decided their situation is socially and economically disadvantaged in the society. In order to help these disadvantaged people the policy had three main objectives: emancipation in a multicultural society, equality before the law and the promotion of equal opportunity (Entzinger, 2003, p.63).

The first objective, emancipation in a multicultural society resembles the respectful attitude towards the minorities and it legitimates the preservation of identities, not to facilitate the return to home anymore but to celebrate the multiculturalism within the Netherlands (Joppke and Morawska, 2003). Actually this segment of the policy can be viewed as the successor of the traditional Dutch practice “pillarization” (*verzuiling*)¹¹. The

¹¹ In the model State recognized minority organizations officially and ethnic elites were entitled authority to “shape and implement the policies for their own groups” (Koopmans and Statham, 2000a: 38). These arrangements were mostly in the fields of education; schools, housing corporations, hospitals, trade unions, newspapers or broadcasting etc. These fields were mostly financed by the public funding. Catholics, Protestants and Liberals were the main traditional pillars of the Dutch society (Rex, 1996, p.54; Thranhardt,

pillarization was a traditional political culture of the Netherlands under which different religious and ideological groups could establish and maintain their own institutional arrangements since the late nineteenth century.

In the 1960s with the secularization and individualization, traditional pillarization has faded away but it is obvious that Ethnic Minorities Policy has erected from the ashes of the pillarization. Because similar values and attitudes like respect for the preservation of group identity and promotion of emancipation are inherent in both of them. Government supports for the promotion of immigrant social and cultural life like supporting organizations, newspapers, broadcasting, special assistance for them to organize and represent themselves have also continued after the pillarization has given its place to the new policy (Entzinger, 2003, p.64) ¹².

The second component of the policy, equality before the law was about removing difficulties that foreign residents faced for not having Dutch citizenship. Having designed to eliminate the discrimination that non-citizens were facing, the policy was combined with several arrangements like the permission to serve in the public service, with very few exceptions or the right to vote and to be elected in the local elections after only five years of residence (Entzinger, 2003, p.64). Naturalization for the second generation was eased. And in 1992 Netherlands introduced the practice of dual citizenship (Thranhardt, 2000, p.171). It was thought that this move was the peak point that a multicultural model could reach in a European state.

Promotion of equal opportunity, the third element of the Ethnic Minorities Policy, aimed to facilitate the minorities' access to the related institutions whether official or not, like housing, education, healthcare or public services. In proportion to their numerical size, room in these institutions were reserved for them (Entzinger, 2003, p.66). Besides programmes to overcome racial discrimination and special programmes designed for

2000, p.178; Zolberg, 2004, p.14). The members of the communities were able to live their own lives according to their own values without posing problems to the host society.

¹² As Koopmans and Statham (2000a: 22) observe "Muslim and Hindu schools, migrant organizations based on ethnicity, television and radio channels catering specifically to migrants, including a Dutch Muslim Broadcasting Corporation" were some examples that were funded publicly by the Netherlands.

disadvantaged minorities, resources for their organization and representation were also allocated (Thranhardt, 2000, p.171).

1.4.1.b. The Decline of Official Multiculturalism

As it can be observed from the picture above Ethnic Minorities Policy can be interpreted as an official multiculturalism. However, by the 1990s paradigms that made the government introduce these multicultural practices under Ethnic Minorities Policy have changed sharply. The number of ethnic minorities in the country increased steadily, immigration flows intensified and brought more people in the 1990s. A new generation whose members were educated in The Netherlands or who identified themselves with The Netherlands was emerging. Implementation of the policy has become difficult under these developments. Academia began to discuss the limits of multiculturalism; the policy was also being criticized heavily for encouraging immigrants to isolate themselves (Ghorashi, 2003, p.264).

In 1990s it became apparent that Ethnic Minorities Policy was not feasible. As the number of immigrant groups increased assigning them the title of ‘ethnic group’ and equipping them with the tools that the Policy promised have become more and more difficult. It was also articulated that only a small group of ethnic elites benefited from the state funding rather than immigrants living in the margins of the society (Joppke and Morawska, 2003, p.14). Despite all the attempts, social and economic conditions of the immigrants did not improve. Unemployment rates among the immigrants remained high and they have become more and more dependent on government support. Marginalization among immigrants continued in spite of the fact that Netherlands was in economic recovery in these years. It was frequently articulated that the connection of immigrants to the welfare state through ethnic identities disassociated them from the Dutch society (Ireland, 2000, p.248). The example of immigrants who can not speak Dutch in spite of living in the Netherlands for decades were given very often about this issue. The practice of mother tongue education also appeared to be less workable than the authorities thought. For example the children of Berber and Kurdish had problems in participating lessons that were given in Turkish or Arabic (Entzinger, 2003, p.71). Quoted in Dietrich Thranhardt (2000: 178), Jan Rath also discusses that Ethnic Minorities Policy gave rise to *minorisation*

by emphasizing the differences between minorities and the majority in every aspect of the life.

Another debate political in nature, triggered by Frits Bolkestein, parliamentary leader of the Conservative Liberals, was also ongoing between the Dutch experts about the policy. In September 1991, in a speech he stated that “Islamic” and “Western values” were clashing and for that reason they were incompatible (Ghorashi, 2003: 164)¹³. What Mr. Bolkestein claimed was that the immigrants should be expected to adapt and integrate to the dominant culture in the country and obey the rules of the dominant culture where there was a clash with their own culture (Thranhardt, 2000, p.173). Bolkestein’s arguments fueled the debate. It must also be noted that he was supported strongly by the “silent” Dutch people that seemed to get tired about multiculturalism (Entzinger, 2003: 71). Although Bolkestein’s ideas occupied the political circles for a long time they did not become dominant. However, it must be accepted that Bolkestein introduced a new dimension to the issue by opening certain taboos about “toleration of difference” to discussion (Ghorashi, 2003: 164).

Under these circumstances, in 1994 the Integration Policy (*Contourennota Integratiebeleid Etnische Minderheden*) replaced the Ethnic Minorities Policy. The new policy can be best described as being “less multiculturalist and more integrative or assimilationist” (Thranhardt, 2000: 172). It highlighted the need for integration especially through education and labour. The new policy was covering the three main objectives of the Ethnic Minorities Policy however the emphasis was not on culture anymore. Furthermore the Integration Policy drew attention to the fact that the concept of culture was not something static but something dynamic that could be enriched through interaction with other cultures. It must also be noted here that in social and economic terms the new policy did not only restrict itself for the well being of immigrant communities but for all the disadvantaged people. Its aim has become to help all people including immigrants to defeat the social deprivation. Furthermore it can be said that the new policy has adopted a more individualist approach rather than the group approach that has always been identified

¹³ Frits Bolkestein was the parliamentary leader of the People’s Party for Freedom and Democracy (VVD) then and he gave this speech to the Liberal International in September 1991 (Ghorashi, 2003, p.165).

with Netherlands since the 17th century (first Pillarization and Ethnic Minorities Policy later) (Entzinger, 2003, p.72).

Having understood that political integration is one of the most important elements of real integration into the Dutch society, the policy aimed to make immigrants citizens. It was understood that only by this way their civic integration to the society could be provided (Joppke and Morawska, 2003, p.16). However, just giving immigrants the Dutch passports could not provide civic integration of them, as a result Parliament enacted the “Law on Civic Integration for Newcomers” (*Wet Inburgering Nieuwkomers*) in 1997 (Entzinger, 2003, p.77). The most important thing that the Law introduced was the 600 hours mandatory civics and language courses for all non-European immigrants. The new law resembles the u-turn from the official multiculturalism in Netherlands (Joppke and Morawska, 2003, p.15). It is obvious that the move behind mandatory civic integration courses was to make immigrants familiar with the Dutch history, culture, language and society and to ease their integration by this way. Furthermore, the policy introduced the view that cultures of the communities were not the responsibility of the government. Establishment of the cultural and ethnic organizations became the responsibility of immigrants. The possibility for getting subsidies for the organizations has also decreased. The government gave importance only to the different ethnic minorities’ consultative bodies¹⁴, which were already existent even before the Integration Policy. The law has been in force only for a few years and it is very early to make evaluations about its positive and negative effects on immigrant integration. But the fact that most of the first group students were able to find jobs even before they completed the courses despite the bad situation of the economy shows that the policy promises success for future (Entzinger, 2003, p.77).

‘The Multicultural Tragedy’, article written by Paul Scheffer, a historian, triggered another debate in the Dutch society about multiculturalism and immigrant integration¹⁵. In the article Scheffer articulated the worries of Dutch people about the increasing

¹⁴ As their name indicates consultative bodies that are composed of representatives from the ethnic minority communities have an advisory role (Ireland, 2000, p.245). Their advices do not bind the government in preparing a law, but sometimes help governments justify their policies.

¹⁵ “The Multicultural Tragedy” was published in the NRC Handelsblad newspaper in January 29, 2000 (Ghorashi, 2003, p.166).

immigration flows, isolation, unchanging or regressive levels of integration, and a growing Muslim population (Koopmans, 2002, p.90). According to him the ‘tragedy’ is the increasing number of people among immigrants who cannot or who do not want to integrate and associate themselves with the Dutch society and culture. Scheffer thought that this formation would undermine the society and challenge the liberal democratic state especially because of the illiberal ideas of the Muslim immigrants in the following decades (Ghorashi, 2003, p.264). Furthermore Scheffer accused Dutch political elite for being too indifferent about the fate of immigrants and not encouraging immigrants to integrate. As he put it in his article, like Bolkestein, Scheffer thought this tragedy could only be prevented by “a civilization offensive” that was composed of more mandatory governmental efforts to decrease social deprivation, to make immigrants learn Dutch language and history in addition to expecting immigrants to adapt to the principles of liberal democracy (Entzinger, 2003, p.78). Critics stated that Scheffer ignored the fact that government had already moved away from multiculturalism¹⁶. When compared to the arguments of Bolkestein, it is said that Scheffer’s ideas had a strong nationalist emphasis, in a way it can be interpreted that Scheffer did not only claim the integration of immigrants but a kind of non-racist assimilation of them. What is interesting is that although Dutch people state in every *Eurobarometer* poll that they are the most tolerant nation of Europe, most of them supported his ideas (Koopmans, 2002, p.87). Furthermore today many academics argue that Dutch society is not that much tolerant, giving the examples of ‘black school’¹⁷ phenomenon or the unwillingness of Dutch employees to employ immigrants¹⁸.

As it was told above Institutional Multiculturalism was inherent in the political culture of Netherlands. It took different forms during its history. However, the conjuncture in the 1990s denounced official multiculturalism. Despite the strenuous efforts, the

¹⁶ Critics also indicated that Scheffer referred to the generally known stereotypes of immigrants. Many of them are not Muslims but this stereotyping makes them identify themselves with Muslim fundamentalism and refuse liberal democracy. Scheffer also seemed to ignore the educational progress among the second generation (Entzinger, 2003, p.78).

¹⁷ Thranhardt (2000, p.180) indicates that schools in the Netherlands are labeled as ‘black’ and ‘white’ and this kind of labeling cannot be found in anywhere in the European continent. Koopmans (2002, p.88) says that this kind of distinction exists because Dutch parents do not want to their children attend to the same schools with the children of immigrants.

¹⁸ According to a study made by International Labour Organization in 1995 showed that “discrimination has been proven to exist” in the Netherlands (quoted by Thranhardt 2000:176). Furthermore the study put out that the probability of a Moroccan applicant to be employed is nearly zero.

unemployment rates among the immigrants were very high, educational progress of second generation was still far from catching the figures of the native children, isolation was increasing and their fuller participation to the society did not seem probable soon (Entzinger, 2003, p.74). As a result Dutch government moved away from official multiculturalism. Rather than the old approach that aimed to reach a multicultural society by means of state policies, the basis of the new approach and new policies (Integration Policy and the Law on Civic Integration for the Newcomers) is the new interpretation of multiculturalism only as a social fact. In the words of Joppke and Morawska, (2003:15) the new approach of Netherlands towards multiculturalism can be explained better “instead of being fuelled by statist official multiculturalism, the centrifugal forces of *de facto* multiculturalism are to be encountered by a centripetal emphasis on civic commonalities” and Integration Policy and The Law on Civic Integration for the Newcomers are the expressions of this approach. All these trends and paradigms told above show that Dutch people are reshaping different concepts like Netherlander, the importance of Dutch language and history and they are determining their limits.

1.4.2. Multiculturalism in France

France has always been a *de facto* multicultural country. The provinces that made up the state maintained their cultural distinctiveness, languages before the 1789 Revolution (Withol de Wenden, 2003, p.77). Revolution, underpinned by Jacobin ideals, changed the definition of French community, “from an accumulation of cultures and institutions constitutive of the state, to a philosophical and political definition of national cohesion around the nation and the citizens, free and equal in their rights” (Withol de Wenden, 2003: 77) ¹⁹. During the nineteenth century, Republican ideals dominated the political community and transformed it to a neutral sphere where all citizens are treated equal without their differences are taken into account (Duchesne, 2003, p.5). French method in dealing with various ethnic groups whether they are immigrant or indigenous groups has been integration. It has always been interpreted as an assimilative state that transforms peasants and immigrants into Frenchmen, quoted in Brubaker (2003: 44), Gerard Noiriel called this process as the “French melting pot”.

¹⁹ In general lines Jacobin values are secularism, equality, legal freedom and civic values of living together (Withol de Wenden, 2003, p.77).

The integration model of France has been built upon the idea that the society has been composed of individuals. Therefore the relationship has established between the individual citizen and the state without letting intrusion of any third party. Everyone has the right to participate in the society having the same rights and obligations as all other individuals. Each individual is respected for his ideas and values and each individual has to respect the values of the state. In this interpretation, particularistic differences such as gender, religious beliefs, ethnic origin and cultural preferences disappeared under the aegis of Republican values and the aim has become to build a sense of national homogeneity (Withol de Wenden, 2003, p.77)²⁰. The state allows differences to surface only in the private realms, but their appearance in the public sphere is not acceptable according to the model (Ireland, 2000, p.237). The model expects immigrants to adapt culturally to the new environment to a degree that is satisfying (Entzinger, 2000, p.103). They have to participate in the unitary nation-state that is based on shared universalist values. As the Jacobin model has kept both politics and nationhood under centralized control it did not leave any room for multiculturalism or any form of strong local government (Kastoryano and Crowley, 2001, p. 179).

On the other hand, France has always attracted immigration. First Italians and Belgian immigrants came, and Polish and Portuguese followed them and later migrants from the former colonies have started to arrive in the mid-1960s. These waves have never ended. The French model of integration was very successful in integrating especially the early immigrants to the French society, or in other words making them Frenchmen (Schain, 2004, p.3). However, as the conjuncture changed, the model has started to have challenges and issues that were still taboo for some French people such as the right to be different, plural citizenship or referring groups as minorities were opened to discussion. The May 1968 Movement activated universities and then industrial workers, regional movements namely the Occitan, Breton and Corsican started; and people began to pose new challenges. All these groups were accusing French State for suppressing their cultural

²⁰ The French Constitution does not make any differentiation among citizens according to their identities whether ethnic, religious or racial. It grants rights to individual French citizens. As Damien Moore (2001, p.124) notes the only legitimate categories are 'French' and 'foreigners' in the official language.

identities, despising their languages and for attempting to eradicate their differences via Republican educational system (Withol de Wenden, 2003, p.81)²¹. Besides these regional movements, Jews who were thought to have already melted in the French pot have gone through a process of change. Because of several reasons like strengthening of the Jewish community with the arrival of more Jewish people from the former colonies and their disappointment about France's Arab supporting policy in the Middle East, they began to lose their faith in the Republican model and they started to become visible in the public sphere. People with different sexual choices have also started to challenge the model. Sexual choices, which must be kept strictly within the limits of the private sphere according to the model, have been moved to the public sphere with their assertions and demands for respect and freedom. Besides these two groups, dumb and deaf people's demands were also challenging. While physical disability was seen as a difference by the model, they were forbidden to use sign languages in the public sphere. However, this was posing many difficulties for them, they had two choices, whether they would be confined to a smaller world which was private and in which they would be able to communicate in sign language or they would participate to the society by behaving as if they did not have any disability. This was a very conflictual debate, and in the end of the 1960s deaf and dumb people started to demand recognition for the sign language to be used in the public sphere (Wieviorka, 2003, p.3).

On the other hand in the end of the 1970s minorities of immigrant origins have also started to acquire more room with their collective identities rather than just being workers in the French society (Blatt, 1997, p.40). The image of the immigrant worker has begun to change in the eyes of the French. The immigrant worker used to be viewed as alone male worker who was excluded from the cultural and political realms while he did not plan to settle in France but to gather some money and return to his country. In 1975 government

²¹ Besides Army, Republican educational system was the most important tool of the French state in its transformation of people from different backgrounds to Frenchmen. It was thought that by entering the schools, which were compulsory, free, laic and based on Republican ideas, individuals would leave their differences, traditional values, religious beliefs, dogmas that were imposed by their families and they would emancipate from any kind of domination on their thoughts. They would be free individuals and they would be able to build their own thoughts in line with the Republican values (Withol de Wenden 2003, p.79; Duchesne 2004, p.1; Jennings, 2000, p.578). It must also be noted that Eugen Weber indicates that the agents of assimilation were the "army, industry, the French Communist Party (PCF), the trade unions, the Catholic Church and the centralized educational system" (quoted in Ireland 2000: 237).

passed a law about family unification for the immigrant workers. After that migrants started to bring their spouses and children. They began settling and their integration to the French society has started to pose challenges to the French integration model. The most important challenge was the religious affiliations. As religion became immigrants' most important supporter in enduring the new, different and difficult life and social exclusion and even to some degree racism, they started to demand recognition for their cultural and religious identities (Wieviorka, 2003, p.4). But as it was mentioned above these demands conflicted with the model according to which religious identities could only be maintained in the private realms. All of these developments; Jewish visibility in the public sphere triggered by their break up with the model; the demands of the people with different sexual choices; pressures of deaf and dumb people to be allowed to use the sign language in the public sphere and especially the demands of the immigrants for the recognition of their cultural and religious identities were serious challenges for the model's key tenet, separation of public and private spheres.

As Martin Schain (1999, p.217) observes in the mid-1980s the traditional 'Jacobin model' of integration was no longer feasible anymore as it used to be in transforming people from different backgrounds to Frenchmen. The model has started to change. It can be said that although the recognition of differences did not exist formally, in practice even the ethnic differences were recognized. Furthermore it can be said that in the 1980s the French model of integration has gone under transformation and a very limited form of multiculturalism has started to operate in France (Wieviorka, 2003, p.7).

It is understood that the first deviations about immigrant integration from the Republican model emerged in the 1970s. The report written by Corretin Calvez in 1969 to be delivered to Economic and Social Council made a differentiation between immigrants from Europe and immigrants from the other places by emphasizing that while the former were assimilable in the French pot, the latter were inassimilable (Schain, 1999, p.207). During the 1970s government tried to prepare a coherent immigration policy, which would be based on the Calvez Report. It failed in its efforts, however what must be highlighted here is not the government's failure but its attempt to form a policy that is based on racial (it can even be said cultural) differences and this attempt's contradiction with the

Republican integration model. It was obvious that in practice the government was defining immigration in racial terms although this kind of definition was not in line with the model in theory.

In addition to the government's suspension of official immigration in 1974, efforts to integrate the existing immigrants accelerated pace (Chaleard, 2004, p.1). Government acted to ameliorate the immigrant education and housing in the first place. However, the programmes were taking the collective identities of immigrants into account firstly and behaving them as groups rather than as individuals (Schain, 2004, p.4).

The real moves, which can be viewed as limited multicultural practices, have begun in the 1980s. The law of October 9, 1981 liberated immigrant associations. They would be subject to the same legal procedures with the other French associations. With this law immigrants would be able to administer their own associations and they would be able to receive public funding (Ireland, 2000, p.240). By the mid-1980s these associations became the intermediaries of immigrants in any kind of negotiation, whether be it with trade unions, political parties or the state (Schain, 1999, p.210). The most known immigrant associations were the SOS-Racisme and France Plus. Besides fighting with racism and social exclusion, they were legitimizing the cultural demands and the right to be different by praising a multicultural society in which all young people living in France would take their places whether they were of immigrant origin or not (Blatt, 1997, p.45).

Government involved to the community affairs more and more during the 1980s and in early 1990s it started to use ethnic organizations as state agencies to stop urban riots (Schain, 1999, p.211). On the other hand, with the initiative of Council of Europe, France adopted a more intercultural education for children of immigrants. Special courses for immigrant children started to be given in the French public schools (Withol de Wenden, 2003, p.81). Another development that contradicted with the Republican ideas was the Parliament's recognition for the so-called Armenian genocide. The Parliament could not exclude itself from the pressures of the Armenian community and this recognition was an indicator that the government perceived immigrants as communities in practice (Wieviorka, 2003, p.8). Besides these developments, decentralization began in 1982 and

minorities were given many rights like a sort of autonomy and teaching of regional languages in public schools (Withol de Wenden, 2003, p.82). Women rights advocates were able to influence the government to pass a law on parity in politics²². Couples of different sexual choices were also allowed to benefit from tax regulations like the married ones (Wieviorka, 2003, p.8). This “differentialist turn” in French politics in the words of Rogers Brubaker (2003: 39) was indeed gaining momentum and legitimacy among the public.

However, a debate that occupied the public during the 1990s reduced the pace of multiculturalism in France: the headscarf affair. The debate began in 1989 when the head of a technical school in Creil did not allow three Muslim girls to attend the lessons with their headscarves (Wieviorka, 2003, p.8). The argument was that veiling Islamic headscarves in the school contradicted with the Republican doctrine ‘*Laicity*’²³ as the schools are public spheres and they must be neutral according to the Constitution. Their families appealed to a higher court and the court ruled that “expressing religious belief by a piece of clothing was not a breach of laicity” unless the aim was to convert others to that religion (Duchesne, 2004: 8). However, similar cases occurred and the debate continued. And in 1994 Ministry of Education prohibited wearing any kind of religious cloths and symbols. In 2002 teachers went to strike when the local education authority did not punish two schoolgirls who substituted bandanas for headscarves.

Every group whether political or religious was divided about the preparation of a law that would forbid the headscarf. There was also another dimension in the debate about Islamic values. Feminist circles were saying that the headscarf was the fact that showed the

²² The proportion of the French women elected to the Parliaments were always very small compared to the men; always less than 10% of the whole parliament. Attempts of the Women rights advocates were always prevented by the Republican rhetoric that all individuals whether men or women were equal; affirmative action could not be adopted and women could not be treated differently. After the strongest attempt failed when the Constitutional Council declared that affirmative action was unconstitutional, the demands for the better representation of women reformulated and named *parity*. This time they were not demanding affirmative action or reservation of quotas for women but democracy. In 1999 with this argument they were able to influence the government and made it to pass the law on parity (Duchesne, 2004, p.4).

²³ As it was mentioned before the principle of laicity was about the separation of public and private realms by preventing any religious identities’ or symbols taking place in the public sphere (Jennings, 2001, p.576).

alienation and subordination of women and that the State had to be the guarantor of strict equality between men and women in public institutions (Duchesne, 2004, p.9).

In January 2004 government presented the new law to enter into force in September 2004. The law prohibited wearing any kind of obvious religious signs or cloths that would reveal the religious affiliation of the wearer in the schools (Wieviorka, 2004, p.2). The law did not indicate any specific religion and prohibited Jewish skullcaps, large Christian crosses and Sikh Turbans besides Islamic headscarves. As it is obvious, this development was a real u-turn from the limited multicultural practices.

Another development that impeded multiculturalism in France was the rise of Le Pen. Leader of the far right party National Front, Le Pen, has been an extreme anti-immigrationist. He thinks immigration is another form of foreign invasion and he believes that the immigrants are responsible for the problems of today's France, like unemployment or urban crime (Foster, 2002, par. 4). Le Pen is also against multiculturalism and immigrants' right to be different in France. He and the intellectuals encircle him have a different understanding about the right to be different. They advocate that in France only 'real' French people have the right to be different to be able to preserve and protect the French identity and culture from the unwanted elements (Brubaker, 2003, p.44). Actually Le Pen has been in the French political scene since he founded National Front in 1972. He was not very influential in French politics in the beginning. However, in the following decades he was able to push his share up in every national election, which was only 0.74% in 1974. His share became 14% in 1988, 15% in 1995 and 17.71% in 2002 (BBC News, April 23, 2002). And he has started to become very influential. The efforts of the French governments to limit Le Pen did not give any results. The votes declined only when the party was split.

In the beginning of the new century it was this ideological and political environment that together led French politics to be less assimilationist than it had been in the 1960s but also less multiculturalist than it had been in the 1990s. Many academics agree with Roger Brubaker (2003, p.45) who says that France has returned to its assimilationism. However, other academics like Michel Wieviorka, Martin Schain,

Catherine Withol de Wenden and Farhad Khosrokhavar are more moderate and they oppose the idea that France has become assimilationist again. For example Schain (1999, p.215) says that the emergence of state support for ethnic diversity to overcome the integration problems of immigrants is an indicator that French state is far from being assimilationist; Farhad Khosrokhavar (2002, par.3) tells that French people are questioning the Republican model and its appropriateness to our age and adds that monoculturalism has ended in France and like all other parts of Europe, multicultural ideologies pierce into the French soul gradually. Catherine Withol de Wenden draws attention to the deviations that appear in the practice of Republican theory. She calls this equilibrium as the “multiculturalism *a la française*” and adds that multiculturalism is the only way to keep French identity safe, which is vulnerable to the effects of “globalization, immigration, cultural identities, diversity of religions, attractiveness of community links, localism, transnational networks, states and nations” (Withol de Wenden, 2003:87).

This discussion continues among French academia around three basic positions; traditional republicanism, modernizing republicanism and multicultural republicanism (Jennings, 2000, p.580). It is difficult to make guesses about the future of French politics, but as it was mentioned above there are some facts that resemble a very limited form of multiculturalism in France today. So it can be concluded that even if France has made a u-turn from the limited multiculturalism; from the differentialist approach that started in the 1980s, it cannot be denied that multicultural trend that surrounded all political systems in the world has affected French politics very much.

1.4.3. Evaluation of the cases

The Netherlands has never been an assimilationist state. Furthermore it has always had a tradition of recognizing the differences of cultural and religious groups. In other words the Netherlands has always been a multicultural state. On the other hand, France has been an assimilationist state for the last two centuries and assimilation is inherent in its foundation logic. Republican ideology makes it clear that there is a strict distinction between public and private realms and it dictates state to be neutral to all its individual citizens. As a result there is no place for the recognition of differences in the French state in theory.

Interestingly both of these states are deviating from their traditional patterns when faced with the challenges of our age. While The Netherlands is becoming less multiculturalist, France is becoming less assimilationist. As a conclusion it can be said that the practices of these two states that represent the opposite poles in the immigrant integration are becoming similar. It is probable that although their histories and traditions are different in this realm, as they have the same challenges, they will find themselves resorting to the same model in order to preserve and protect their identities and cultures in the future. However, it is obvious that this model will not be multiculturalism. This new model is thought to be integration with a new understanding.

New notion of integration is a burgeoning literature that is still under-researched. However, as critics of multiculturalism say that multiculturalism has an attitude of “come as you are- do as you please”, integration is believed to delimit the boundaries. Furthermore while multiculturalism is ambiguous about its demands and the future of the society, integration is explicit about its demands. It puts that there are certain things that cannot be negotiated like the language of the society or the liberal democracy. Will Kymlicka has asserted that “multiculturalism is here to stay” however, the cases that have been examined shows that multiculturalism is packing up to leave Western Europe (Kymlicka, 1995: 9).

1.5. Criticisms of Multiculturalism

Mainly multiculturalism is criticized for being relativistic. Relativism is the thesis that reality or truth is relative to a standpoint. While multiculturalism puts a culture in its core and accepts its norms and rules as correct, it becomes relativistic. It rejects universalism and universal norms because according to multiculturalists Western world imposes its own local values to be shared by all people in the disguise of universality. However, there are indeed some universal values whether they are derived from the Western civilization or not. Like being a human, like deserving the right of choice, or basic human rights, individual rights, sexual equality, etc (Hollis, 2002, p. 27-33). The norms of

a culture do not always have to be correct. It is often discussed that some cultures engage in discrimination based on sex or have some norms that clash with the norms about human rights like arranged marriages or women circumcision before marriage. If multiculturalism does not provide a conciliation of real universal values and specific values, individuals will not be protected from the tyranny of cultural norms although they are living in a liberal democratic state.

Another main problem is that multiculturalism accommodates rights on the basis of groups not via individuals. Individuals benefit from these rights via group membership, which means that in the model groups are posited over individuals (Joppke and Lukes, 1999, p.15). Multiculturalism promises cultural groups the recognition that they want and in its strongest form this recognition entails rights about governing their members according to their own customs and views. If state delegates powers to groups for self-governance in certain legal areas like family law, this situation threatens citizenship and renders individuals, especially women and youth vulnerable. Generally this kind of delegation of powers is accompanied by a non-intervention principle and this makes the situation more complicated. The areas that are not intervened are the ones that have family privacy. But when state does not intervene it provides room for the tyranny of community over individuals. (Schachar, 1999, p.91).

In conservative groups, family law is a realm that generally men have the unquestioned supremacy. Women are subordinated. Cultural groups have traditional figures, which are mostly men, and when the multicultural policy is accommodated, this will lead to the full autonomy of men in family practices. Susan Moller Okin says that State's granting these kinds of rights to a minority group means its refusal to protect women in that group. She adds that some cultures have different practices that clash with a humane democratic society like "clitoridectomy, child marriage, coerced marriage, polygamy, asymmetrical divorce and property laws, responses to rape, veiling and murder" (Reviewed by Bickford, 2000: 711). Sometimes in these kinds of legal cases to explain their violent behavior against the women of the community, community men rely on the defense that these behaviors are part of their cultural practices. Yael Tamir also says that rights, granted to the communities, reinforce the already dominant subgroup's situation in

the culture and cause conservative values of that culture to ossify. As a result the other subgroups are suppressed and innovative or reformative interpretations are prevented to surface (Reviewed by Brickford, 2000, p.712). Barry (2001, p.319) gives the example of Jewish and Muslim leaders' demands to activate Jewish and Muslim personal law in Britain to alternate civil law, which regulates the lives of the rest of the society. He argues that if the government gives such a special right to these communities in the name of the culture, there will be inequalities especially in the fields of divorce and marriage. Following Okin, Tamir and Barry it can be said that unfortunately most cultures are not sexually egalitarian and it is probable that granting group rights by multiculturalism strengthen the gender hierarchy, which mostly result in the subordination and suppression of women.

As the aim of the multiculturalism is to establish an egalitarian and less discriminative society for all groups, some multicultural models include compensatory mechanisms that are called affirmative action policies. However, it is believed that when affirmative action policies are accommodated some groups are positively discriminated while the rights and benefits are distributed on the basis of group membership rather than merit. On the one hand affirmative action policies take negative reactions from the majority group members. On the other hand, these compensatory mechanisms denote a paradox that is inherent in the multiculturalism. The model wants an equal society, but it also wants privileges for specific groups. It should be emphasized that real equality cannot be reached by public intervention that makes members of the majority reactive to the minority groups and it may lead to further exclusion of them (Entzinger, 2000, p.112).

As Barry (2001: 8) denotes politics of multiculturalism harms the "politics of redistribution". Multiculturalists draw attention that cultural groups need special treatment while they are disadvantaged because of their cultural differences. As the aim is to protect the cultural differences, multiculturalists claim that special treatment must have a permanent character. Barry argues that special treatment for members of socially and economically disadvantaged groups can only be legitimate to end the inequality. In a healthy democracy it should be unthinkable to persist special treatment for some groups. Support should be given to the people who are disadvantaged but after some support or

special treatment if the group no longer needs special treatment this is a cause for celebration that the discrimination of the majority society has decreased. According to Barry (2001, p.9), permanent special rights and treatment may strengthen discrimination. He asserts that as long as the disadvantages of the people are emphasized they will have more difficulties in integrating to the mainstream of the society, while the disadvantages denote the lack of things that people fail to provide to be a member of the majority society.

As the culture has new challenges like immigration it starts to change to handle the new situation. Some traditional leaders of the cultural groups may not accept the changing nature of culture and may insist on practicing some cultural and religious rituals that they maintained in their homelands. And as the power lies in their hands with the application of multiculturalism, these traditional figures may make the lives of young and women difficult in their community (Rex, 1996, p.60). Schierup and Alund also discuss that multiculturalism is a manipulative policy by which the government keeps an eye on the minority groups by using traditional figures. They believe this strengthens the belief of the minority leaders that their culture is not changing, however as they exemplified in Sweden the culture for the younger members of the communities is changing and they are building relationships with the young members of the other minority groups and indigenous groups. Hence Alund and Schierup conclude that multiculturalism fails to meet the needs of these young people (paraphrased in Rex, 1996, p.58). What must be done is that the rights that would entail recognition must be given to individuals. For centuries by setting up new and better political systems and ideologies what people have tried to avoid is the tyranny of anyone or anything on an individual and multiculturalism needs a revision about this aspect.

It is often discussed that members of a group may not be suffering because of their cultural differences but because they cannot provide the expected norms to be in a good position in the majority society. For example a good education is necessary to be recruited for a well-paid job, which in turn is necessary to live in a good neighborhood and to have a better life. Multiculturalists tend to see all problems that a group faces arising from their cultural distinctiveness. However, this may not be the case and this kind of “culturalization” of all the issues blurs the clarity that is needed to diagnose the real root

causes of the problems (Barry, 2001: 305). In the words of Barry (Barry, 2001: 321) it can be said, that “multiculturalism directs attention away from more important problems”. Furthermore it is possible that this kind of culturalization may lead to indirect discrimination of groups²⁴.

As another criticism of multiculturalism, many authors stress that it isolates ethnocultural groups from the dominant culture. When multiculturalism is applied, culturally different groups do not feel the necessity to know/learn or participate in the mainstream of the society. Although multiculturalism is enacted to facilitate the culturally different groups’ participation to the society, in most cases it generates the opposite reaction. Culturally different groups use multicultural practices to reinforce their segregated situation. They send their children to special schools, which are built only for the members of that community; they do not learn the language of the host society while it is not an obligation now, they strengthen the circle that surrounded them not to let the outsider come in. So in a sense they make up new ghettos, surrounded with high invisible cultural walls. In that case although the purpose of multiculturalism is to blur the cultural lines that divide the people of a society, it highlights and strengthens them. Authors call this situation as the ‘ghettoization’ of the society and they say the next step is the ‘balkanization’ of it (Wieviorka, 1998, p.897).

“Balkanization of the society” is the most common criticism of multiculturalism; it is used to denote the threat that multiculturalism poses to the society “by its divisive policies and practices which promote group identity over individual or societal welfare” (Parillo, 1996:23). As Arthur Schlesinger stressed in his book *The Disuniting of America*, the dismemberment of Yugoslavia and war in the Balkans between Bosnians, Croats and Serbs must be a warning for the multicultural societies and multiculturalists that advocate strong multicultural model and cultural separatism or self-government. He and many authors highlighted that Balkanization is not something very far and the Balkan example may be the prologue of all multicultural societies (Quoted in Huck, 1994, p.6).

²⁴ Indirect discrimination is a hidden form of discrimination. When the discrimination exists despite the fact that all rules are made in neutral terms, it is called indirect discrimination (Barry, 2001, p.320).

On the other hand, many academics indicated that multiculturalism might also harm minority groups by ossifying their minority status and helping to lock them in. Among many academics, Jan Rath argues that multicultural policies ‘minorise’ the groups of people and by that means label them for control, manipulation and unequal treatment (Quoted in Rex, 1996, p.58).

Some academics see multiculturalism as another form of “divide and rule” understanding that may “only benefit those who may benefit from the status quo most” (Barry, 2001: 11). Actually it would be a nightmare for any government to face a unified society that want better economic conditions, better public services, better housing, better education etc. Multiculturalism with its culturalization of all issues, divides the society into the cultural groups and emphasizes these groups’ particularities. As it was mentioned above by doing this it directs attention away from the important problems that all members of the society share whether they belong to the same cultural group or not such as “unemployment, poverty, low-quality housing and inadequate public services” (Barry, 2001: 12).

Bilingual education programmes that multiculturalism aims for are also under fire. Authors say that while other children continue to learn subjects in the language of the society, allocating long hours for mother tongue courses or learning the courses in mother tongue makes immigrant children less competitive beside their friends when they finish the school and when they start to search for jobs. They have to give up important lessons like chemistry and physics to learn their culture and in the end this makes them less educated. Besides this, it is often discussed that if he is not going back to the country of origin, learning the curricula of another culture will not be very helpful for him in the host society when he is looking for jobs and admissions (Entzinger, 2003, p.71).

Also in most of the states that practice multiculturalism these bilingual education programmes are funded by the state and this is criticized. For example in the Dutch case, every child who attend to bilingual education programme besides the school receives 1.9 times the amount that the state pays for a Dutch child (Entzinger, 2003, p.69). In US Private schools are growing in number and these schools are funded by public funds. Jeff-

Spinner Halev (1999, p.78) gives the example of Satmar Hasidim, one of the branches of Jewish Hasidic movement and their private school. The Satmar community lives segregated from the secular community. All schoolchildren in the community attend to private yeshivas, schools for Jewish children. However some of the children were disabled and they applied for more funds to establish a new school for the disabled Satmar children. The Supreme Court ruled that the state could not give more funding to establish a school for such a small number of children, and told them to send their children to secular schools. But Satmar refused to do so. In the end the school was established but not as a yeshiva. The subjects taught were secular.

This indicates another limitation of multicultural education programmes. Whether bilingual or not it helps the ghettoization of the society and it is ironic that multicultural education programmes do this with the help of the state (by public funds) against the state. Separate schools harm the dynamics of a society. In a heterogeneous school environment children learn about each other and they learn to exist together. They learn in their childhood that some other children are different but this difference does not prevent them from being in the same classroom, as in future it will not prevent them working in the same environment or living in the same neighborhood. Satmar families were afraid of the effects of mixing their children with those different from them while they wanted to segregate their children from others. As it was told in the previous paragraphs Satmar has no interest in the American culture and society, they live in a little Israel within US. And they use US public funding to raise children to be exactly like themselves. They do not care about their children being a good US citizen. They wanted public funding to educate their children as Satmar and only Satmar (Halev, 1999, p.80). And for the well being of the state this attitude should not be encouraged. Multicultural education programmes harms dynamics of a society, helps culturally different groups who wish so to ghettoize themselves, large sums which can be allocated to another thing for the well being of all school children are misallocated. And in many cases it is harmful for culturally different people, who do not want to ghettoize themselves but to take their place in the society, because it makes them less competitive in finding jobs and admissions besides other people in the same age group.

Granting recognition also causes confusion. As Joppke and Lukes (1999, p.12) observe granting recognition to a minority group divides the society into three parts; the majority, recognized minorities, and not-yet minorities. Once recognition is granted to a group, others proliferate themselves with the same strategy that proved itself to be successful. There is a long queue of people who define themselves as groups struggling for recognition whether they are real minorities that fit for the mould of multiculturalism or not. For example besides indigenous groups and ethnic groups, lifestyle groups, such as gays and lesbians or defenders of plant and animal life are also fighting for recognition. This becomes another problem of multiculturalism: which claims should be heeded and which of them should be rejected? And this chaos curtails and trivializes the claims of real victims. Multiculturalism is confused with the question of which people or groupings should be granted recognition and which of the rights to what degree should be granted.

Multiculturalism seems to be restricted only to a policy of cultural recognition. But as we have seen in the Canadian case cultural recognition and problems of cultural difference must be discussed in the framework of social inequalities. While as we all know, the problems of recognition and self-esteem are less acute for the minority groups, which are able to participate in the economic life of the country (Wieviorka, 1998, p.901). The idea is that multiculturalism should focus on cultural differences less and social equality more. It should complement itself with better tools to fight with social inequality, while as we found out above all the struggle given in the name of recognition for cultural differences by multiculturalism derives from the social inequalities that minority people suffer.

Intra-group competition is another fear of critics. As the resources are always scarce they fear that if multiculturalism is employed groups may compete with each other to get more public funding or to have more resources. Another problem can be that most of the cultural communities have deep-seated hostility against the life style groups and same sex couples. Barry (2001, p.322) gives the example of the gay ball that was planned to take place in Leicester by Asians. The ball was cancelled because of the harsh opposition of the community leaders. He also notes that the name of the few places, which cater for black and Asian homosexuals are always kept in secret.

As it has been indicated in the sections above multiculturalism conflicts with liberalism. Considering the fact that most of the western states in which multiculturalism is being thought to be the cure for integration problems, are liberal, tensions occur. Public-private distinction is inherent in the logic of liberalism. Multiculturalism wants private affairs to be transferred to the public realm. Liberalism is individualistic; therefore granting rights on the basis of community membership is conflictual with liberalism. Laws and institutions of a liberal state must be difference-blind and furthermore state must be neutral to all its citizens (Joppke, 2003a, p.6). Multiculturalism claims recognition for differences and recognition of communities, and by these claims it wants state to treat differently some of its citizens, which would destroy its neutrality. As pictured above, multiculturalism clashes with the basic premises of liberalism.

On the other hand, every culture cannot be granted the right of self-government, which undermines the foundations of states and threatens citizenship. Most of the authors do not even argue about this right and its critical points. It is something to be sure that granting this right is something very difficult and risky for any government which will attempt this in our age. Rather than self-government authors prefer to discuss the practice of devolution, which was proved to be successful in keeping the divided nations together as in the case of Spain.

As a conclusion, it can be said that in the 1980s and early 1990s multiculturalism has become one of the most discussed topics among the academia. However the developments in the 1990s has weakened the idea that multiculturalism has been an appropriate model in immigrant handling. As Joppke and Morawska (2003: 2) diagnose perfectly;

“There is certainly a widespread de facto multiculturalism in liberal states, which is grounded in their commitment to the principles of public neutrality, non-discrimination and protection of individual rights. However, in the few cases where official multiculturalism policies were put in place, these policies have recently come under pressure, and there has been a move away from them”.

As an immigrant integration model multiculturalism has started to decline in Western Europe. As it will be told in the next chapters, it is believed that a new phase is beginning in immigration studies with a new understanding of integration.

II. CITIZENSHIP

Debates about immigration, integration and ethnicity in Europe have put forward questions about the nature of citizenship in the last decade (Solomos and Schuster, 2000, p.74). While some academics denote that immigration undermined citizenship and said that multiculturalism with its promises for cultural differences harms traditional citizenship, some other academics asserted that inclusive or weak multicultural models enhance it and by that way citizenship can be used as an integration tool. On the other hand a group of academics that can be called post-nationalists said that nation-state has lost its significance with the huge waves of immigration and they added that a new form citizenship that they called post-national membership has emerged. Besides the emergence of these two different citizenship regimes, the traditional citizenship regime, or in other words, nation-state membership, has gone under transformation to respond to the challenges. What is obvious is that citizenship has become the main foci of immigration and integration discussions in Europe with new assertions and ideas.

Concisely, traditional citizenship can be explained as the “relationship between the state and the individual that is based on reciprocal rights and responsibilities” (Heywood, 1997: 402). Marshall defines citizenship as “a status denoting full membership in a community to which are attached rights and duties” (quoted in Feldblum, 1998: 234). Citizenship entails rights and obligations. In his classical work about citizenship rights, T. H. Marshall, outlined three different groupings of rights; civil rights, political rights and social rights. According to Marshall civil rights, which he claimed indispensable for the freedom of individuals, include freedom of speech, freedom of movement, freedom of conscience, equality before the law and the right to own property (quoted in Bauböck, 2004, p.13). While civil rights provide individuals free participation in the civil society, political rights arrange their participation in the political life. The right to vote, the right to stand for elections and the right to hold a public office are the basic political rights. As it is understandable these political rights necessitates a democratic form of government. According to Marshall social rights, which are defined as the rights that should provide the

minimum social standards and status to enable the individual to live in a civilized way and take his place in the civil and political spheres, were complementary to the civil and political rights (Heywood, 1997, p.397). In general lines having access to education in public schools, health benefits, welfare and social insurance schemes, unemployment fees are accepted as social rights (Soysal, 1994, p.123). However, many commentators responded negatively to this last category in the idea that government's providing this minimum standard and status would contradict with the liberal idea of government's non-intervention to the distribution of economic surplus (Heywood, 1997, p.397). In general, individuals carry out their interests and actions within the legitimate domain that citizenship provides (Held, 1991, p.21).

Citizenship is a complicated concept that has different aspects. It "links the spheres of politics, economy and culture" (Giesen and Eder, 2001: 7). Furthermore it differs according to the paradigm that shapes it. If it is shaped by individualist paradigm, liberal ideas become dominant in the citizenship model and it prioritizes to provide equal access to the political and social realms (Heywood, 1997, p.397). It formulates a set of rights and duties that are equal for all individuals and this conception of citizenship, which is dominated by liberal ideas, is a one that is difference blind. When the political paradigm shapes citizenship, the importance is given to active political participation and a strong civil society. In this model if the citizen is not active, he is not considered to be a full member, the idea is that all citizens have rights but also obligations which are about intervening to the government for the maintenance of the healthy organizational structure (Giesen and Eder, 2001, p.5). And lastly, if the citizenship model takes its form with the effects of communitarian or collective identity paradigm, it prioritizes common virtues, values, traditions and culture (Heywood, 1997, p.397). It denotes common culture for the settlement of political conflicts and for the establishment of a political will among people (Giesen and Eder, 2001, p.6).

Individual who holds the citizenship is a full member of the political community, which is usually a nation-state (Feldblum, 1998, p.233). Collective identity of a nation creates invisible affiliation and allegiance links among its members (Joppke, 2000, p.146). As nation-states have the sole authority to entitle citizenship, the boundary of a nation-state

and the citizenship has been generally congruent. As a result citizenship has emerged as the basis of nation-state membership (Hansen, 2003, p.87). Citizenship has also been endowing the nation-states with the legitimate means for excluding people that were non-nationals or that were different (Joppke, 1998a, p.7). In Joppke's words the understanding was that "if states were like buses, they would not be nations... with a distinct identity and legitimacy" (Joppke, 1998a: 7). As Marshall also observes (1992, p.24) citizenship rights developed as a common possession of the community whose members are loyally tied to each other and to their civilization. There is also another factor that resources are always scarce and they are reserved for the nationals and distributed through citizenship.

What can be extracted from this equation is that citizenship status is reserved for the nationals. However, huge immigration flows have changed the demographic structure of nation-states very much. Today there are many non-nationals and non-citizens that live in European nation-states. These foreigners enjoy many citizenship rights²⁵. As this situation conflicts with the existing equilibrium embodied in the sharp distinction of citizen and non-citizen (or alien) it is often discussed that it gives rise to the devaluation of citizenship (Guiraudon, 1998, p.305). Tomas Hammar calls these long-term legal resident immigrants that enjoy citizenship rights as '*denizens*' and adds that while the rights of citizens have been guaranteed by the state, *denizens* are "dependent upon the beneficent paternalistic concern of bodies like trade unions and churches" (quoted in Rex, 2000: 59). While *denizens* are able to benefit from many civil and social rights by the help of these links, they do not have any political rights and therefore they are excluded from the political sphere.

In fact the real point here, as many academics stress, is the fact that transnational migration challenges the nation-state. As Joppke (1998a, p.7) asserts immigration challenges nation-state in two ways. He says that by immigration the nation-state's

²⁵ Following the lines of Virginie Guiraudon (1998: 305) the words 'foreigner' and 'non-national' are used interchangeably to mark a person who is not a national of the state he is living in and anyone who does not have the full citizenship status. As Guiraudon observes there are many different and confusing categories; for Europe the concepts of 'migrant' or 'immigrant', some of whom have already naturalized or some of whom (ex-colonials) have always been nationals, do not cover the same people. Here by using these words she indicates some "immigrants that have never immigrated" like the second-generation Turkish people living in Germany (Guiraudon, 1998: 305).

sovereignty and its membership, namely citizenship are challenged. According to him, sovereignty has two dimensions; domestic and international and the former is challenged by immigration²⁶. Considering citizenship, he says it is challenged by multicultural identity politics that emerged in many European states and by post-national membership that is said to have emerged with the international and supranational organizations' intervention in the nation-states' policies and acts.

As a result citizenship regimes are said to weaken. This situation obliges nation-states and their citizenship regimes to undergo a transformation. Besides transnational citizenship, as it was discussed in the first chapter the nation-state is threatened by two general processes; globalization and pluralization of modern societies. While the authority of the nation-state is being eroded from outside by globalization, it is also being undermined by the particularistic claims of groups from inside (Koopmans and Statham, 2000b, p.189). While some authors say that despite the erosion nation-state is still the most important and indisputable political organization, others stress that these challenges have made nation-state (and as a result citizenship) insignificant, its authority has weakened and dispersed to local, international and supranational levels (Soysal, 2000, p.3).

For all these reasons debates focused on the relationship between immigration and citizenship in the last decade. These discussions still continue. In general lines the academia proposed three different citizenship regimes that prevail today. The first two are both national citizenship regimes but they differ on the principle; *jus soli* or *jus sanguinis* that constitute the basis of the regimes and the third one is the Multicultural Citizenship (Koopmans and Statham, 2000a, p.19). Each of these regimes' response is different to the integration of immigrants. Besides these three forms it is probable that a very discussed model, post-national citizenship; or in other words Postnational Membership can be included as a fourth category. While Postnational Membership is a very vague and a very criticized model, most of the authors do not count it as a real working citizenship regime. But it is worth to say a few words about it.

²⁶ Max Weber says that if a "state is invested with the monopoly of legitimate violence in a given place and time", it is domestically sovereign (quoted in Joppke, 1998: 10).

2.1. National Citizenship Regimes

2.1.1. *Jus soli*

Jus soli means “the right of the soil” in Latin (Merriam-Webster, 1996). But more than that it is a feudal principle according to “which all products of the soil whether they are crops or people belonged to the lord” (Joppke and Morawska, 2003: 18). Since feudal times, the meanings that principle embodied have changed a lot. However, today’s *jus soli* citizenship regime has its roots in that feudal principle.

While the *jus soli* elements reminded Feudalism, they disappeared from the citizenship regimes of European states in the beginning of the 20th century, but later in the end of the century by the help of the democratic principles they were reintroduced to integrate long-settled immigrant people (Joppke, 2003b, p.6).

Jus soli principle denotes a “civic-territorial regime” (Joppke, 2000: 151). Its territoriality means that a person who is born in that country acquires citizenship automatically. In the citizenship system all residents that live in the same territory are entitled to the same rights despite the fact that their ancestors may be of foreign origin or they may have lived in another territory before (Entzinger, 2000, p.101). The model is based on the perception that national citizenship forms a civic community that is shaped by citizens’ being loyal to common political values and institutions and their residence on the territory (Koopmans and Statham, 2003, p.208). There may be a short transition period for the immigrants that have just arrived but in general this model is embracing the new comers irrespective of their background. The new comers can acquire citizenship very easily and the children of immigrants gain citizenship by birth.

This regime is also known to be assimilationist or republican. French citizenship and melting-pot practice of US are considered to be the best examples of it. (Koopmans and Statham, 2000a, p.19). It is highly inclusive provided that immigrants can assimilate to the society. For example in the French *jus soli* citizenship regime, what is expected from immigrants is to prioritize Republican values and French political culture over religious and cultural affiliations (Koopmans and Statham, 2000b, p.196). It is understandable that

immigrants give up some of their ways of doing things to acquire citizenship and rights in return. Furthermore it must be noted that *jus soli* citizenship regime is difference blind. In its pure form there is no recognition for the cultural differences.

The pure form of *jus soli* citizenship regime, through which one is granted citizenship when he is born in the territory automatically, is found only in US. In Europe this kind of broad practice exists only in the Irish Republic. Generally *jus soli* principle is applied with some requirements like the necessity of parents' having legal residence or permanent residence for a specified period of time or parents must themselves have been born in the country. For example since 1981 United Kingdom applies the condition that parents should be permanent residents or citizens to grant citizenship to their children. As it will be told later, Germany has moved towards *jus soli* principle in the last decade. It modified its nationality law in 1999 to grant citizenship to the children who are born in the country provided that one of the parents' having legal residence in the country for eight years. In France a child born in the country from foreign parents that have not themselves been born there become citizen at the age of majority or he may refuse the offer. On the other hand, the child born in France with a parent that has been born there, too, becomes citizen at birth. This rule is known as '*double jus soli*'²⁷. Besides France, Belgium is also applying this principle. However, there is a small difference that in Belgium the parents themselves must register the child as citizen (Bauböck, 2004, p.1).

2.1.1.a. French Citizenship Regime

As it was mentioned above, the French citizenship regime is based on *jus soli* principle²⁸. In the first chapter it has been told that French policy for the naturalization of new comers has been highly assimilationist. The French way to tackle the immigrant question is integration "along the lines of the civic ideals of Jacobin Republicanism"

²⁷ In fact, naming the grant of citizenship to the children of foreign parents one of whom has been born in the country, '*double jus soli*' is incorrect. Because in the application, the *jus soli* principle is not being used twice but it is added a "requirement of descent from parents themselves born in the territory" (Bauböck, 2004: 1).

²⁸ Before the French Revolution, the citizenship regime of France depended on the *jus soli* principle. While the Revolution ushered the idea of "nation" and "nationalism" and while the intellectuals thought that it was necessary to eradicate the principles of the *ancien regime*, the citizenship regime was formulated on the basis of *jus sanguinis* principle in order to conform to the ideology of nationalism. However, in the following century, French nationality law reformulated, and germinated to a more inclusive direction. Double *jus soli* was accepted in 1889 (Joppke and Morawska, 2003, p.18; Hansen, 2003, p.98).

(Koopmans and Statham, 2003: 207). The major tools have been the army and the school. And through citizenship, which has been acquired by the third generation of migrants at birth or at the age of majority by the second generation according to *double jus soli*, the naturalization has been concluded. The second generation would be granted citizenship provided that they have been grown up in the French society and assimilated to it through education and compulsory participation in the military. The underlying idea for granting citizenship to the second generation of migrants at the age of majority, was that with these processes the differences of the second generation would disappear and their assimilation to the French society would be provided (Hansen, 2003, p.98). First generation immigrants can also naturalize if they provide the necessary requirements, which are “minimum residence of five years, no criminal record, secured income and societal and cultural assimilation” (Hagedorn, 2001: 248).

As Feldblum (1998, p.247) observes the French regime is not a pure *jus soli* regime in reality. It is based on this principle but besides territoriality, it also depends on the lineage criteria, which can be seen in the acquisition requirements. While only third generation with one of the parent born there is granted citizenship automatically by birth, the second generation despite the fact that they are born in the country can acquire citizenship at the age of majority as their parents have been born in another territory. However, considering some other European states’ citizenship regimes one of which is Germany, it is understandable that French regime is much more inclusive and aims for civic integration of immigrants, which can only be provided through education and by becoming similar with the other members of the society by living in it²⁹.

Application of double *jus soli* principle has never been questioned since it had been accepted in 1889. However, the meaning of citizenship and its acquisition by the second generation has acquired salience in the public agenda in the mid-1980s and debates continued during the 1990s (Feldblum, 1998, p.249). The most important reason for this was the French people’s loss of confidence about their citizenship regime’s role in the

²⁹ As Rogers Brubaker notes (2003, p.42), to assimilate means to make similar. In his words “assimilation is the process of becoming similar, or of making similar and treating as similar”(2003: 42). Interestingly, while the phrase ‘to become similar’ is understood positively, ‘assimilation’ is perceived very negatively.

integration process. As it was mentioned above, besides two other powerful mechanisms, school and the army, citizenship has been one of the tools of France in converting people of different backgrounds into Frenchmen. By the 1980s, French politicians and intellectuals started to think that their tool was having problems in the face of Islam. They perceived that Islam threatened the Republican assimilation because of its involvement to public sphere by picturing a role for religion in it. It was often expressed that this characteristic of the Islam contradicted with the Republican principle *laïcité* (Hansen, 2003, p.98). In fact, this was not a new issue, but as it was told in the first chapter the headscarf affair that had started with the expulsion of three Muslim girls from the school, triggered it to be discussed widely in the public (Feldblum, 1998, p.243). Extreme right was opposing to the easy access to citizenship with the belief that it created “false Frenchmen”, who were French by nationality but not by culture (Koopmans and Statham, 2000a: 27). Their understanding of culture was not just having or sharing Republican values but it was understood as having folk traditions, Catholicism and often race (Koopmans and Statham, 2000a, p.27). When the French people’s anxieties merged with the arguments of National Front which was opposing the integrationist citizenship regime, studies for a new and a stronger assimilation process have accelerated pace (Hansen, 2003, p.99). As it was mentioned before, the National Front has been influential in the French politics during the 1980s and 1990s till it split.

Motivated by these debates and under the pressure of conservative groups, Conservative government introduced the so-called Pasqua Law in 1993³⁰. The law brought three main changes; it abolished the automatic acquisition of citizenship by the second generation at the age of majority and introduced the “declaration of will”; *double jus soli* principle was changed, the law conditioned that a person who belonged to third generation could only be granted automatic citizenship if his parents have lived in France for five years; and lastly the former colonial people’s acquiescence of French citizenship under *double jus soli* principle was annulled (Hagedorn, 2001, p.252). To acquire citizenship second-generation immigrants had to declare their willingness between the ages of 16 and

³⁰ Charles Pasqua had been the Interior Minister of France from 1986 to 1988 and 1993 to 1995. His name makes resonance with a series of anti-immigrant legislation that were enacted in his term of office. As a result the new law on nationality was named after him and called as the Pasqua Law (Ireland, 2000, p.240).

21. And if they did not do this by 21, they would lose their opportunity to naturalize. The most controversial aspect of the law was the declaration of will. Second-generation immigrants had to request and express their willingness to become French. It can be said that the government was asking for a “voluntaristic step” from these young people (Feldblum, 1998: 249).

As Hansen (2003, p.99) observes, besides the law government made many arrangements to impede the ongoing immigration. It must also be highlighted again that by enacting Pasqua Law government also wanted to appease the anxious French people that were voting for Le Pen. However, the law could not provide any decline in his votes. The only result was the unhealthy deviation of France from the Republican civic-territorial citizenship regime that was based on the *jus soli* principle.

The Socialists had opposed to the Pasqua Law since its inauguration and when they won the parliamentary elections of 1997, they immediately began studies to reform the nationality law. In 1998 Civil Code was introduced. Declaration of will was abolished; the age for the automatic acquisition of citizenship by the second-generation was formulated to be 18, provided that the person has lived in France for five years minimum since he was 11. Besides that, if their parents agreed second-generation members could also acquire citizenship when they were 13 if they have lived in France since they were 8. The young immigrants could also refuse the offer six months before automatic acquisition or twelve months after their eighteenth birthday (Hagedorn, 2001, p.247).

In short, France has returned to its traditional *jus soli* based integrationist and assimilationist citizenship model, which helps people of different backgrounds to become Frenchmen.

2.1.2. *Jus Sanguinis*

Jus sanguinis is a Latin phrase that means “the law of blood” (Merriam-Webster, 1996). As a citizenship principle it means that a person gains the citizenship by descent from a citizen parent. In general *jus sanguinis* principle dominates many countries’

citizenship practices³¹. National citizenship that is based on *jus sanguinis* principle is difficult to acquire while it looks for the descent of blood, which requires that the child must have “ethno-cultural ties to the nation” (Koopmans and Statham, 2000a: 19). As Entzinger (2000: 101) observes in this model full citizenship status and all rights entailed to it, such as the right to vote or stand for elections are passed on from one generation to the following “along the lines of blood” and they are acquired by birth. Therefore if a person does not belong to that nation, he is not granted citizenship even if he has been born and has lived all his life in the country. Koopmans and Statham (2000b, p.195) say that this model is ethno-cultural while it looks for the transfer of blood and belonging to the nation and they add that it is highly exclusive.

As Joppke observes (2003b: 5) in the context of modern nation states only *jus sanguinis* principle was meaningful. It made nationality a “right of the person” which was transferred from the parents like the name of the family and which could not be lost even if the person has moved to another territory. On the other hand, *jus soli* principle had its roots in the feudal times, denoting the belonging to the Lord. In the late 19th century France developed a contemporary interpretation of *jus soli* principle that would allow handling cross-border mobility. However, it is obvious that *jus soli* principle cannot be applied alone because even in the short-term stays like touristic purposes, it will grant membership³². Thus in reality contemporary nation-states combine *jus soli* and *jus sanguinis* principles in their citizenship regimes. However, generally one of the principles become dominant and the citizenship regimes are discussed with reference to that dominant principle.

In most of the European states’ citizenship regimes *jus sanguinis* principle was dominant. However with the guestworker migration that began after the Second World War, these citizenship regimes were challenged. Because they were exclusive and they were looking for descent of blood that none of the migrants had. Migrants were legal

³¹ In the early 20th century the father was passing his citizenship to the child automatically, however with the developments in the field of women rights and discourses about eliminating discrimination against women, the rule about both of the parents passing their citizenships to the children was accepted internationally. And this change introduced the practice dual nationality (Bauböck, 2004, p.2).

³² In the early 1980s Britain and Portugal have moved away unconditional *jus soli* principle and added the elements of *jus sanguinis* principle to their citizenship regimes (Bauböck, 2004, p.6).

residents, they were benefiting from social and economic life but they were not able to participate in the political life of the country (Joppke, 2000, p.146). They were *denizens* in the words of Hammar (quoted in Rex, 2000: 59). As this situation conflicted with the liberal democratic values of the European states, they started to reformulate their citizenship regimes one by one. *Jus soli* principle has started to become dominant in the European states' citizenship regimes.

2.1.2.a. German Citizenship Regime

Until very recently German citizenship regime represented the best example for the *jus sanguinis* based national citizenship. Germany has always perceived citizenship as a thick concept that is transferred by descent, based on genealogical rather than territorial characteristics (Joppke, 1999: 633). 1913 Imperial Citizenship Law (*Reichs-und Staatsangehörigkeitsgesetz*) that granted citizenship in only one way; “through birth from a German parent” was in force till 1999 (Hansen, 2003: 90).

When the law was established in 1913, the priorities of Germany were different. It was intending to continue including overseas German emigrants and at the same time exclude eastern Jews and Poles that were perceived as “ethnically undesirable” (Joppke, 2003b: 4). This could only be achieved by regulating citizenship according to the *jus sanguinis* principle that would enable acquisition of citizenship only by people that belonged to German nation whether they lived in Germany or not. According to Roger Brubaker, its national culture has shaped the German citizenship and that is why the regime was based on *jus sanguinis* while Germany was “conditioned by the collective identity of a non-statal, ethnic nation” (quoted in Hagedorn, 2001: 244).

The Second World War and the Nazi regime's racism had discredited the ethnic concept of nation that underpins this exclusionary citizenship model (Joppke, 2000, p.152). However, the Imperial Law was maintained after 1945. There were two reasons for this; firstly with the end of the war twelve million German people were deported to the out of the German territory and to the territories of east Oder-Niesse line that became a Polish area after the war. Imperial Law would legitimize their return to Federal Republic of

Germany³³. And more ambitiously Federal Republic of Germany (FRG) was aiming to be “the nation-state of all Germans”³⁴ (Hansen, 2003: 90). With Imperial Law FRG could grant automatic citizenship to refugees coming from German Democratic Republic (GDR). FRG has refused to recognize GDR, its claim to speak for the other German people and the citizenship it granted. For that reason despite the pressures to modify the Imperial Law, FRG did not change it for the fear that it might touch the sensitive issue of granting citizenship to people who were able to breach the Berlin Wall and escaped to FRG (Hansen, 2003, p.90).

For these reasons, while German citizenship was exclusive towards foreigners even if they had lived in the country for three generations, it was inclusive for the East Germans and ethnic Germans that were dispersed all over the Eastern Europe and the Soviet Union. Like Brubaker, Joppke (2000: 153) sees a link between this exclusive citizenship regime and the “unresolved question of nation”. And he adds that citizenship regime was a tool to solve this question, rather than a tool to facilitate immigrant integration as some other European states did.

Like its neighbors Germany has imported foreign labour under the guestworker system since the 1950s. As the name of the system indicates these people were always perceived as guests that would eventually return to their countries. However, by the early 1980s it became obvious that they were not returning (Koopmans and Statham, 2000b, p.198). Furthermore according to the family unification guarantee in the Basic Law of 1949, most of the immigrants have also brought their families (Guiraudon, 1998, p.286).

³³ As it is known in the end of the Second World War, Germany was divided into four zones among Britain, France, the US and Soviet Union. It was a temporary arrangement. However when the US, Britain and France could not agree with the Soviet Union’s aims on Germany, they unified their zones in 1949 and Germany had become to be divided into two zones; western and eastern. After a short time in the same year, Federal Republic of Germany (FRG) was established in the West and German Democratic Republic (GDR) was established in the East. These German Republics remained to exist separately until the unification took place in 1990 (Wikipedia Free Encyclopedia, http://en.wikipedia.org/wiki/Germany#Division_and_reunification_281945.E2.80.931990.29).

³⁴ Article 116 of the Basic Law pointed Germans as the holder of the German citizenship, but in this definition it specified that these Germans were the ones who had been residing within the borders of the German Reich in 1937 (Joppke, 2000, p.152).

Few reforms were made in the nationality law of FRG in the 1970s, however, the situation of guestworkers have always been discussed outside the framework of nationality law. There was no policy on naturalization and *Länder* had the sole authority about it. When the federal government set the guidelines for naturalization in 1977, it was emphasized that these guidelines were not imposed but they were prepared to instruct the *Länder*. Guidelines were very restrictive; a person who applied for naturalization must have lived in the country for at least ten years, he must have been “voluntarily and lastingly oriented towards Germany”, he must not be a member of any immigrant political organization, he must not be living in places like the hotels or hostels that resonate with being alien (Hansen, 2003: 91). Furthermore, for a person to be naturalized, the naturalization must benefit Germany. Interestingly, while the *Länder* decided who would be naturalized and who would not, in acquisition of national citizenship the character of the *Länder* was very important. For example as Hansen notes, the acquisition of national citizenship was easier in Berlin than in Munich (Hansen, 2003, p.91).

The consequences of such a hard naturalization and citizenship regime were worrying. Immigrants continued to be foreigners. And the number of foreigners was increasing because of the new foreigners that were born to immigrant families despite the returns to homeland (Koopmans and Statham, 2003, p.210). By 1990 naturalization rate in Germany was less than 1 percent, while the naturalization rates in Britain were two times and in France three times that of Germany.

On the other hand citizenship regime was causing conflicts. While immigrants (*Ausländer*) that were born, lived and have been educated in the country even for three generations and as a result assimilated to the German society could not acquire citizenship, ethnic Germans (*Aussiedler*), who have ‘come back’ after six or more generations were granted citizenship automatically. Because of their German decent they were not perceived as immigrants but Germans even if they did not know German language or the German societal culture (Entzinger, 2000, p.101)³⁵.

³⁵ Only the eight percent of the hundreds of thousands ethnic Germans that returned to country between 1994 and 1998 could speak German (Hansen, 2003, p.92).

Joppke seems right in his analysis because when the question of nation has been resolved with the unification of two German states, political parties have taken citizenship regime under consideration in 1990s. While the Social Democratic Party (SPD) discussed the legitimacy of *Aussiedler*'s claims to come to Germany and their acquisition of citizenship, Christian Democratic Union (CDU) held the view that the grant of citizenship could not be an instrument for the integration of *Ausländer*. CDU was in favor of maintaining the exclusive ethno-cultural citizenship regime, while SPD favored the establishment of a more inclusive one (Thranhardt, 2000, p.167) ³⁶.

In this political environment, with its huge foreign population Germany followed the general trend in the other Western European states and started to view citizenship as an integration tool for the second and third generation immigrants. The first step was the new Foreigner Law (Alien Act) of 1990. The law gave alien residents, who were between the ages of 16 and 23, the right to naturalize if they provided the necessary requirements; residence in Germany for at least eight years, attendance to a German school for at least six years, at least four of which would be in the secondary school, no criminal record and renunciation of the former citizenship (Hagedorn, 2001, p.246). Besides this, acquisition of citizenship by the people who have been residents in Germany for fifteen years was also provided. Not having a criminal record, renunciation of former citizenship and a guarantee that they could live on their own by not seeking government help in the form of unemployment benefit or income support would be enough for acquiring citizenship by the immigrants that were not born there (Hansen, 2003, p.90). Furthermore despite the requirement for renunciation of the former citizenship, German authorities were tolerating dual citizenship in practice (Joppke, 2000, p.153).

Despite the opening of citizenship to immigrants the foreign population living in Germany was 7.3 million (making up the 9 % of the total population) in the 1997 (Münch, 2001, p.103). Besides this fact alienation of immigrant youth and xenophobic tendencies in

³⁶ In the competitive German political system, migration has been one of the most controversial issues for the political parties. While SPD supported immigrant claims for political citizenship, CDU was addressing the conservative German people and it was supporting ethnic Germans' automatic citizenship acquisition. The issue was reached to a climax that one commentator ironically wrote, "If you beat my *Auslander*, I shall beat your *Aussiedler*" (Thranhardt, 2000: 167).

the German society were increasing (Joppke, 2000). In 1993, SPD parliamentarians proposed a bill to amend the Imperial Law and Aliens Act, to form a more inclusive and facilitated citizenship regime that would also include dual citizenship. CDU was opposing this proposal. When the SPD and Greens formed the coalition government after the 1998 elections, they prepared the draft of citizenship reform. However, they lost the *Land* elections and they had to compromise with the CDU. The parties agreed on a reform package that would extend *jus soli* principle in the citizenship regime but SPD had to give up insisting on dual citizenship (Hansen, 2003, p.94).

The new reform introduced a conditional form of *jus soli* for the second-generation immigrants. By January 2000, individuals born in Germany from foreign parents that have legally resided there for at least eight years are entitled to citizenship automatically at birth. They will be able to hold nationality of their parents besides the German one till they become 23, by which time they have to choose one of them (Münch, 2001, p.107). The naturalization of a foreigner that is not born in Germany has been also facilitated. Minimum residence requirement was lowered from fifteen years to eight years, a secured income, no criminal record; renunciation of the former citizenship and integration will be enough to acquire citizenship (Hagedorn, 2001, p.246).

With the new policy Germany has absolutely departed from its traditional citizenship model. It is now moving carefully from an ethnic exclusive citizenship regime to a civic-territorial one. *Jus soli* citizenship regime that has been foreign to the German tradition is the accepted model now. In his influential study, *Citizenship and Nationhood in France and Germany* (1992) Rogers Brubaker has argued that citizenship policies of Germany have been shaped by its national culture and therefore reluctant to change. However, the developments in the German citizenship regime show that the content of citizenship can change from ethnic to civic according to the needs and these developments also show postnationalists that citizenship is still very important (quoted in Joppke, 1999, p.629).

When the immigrants are kept out of citizenship, they often build “isolated ethnic underclass, which denotes the deterioration of standards in employment, housing, health

and education” (Bauböck, 2004: 3). It is probable that acquiescence of citizenship with being not enough for fighting with these developments is a necessary condition to proliferate with new means in the fight.

As the European states are transforming to countries of immigration, existing exclusive citizenship regimes are becoming increasingly inclusive, while inclusive regimes are resisting to the pressures of the conservative and extreme right groups’ for more exclusive regimes. It is often discussed that an inclusive citizenship is an indicator of the standard of a democratic state. Even if the *denizenship* status is said to solve the problems, keeping a part of the populace out of the political process means weakening of the legitimacy of a democratic rule in that state. As a consequence for the sake of the democracy these people must be included by the citizenship regimes in the long-run (Bauböck, 2004, p.3).

2.2. Postnational membership

Postnational membership theorists advocate that traditional basis of nation-state membership, namely citizenship is undermined by transnational migration. They say that entitlement of rights on the basis of residence but not on the basis of citizenship has ruined the distinction between “citizen” and “alien” (Jacobson quoted by Koopmans and Statham, 2000b: 191).

Yasemin Soysal (2000: 1), perhaps the best-known representative of this position, defines four developments that affect the traditional citizenship regimes. She says the “transformation of ethnic and national composition of European states with the huge migration movements; intensification of transnational discourse and legal instruments that codify ‘human rights’ or personhood as a word level principle; the increasing legitimacy of the right to one’s own culture and identity and lastly diffusion of sovereignty and the emergence of multi-level polities such as European Union” affect nation-state membership negatively.

By examining guestworker experience in Western Europe Soysal asserts postnational membership. The idea of postnational membership derives from the fact that although most of the immigrants in Western Europe have not been citizens they could still benefit from the advantages which have always been thought to accompany citizenship. Soysal indicates that citizenship demarcates populations, with particular set of rights and duties, and it keeps out others, as they are non-nationals. Indeed citizenship presumes a single status that is reserved generally for the nationals and it grants same rights and privileges to all citizens. However, today in Western Europe, legally resident people can share some of these rights despite the fact that they are non-nationals. This made her argue the emergence of a new form of citizenship, postnational membership that is based on universal personhood according to her (quoted in Schuster and Solomos, 2002, p.39; Soysal, 1994, p.1).

Soysal says that citizenship assumes a single status, which means that an individual can only be allegiant to only one state. However, our age witnesses the steady increase in the number of people that hold dual citizenship. In its traditional understanding citizenship is based on the nationality, which is thought to be shared by all the populace in the territory. Therefore the nation-state has appeared to be the legitimator of the citizenship and the rights accorded to it. As Soysal puts it, the guestworker experience in Europe showed that the basis of the citizenship did not have to be nationality. These people belonged to different national backgrounds but they could still benefit from the rights accorded to the citizenship. In her influential study, *Limits of Citizenship* (1994, p.141), she stresses that while guestworkers do not encounter with any obstacles in entering labor markets, very rarely they have some problems when they want to practice their professions or to start new enterprises. She also notes that almost always they are not recruited in the civil service jobs for which citizenship is required.

Soysal also gives examples from the western European states with regard to political rights. As it is known the most significant political right is the right to vote. However, today in many western European states guestworkers can vote in the local and sometimes in the regional elections. Ireland, Norway and Netherlands gave immigrants the right of voting in local elections after some time of residence. Besides local elections

migrants in Sweden and Denmark can vote in the regional elections after a specified time of residence (Soysal, 1994, p.143). Bauböck (2002, p.4) also observes that New Zealand permits permanent residents to vote in all elections. They can vote but they cannot stand for election. In the two cantons of Switzerland, namely Neuchatel and Jura, foreign residents can vote in local elections. Here it must also be noted that 1993 Treaty on European Union introduced for EU citizens that live in another member state the right to vote in that member state for the European parliament elections and local elections that will be told in the next chapter.

The *denizenship* status that Hammar suggested shows that the premise on which traditional citizenship is based, nationality, is giving way to territoriality. By living in a territory and working in that territory, immigrants are entitled to most of the rights that citizens have. As this situation conflicts with the traditional understanding of citizenship, *denizenship* is believed to be an irregularity or anomaly by many authors. They believe that this is a temporary phenomenon that will be corrected in the coming decades. According to postnationalists the academics that see *denizenship* as an irregularity or anomaly, still continue to look from the perspective of the nation-state citizenship, which they believe is changing. Postnationalists do not see *denizenship* as just an irregularity, but they see it as the harbinger of the new membership model (Soysal, 1994, p.139).

Furthermore they argue that being a *denizen* in a nation-state is not that much important, because as the nation-state has become insignificant with globalization, its citizenship cannot offer much. They advocate that global and local have swallowed the nation-state. While legal residents are able to pursue their interests in the local by their residency rights, they are also protected by supranational and international organizations and more importantly by the international regime (Joppke, 1998a, p.8). Postnationalists indicate that the emergence of postnational membership is directly related with the increasing capability of supranational and international organizations in exerting pressure and influence on nation-states. In the European context immigrants have been thought of having postnational membership because while most of them do not have national citizenship but they have social and civil rights. Postnationalists say that entitlement of these rights is the evidence that the national citizenship has lost its importance as being the

main source for rights. Furthermore they argue that immigrants do not need to naturalize because they can pursue their interests on the basis of universal rights (Koopmans and Statham, 2003, p.198).

For the organization of citizenship, Soysal does not deny that responsibility for securing individual human rights, on which the supposed postnational membership is based, still belong to nation-states. She says the nation-state is still “the provider and guarantor... for every person living within its borders, non-citizen as well as citizen” (Soysal, 1994: 143). However speaking about integration, postnationalists argue that acquiesce of traditional citizenship is not necessary for integration. They advocate that with their social and economic rights immigrants can participate in the mainstream of the society, they can work; attend school; join political parties and other associations etc. (Hansen, 2003, p.87).

As it was mentioned above according to Marshall, citizenship must entail legal, political and social rights. In his analysis the acquisition of political rights is essential because without them the individuals cannot protect their rights and they cannot acquire any social rights. And in his view, if a society contains *denizens*, this makes it less democratic because these people do not participate in the democratic political process. Soysal defends another view that social rights can be acquired even if the individual does not have any political rights. Besides, she says that as a part of transnational communities, *denizens* have rights that are protected by international regime, which is framed by the decisions of international courts (Rex, 2000, p.68). Transnationalism can be described as the process in which immigrants make up social relations that bind them to the societies of their origin and settlement. A transnational community includes network of immigrants’ relationships that transcends geographic, cultural and political borders (Koopmans and Statham, 2003, p.200). Postnationalists say that being a member of such a community helps *denizens* to protect their rights. However, it is often argued that the protection of the rights of an individual can only be the right to vote, in other words only political rights can protect an individual (Rex, 2000, p.68).

On the other hand some academics have developed counterarguments for postnationalist membership. They argue that “codification and enforcement of supranational rights” have not been developed that much (Koopmans and Statham, 2003: 198). Furthermore access to international courts is slow. Even if the courts support the rights of the migrants, they cannot impose their view on the nation-states. Nation states have the right to evade applying some principles even if they sign the international conventions (Rex, 2000, p.68). It is a reality that human rights are applied because they arise from the liberal democratic tradition of Western European states rather than imposition by the supranational organizations (Joppke, 1998, p.26).

Another argument is that even if postnationalists are right to say that citizenship has nothing to do with the integration process, it cannot be denied that citizenship is still the only feasible way to encounter xenophobic tendencies and discrimination (Koopmans and Statham, 2003, p.231). Entitlement of rights does not make immigrants equal in the eyes of the society. Afore mentioned study of the ILO made in 1995 set out that existence of discrimination in the Netherlands has been proved³⁷. Furthermore the study put forth that the probability of a Moroccan applicant to be employed was nearly zero. It is probable that this Moroccan applicant is entitled to many rights that are thought to accompany citizenship. But as it is understandable society continue to perceive this applicant as a foreigner despite the entitlement of rights. The only way to transcend this situation seems to be becoming a real member of the society by the acquiescence of citizenship. Bauböck touches an important point that people behave very differently from what they express in the polls. In his pessimistic view although most of the people say that the racial and sexual equality or freedom of expression must exist, when examined in detail it can be seen that they have contradictory illiberal beliefs. He says that “majorities have learned to say the correct answers” in the polls and questionnaires (Bauböck, 2001b: 4). Therefore it must be emphasized that discrimination and xenophobia which are on the rise in Western Europe can only be encountered by integrating immigrants through naturalization. In this way their children will grow up as citizens and the real integration of second and third-generation immigrants will be provided.

³⁷ The study was mentioned in the footnotes of the page 37, in which the multicultural practices of Netherlands were being told.

In addition to these arguments there is little evidence about immigrants' making claims on the basis of universal and supranational rights (Koopmans and Statham, 2000b, p.212).

As it was mentioned before, guestworkers can vote in the local and regional elections of some western European states. However, as Bauböck stresses although entitlement of the right to vote in local and regional elections seems a tremendous development, in reality it is not sufficient and it is not answering the needs of guestworkers. Guestworkers cannot stand for election in any Western European state. When it is asked whether a person who is not himself a guestworker can represent guestworkers well, the answer appears to be negative. Because as a general democratic principle, it has been accepted that voters can only be represented in real terms with voters and candidates like themselves not a group of people, "who monopolize the right to hold public offices" (Bauböck, 2004: 18). In that sense, the right to vote does not mean anything for guestworkers because they will not be genuinely represented. Therefore the entitlement of the right to vote is not a real development as postnationalists argue. If immigrants really want to be represented, the only option again appears to be naturalization.

As Koopmans and Statham (2003, p.207) diagnose the importance of national citizenship regimes in the immigrant integration cannot be denied. In the last decade developments made policy makers to reconsider citizenship and nationality laws in Europe and the US. In each case, the result has been the "reevaluation of citizenship" in the words of Peter Schuck (Hansen, 2003: 88). In the Western states there have been intensive public debates about what it means to become British, German, American, French, Netherlander etc.

States have responded to the challenges that immigration posed, by reforming their citizenship regimes. Whether they made them more liberal or they extended the rights that are entitled to the people in the alien status. In both cases the idea of citizen is strengthened, the idea of *denizenship* was proved to be deficient. Developments in the German and American citizenship regimes confirm this thesis. While US has begun to

keep out legal residents from the welfare programs with the introduction of Welfare Reform Act in 1996, German citizenship was added *jus soli* elements in 1999, to include second-generation immigrants (Joppke and Morawska, 2003, p.2). These developments contradict with the postnationalist rhetoric that citizenship has become insignificant and less feasible in the integration process. In the US after the Federal government enacted the Welfare Reform Act, legal residents have started to naturalize in unprecedented numbers (Joppke, 2000, p148). Since 2000 reform in the German citizenship regime, naturalization numbers of the aliens have increased steadily (Hagedorn, 2001, p.268).

Soysal's analysis can only be feasible for the first-generation immigrants, for whom the *denizenship* status is created. Actually not only governments and the host society thought that they were temporary, they themselves had also thought that one day they would return to their homes. For a person who thought to return home, acquiring citizenship of the host society and political rights would mean to break the link with the country of origin. For that reason first generation immigrants of Western Europe were not interested in acquiring citizenship of the host societies even if they were inclusive. However, when it became obvious that they were not returning and when the issue became to integrate the second and third generation of immigrants that were born, educated and settled there, the postnational membership was proven to be deficient (Joppke and Morawska, 2003, p.17).

Before the 2000 reform made in the citizenship regime, immigrants living in Germany were thought to have postnational membership because immigrants remained as foreigners besides having social and legal rights. And a case from Germany, the case of Muhlis Arı, called Mehmet, proves that postnationalist hopes do not work in reality. Muhlis Arı, a fourteen-year-old boy, who was born and raised in Germany, was found guilty of committing serial crimes and deported to Turkey by the Bavarian authorities in 1998. Interestingly, he was deported to a country that he had never been and that he did not know the language of. Despite the criticisms that the expulsion breaches Article 8 of European Human Rights Convention, the federal government deported him. He could

return to Germany only after four years (Bauböck, 2001a, p.9)³⁸. Postnational membership could not help Muhlis Arı, “because protection from deportation has everywhere remained the privilege of citizens” (Joppke and Morawska, 2003:16). It can be said that the necessity to integrate second and third generation immigrants has given rise to the revaluation of citizenship in European states.

Bauböck takes attention to the states’ national experiences and the relationship between this experience and their citizenship regimes. If a state has been a sending state, its citizenship regime appears to be a difficult one to access while the state generally attempts to cover the people that have been sent. Before the 2000 reform German citizenship resembles the best example for this type of regimes. On the other hand, if a state has always been a receiving state, the naturalization is encouraged and it is easy to access (Bauböck, 2004, p.1).

Postnationalists believe that their model is linked to multicultural citizenship in two aspects. They argue that the international regime with its protection for a person to maintain his own culture has made immigrants and ethnic minorities more demanding in the face of the nation-state for the recognition of their cultures. Furthermore they assert that immigrants’ mobilization around ethnic identities and their becoming “transnational diasporas with strong ties to the homeland”, show that assimilative traditional citizenship models are not working anymore (Koopmans and Statham, 2000b: 193)³⁹.

³⁸ Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms regulates “the right to respect for private and family life” and it sets out that “everyone has the right to respect for his private and family life, his home and his correspondence”. The article puts that “there shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, or for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others” (Convention for the Protection of Human Rights and Fundamental Freedoms, 1950: Article 8).

³⁹ Diaspora is used to denote the “global dispersion of migrants” (Soysal, 2000: 1). In the host societies migrants generally become members of the communities, which are made up by the people who come from the same origin and they are mobilized via these communities. They “engage in movements between the country of origin and settlement” and maintain economic, political and cultural relationships (Soysal, 2000: 2).

2.3. Multicultural Citizenship

With the French Revolution nationality has become the first condition for the acquiescence of citizenship (Soysal, 1994, p.16). As Marshall observed “national consciousness” determined the rights that entail citizenship. As a result it cannot be denied that besides being a legal instrument, citizenship has also a cultural aspect that reflects the culture of the citizens, in other words the culture of the nationals. Therefore immigrants could only accede to citizenship by adopting the culture of the nation, by assimilation (Joppke, 1998: 31).

As nationalism has been blamed for the emergence of world wars, Western states have tended to formulate their political systems based on a liberal notion of the nation-state in the post-war period. Ideologically liberal states are neutral to all differences, including cultures. However, indigenous groups and immigrants with differences have observed that even the liberal states cannot remain indifferent or neutral to the differences of the people. According to liberalism, the state must be blind and neutral to all differences in order to treat all its individual citizens equally. However, even the most liberal state has a culture of its own, which is formulated around the culture of the majority group. People who belong to other groups other than the majority have noticed that the official “language of the state, its holidays or church relations” etc. always benefit the ethnic majority group (Joppke, 1999: 629). This awareness pushed immigrant and indigenous groups to fight for the multicultural citizenship programmes that would provide adjustment for their excluded situation and for their needs within the framework of citizenship.

In its traditional interpretation citizenship has two components, the individual and the state. Citizenship is the embodiment of the relationship between these two components. Multicultural understanding of citizenship intends to add the third component to citizenship; the identity groups (Shachar, 1999, p.89). Academics that advocate this position believe that approval of a person’s membership in an identity group and his cultural background help him to construct his identity and feelings of belonging. Therefore the accent of culture, identity and group membership and their relationship are inherent in the search of multicultural citizenship (Kymlicka, 1995, p.12).

The multicultural citizenship model moves away from the orthodox view according to which a citizenship regime must be “colour-blind”, cultural-blind or neutral (Shachar, 1999: 89). Contrary to this orthodox view, the multicultural understanding of citizenship aims to establish a citizenship regime that is totally sighted to the differences of identity groups, whether they are colour, culture or race. Therefore it intends to set up a legitimate basis for the recognition of differences within the citizenship regime. The underlying idea of the multicultural citizenship is that people with differences should be able to participate in the public sphere without having the necessity to conceal their differences.

While the traditional citizenship takes individuals as citizens, multicultural citizenship perceives citizens both as individuals and as members of the communities. Therefore “they have equal rights as individuals and differentiated rights as members of the identity groups” (Shachar, 1999: 89). Kymlicka (1995: 174) calls this “differentiated-citizenship” and depicts it as a citizenship regime that “recognizes group-differentiated rights, by which members of certain groups are incorporated into the political community, not only as individuals, but also through the group and their rights depend, in part, on their group membership”.

In general lines it can be said that a multicultural citizenship takes shape with easy naturalization policy that is not dependent on assimilation. The citizens can maintain their differences and identities and they can express them in the public sphere institutions, like schools, military, media, parliament etc. in order to pursue the necessary means to retain their identities. It can be further extended to free cultural groups from certain duties officially (Koopmans and Statham, 2003, p.200).

Will Kymlicka, the most prominent representative of this position, in his influential work, *Multicultural Citizenship* (1995, p.124), says that group-differentiated citizenship that multicultural understanding of citizenship aims is not that much different from the liberal citizenship. He denotes that there are millions of people who want to become the citizens of western liberal states but they are rejected because of the differences of blood ties or birthplaces. Furthermore he sets forth that the existing citizenship regimes are

already group-differentiated. According to him, “distributing rights and benefits on the basis of citizenship is to treat people differentially on the basis of their group membership” (Kymlicka, 1995: 123). Therefore he says that within the citizenship regime, granting rights and benefits to the identity groups will not be contradictory and it will adjust the existing regime according to the needs of the people that become disadvantaged because of their differences.

Kymlicka has argued that when the aim becomes integration, the equal rights of citizenship appears to be deficient because some people are not equal because of their cultural differences. Therefore the entitlement of equal rights will not produce the intended results. For their better integration they must be able to demand polyethnic rights and exemptions from the laws that disadvantage them (Kymlicka, 1995, p.31).

As Joppke observes (1999, p.633), entitlement of these polyethnic rights have become the most controversial topic of multicultural citizenship. Jewish people’s and Muslims’ attempt in Britain to be freed from the Sunday closing and to get permission for slaughtering animals in their religious festivals; Sikh men’s attempt in Canada to be freed from motorcycle helmet laws; Jewish people’s attempts in US to wear their religious hats in the military and Muslim girls’ attempt in France to attend school with their headscarves can be taken as examples of demands for the exemption of certain laws and regulations (Kymlicka, 1995).

The minority people’s claims making on the basis of ethnic differences is the most important ingredient of multicultural citizenship. Minorities demand “language rights, regional autonomy, political representation, education curriculum, land, adjustment in the immigration and naturalization policy, even national symbols, such as the choice of national anthem or public holidays” (Kymlicka, 1995: 1). However, their making claims for such rights challenge the traditional citizenship, which is thought to be “unified and undifferentiated” (Koopmans and Statham, 2000b: 193).

According to the advocates of Multicultural citizenship, these claims show that the existing societies are unequal and exclusive for the culturally different people. And

contrary to the advocates of postnational membership they believe that discrimination on the basis of ethnic differences and the exclusive character of the society cannot be overcome by the *denizenship* status that entitles people social and economic rights (Koopmans and Statham, 2000b, p.194). But, as it was told above Kymlicka thinks that only the equal rights that are entitled with citizenship will not be enough. However, according to him a citizenship that is strengthened or adjusted with multicultural policies, in which “cultural pluralism and minority rights” are inherent, will provide the best results for integrating immigrants and indigenous groups (Joppke, 1999: 630).

Kymlicka has focused only on the internal rights that a citizenship should grant. In the Dutch and French cases that have been examined in the first chapter, the findings in general lines have been that as the societies become more and more multicultural every day with the migration flows, multiculturalism as an official policy loses ground. Apparently multicultural citizenship appears with the application of official multicultural policies. And while the model as a whole is in decline in the Western European societies it is difficult to talk about a genuine multicultural citizenship model in Western Europe. However, if the focus becomes external dimension of citizenship, it can be said that in the last decade most of the western European states have revised their citizenship regimes to make them more inclusive and less assimilative. The liberal states are giving up their assimilative policies one by one. Today in most of western European states second-generation immigrants can become citizens without being compelled to assimilate. In that sense their citizenship is multicultural citizenship. Because it should be recalled that the quest for multicultural citizenship has begun with the struggle and resistance against assimilation.

According to Joppke (1999, p.630), with its demand for the differentiated group rights multicultural citizenship offers ideas in the discussion about immigration and citizenship. Contrary to the Soysal’s postnational membership multicultural citizenship emphasizes that national citizenship is still very important and it is the most feasible tool to integrate people after some retouching. Against Brubaker’s traditional citizenship it sets forth that understanding of citizenship can be changed and shaped to accommodate cultural pluralism.

Feldblum (1998, p.250) observes that a group of academics see multicultural incorporation policies as the harbinger of the change in the citizenship regimes. They say that citizenship is getting freed from its traditional nation-state basis. However, as it is known multiculturalism is open to different interpretations. For example while Soysal (1994, p.154) uses it to strengthen her thesis, postnational membership, in which she asserts that nation-state and its citizenship is getting insignificant with the globalism, international regime and transnationalism, for Kymlicka (1995, p.36) multiculturalism must be used to retouch the real integrative mechanism, citizenship, in order to adjust inequalities. Stephen Castles argues that in the Australian context, multiculturalism means that a person does not have to assimilate anymore to become an Australian citizen, while he emphasizes that to acquire multicultural citizenship, an individual must acquire formal citizenship first (quoted in Feldblum, 1998, p.251).

On the other hand, the developments in Western Europe have proven Soysal and Kymlicka wrong. In almost every Western European state where multicultural policies have been put in place, the result has become the revaluation of citizenship. Western European states have seen that multicultural citizenship will not work for their immigrants. According to Bauböck (2001b, p.7) only four years after Nathan Glazer published his book named *We Are All Multiculturalists Now* and declared that melting pot ideology has ended, western societies has tended to return to melting-pot practices.

In fact, these practices cannot be called assimilative regulations. With a more liberal understanding, Western European states expect immigrants to acquire citizenship and integrate to the host societies. They can maintain their identities as long as they can see it as an ethnic one rather than a national one. For example Turkish people in Germany can continue to be Turkish ethnically, but nationally they are expected to become Germans. As the Irish people have become Irish-Americans in the US (Bauböck, 2001b, p.9).

In the European context, the Netherlands, Sweden and Britain have been thought to have multicultural citizenship regimes. In these regimes states “not only offer easy access to full social and political rights, but actually sponsor ethnic difference by recognizing immigrant groups as ethnic minorities with their own cultural rights and privileges”

(Koopmans and Statham, 2000b: 196). With some problems multiculturalism and the citizenship model it put forward is still working in the US, Canada and Australia. The question why multicultural citizenship is successful in US, Canada and Australia while it fails in Western Europe deserves an answer. Some academics say that the answer lies in the group that European multiculturalism has targeted; that are Muslim migrants. Muslims pursue their interests in US, Canada, and Australia with multicultural policies and there has not been any affair in these societies like the headscarf one in France or Rushdie affair in Britain.

Joppke (1998, p.37) says that Muslims are not thought to be problematic in Canada and in the US even after the September 11. But in western European societies they are viewed as difficult to integrate. According to him, while generally qualified and educated Muslims go to US and Canada and while these highly educated people tend to practice their religious rituals in their private life, and, may be more importantly, while they have other identities to adhere and to prioritize like being a member of a profession group, their religious identities do not surface that much. On the other hand, the Muslims that migrated to Western Europe were of less-educated background and they were unskilled. When these people faced with discrimination and isolation in the Western Europe, religion has become the most important framework for these people for mobilization and socialization. In addition to that it should be noted that the separation of church and state was not completed in Western Europe (Guiraudon, 1998, p.280). European nations continue to be Christian nations and it is told that they are not very tolerable to the Muslims.

And lastly it can be said that European states could not offer a new identity to the immigrants. As Joppke (1998, p.37) notes, there was not a French or German dream in which immigrants could find a place for themselves. Differently from the immigrant societies of US, Canada and Australia, European societies have always had nation founding myths and immigrants could only enter to these societies after they became similar; in other words only after assimilation. In some European states, like Germany and Austria they were not included in the society even after assimilation (Bauböck, 2004, p.2).

In such a context, multiculturalism helped to undermine the already shakier ground on which immigrants and the members of the host society met in Europe. National societies have found another argument not to include immigrants and immigrants were mobilized on the basis of communities and segregated themselves. In short, multiculturalism in Europe helped to “keep minority and majority tribes neatly separated” which would produce any result different from integration (Joppke, 1999: 37).

Although multicultural practices in Netherlands are examined in the first chapter, it is better not to examine the Dutch citizenship regime under the title of Multicultural citizenship as the Netherlands has moved away multiculturalism in the second half of the 1990s. Despite the fact that multiculturalism is still evident in the country, examination of the British case will be more enlightening since the United Kingdom is still thought to be a multicultural state.

2.3.1. British Citizenship Regime

British citizenship regime is based on the “civic-understanding of community rather than ethnic-cultural origin” (Münch, 2001: 15). It is a conditional *jus soli* regime. A person, who resides in the country for five years, can naturalize. Spouses or husbands of the British citizens are also entitled citizenship after three years. A child born in the United Kingdom from foreign parents that have unlimited residency permission acquires citizenship automatically at birth⁴⁰. If the parents do not have unlimited residency permit when the child is born, he acquires citizenship when one parent is entitled to aforementioned permission. Furthermore if a child, born in the UK, lives ten years in United Kingdom, even if he leaves the country his right to claim for citizenship continues (Münch, 2001, p.15). It can be said that contrary to other European states, access to citizenship in United Kingdom is very easy.

⁴⁰ As the country has several connotations, it is often confusing for the reader to distinguish United Kingdom from Great Britain, British Empire and England. The UK has four constituent parts. England, Wales and Scotland, which together make up the Great Britain or Britain. Great Britain is the name of the island, and when they come together these three constituents establish it as they are all located on the island. The fourth part is the Northern Ireland and when Northern Ireland, England, Wales and Scotland come together they comprise United Kingdom. Besides this, UK and former colonies together used to make up the British Empire (United Kingdom, Encyclopedia Britannica, 2005).

The British Nationality Act of 1948 granted 800 million 'British subjects' the right to settle in the United Kingdom⁴¹. However, the second half of the 20th century witnessed the dismantlement of the British Empire. When faced with geopolitical, economic and post-colonial immigration challenges, the United Kingdom reformulated itself "from a civic to an ethnic nation", in which membership is difficult to earn but entitled "by birth and ancestry" (Joppke, 1998b: 308). This kind of reformulation was highly exclusive. However, it was necessary to limit the post-colonial migration and to reformulate around the idea of nation after the dismantlement of the multinational Empire.

The aim of the British Nationality Act of 1948 was to facilitate the human transaction between the colonies and United Kingdom, rather than giving rise to the huge immigration waves, especially to the black people's immigration. The citizenship regime of United Kingdom has become less generous with every following regulation. Regulations were made in 1962, 1971, 1981 and 1988 (Münch, 2001, p.16). For instance, Commonwealth Immigrants Act of 1962 restricted the Commonwealth citizens' right of free entrance and settlement in the United Kingdom (Karapin, 2000, p.313). However, it can not be denied that British citizenship is still a very civic regime (Koopmans and de Wit, 2005, p.56).

Strict immigration controls impeded migration and for the already settled immigrants, the United Kingdom pursued a different strategy. Having presumed that immigration is permanent and these people would not go back, United Kingdom defined its immigrants according to their ethnic, racial or national characteristics (Entzinger, 2000, p.103). Official multiculturalism gained ground in the early 1970s. Labour Home Secretary Roy Jenkins expressed this strategy in May 1966;

"Integration is perhaps a loose word. I do not regard it as meaning the loss, by immigrants, of their own national characteristics and culture. I do not think that we need in this country a 'melting pot', which will turn everybody out in a common mold, as one of a series of carbon copies of someone's misplaced vision of the stereotypical Englishman...I define integration, therefore, not as a flattening process of assimilation

⁴¹ In the British Empire there had been only one category of nationality; British subjects. All the people living under the rule of the Empire were British subjects whether they were living in United Kingdom, New Zealand or Australia (United Kingdom, Encyclopedia Britannica, 2005).

but as equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance” (quoted in Joppke, 1998b: 308)

The state did not intend to implement a policy of assimilation, but tolerated these citizens’ cultural differences as long as they conformed to the law. This attitude had a lot to do with the traditional policy of an empire; rather than making them Englishmen, the United Kingdom tried to make them “better representatives of their culture” (Münch, 2001: 16).

Migrants could enter to the mainstream of the society “under the label of ethnic or racial minorities” with the help of the state. Since 1965, UK sought measures to fight with discrimination and racism and supported immigrant communities in their social integration, as it was thought that only political rights would not be able to bring real equality. United Kingdom enacted “anti-discrimination laws, set up local bodies to report and advise on practices for ensuring equal treatment in the labour market” etc. (Koopmans and Statham, 2000b: 195). In fact, the United Kingdom enacted these anti-discrimination policies for the colored people, whose situation was on a shakier ground in the face of white core (Joppke, 1998b, 310). African-Caribbeans were put under the label of ‘black’ neatly and they became the main beneficiaries of anti-discrimination legislation. Later these laws included Indians, Pakistanis and Bangladeshis, who were placed under the label of ‘Asian’ (Koopmans and Statham, 2000b, p.199). Indeed, UK was trying to solve the questions of colour, the concept of immigrant was thought to connote primarily to the “dark skinned people” from the Caribbean, Asia and Africa (Rex, 1996: 118).

British Race Relations legislation does not entail rights for minority groups but it grants recognition to groups who could publicly identify themselves as racial groups. As Favell observes this recognition serves as a “safety valve” through which racial groups transmit their claims to the authorities and by which the frustrations or demonstrations of these groups are encountered (Favell, 1998: 324). As the recognition is only granted to the racial minorities, British Muslims are not addressees of British multiculturalism as being Muslim is not a racial identity.

As it is told that multicultural citizenship asserts itself with the blend of official multicultural policies and an inclusive citizenship regime, it can be said that British citizenship with some deviations from the ideal model is a multicultural citizenship. In the citizenship model, citizens of different cultural backgrounds are entitled full social and political rights and they maintained their cultural differences (Koopmans and Statham, 2000b, p.198). Firstly it grants its citizens polyethnic rights that Kymlicka advocates. For example “Hindus and Muslims are exempted from Britain’s strict marriage rules, Sikh boys are allowed to wear turbans, Asian girls can wear *shalwar* at school, and Sikhs do not have to wear helmet while they are driving motorcycles provided that they wear their turbans” (Joppke, 1998: 310), Muslim girls wear Islamic headscarves in the school as long as their colour conforms to the school uniform and a Sikh construction worker is exempted from wearing helmets (Münch, 2001, p.17).

Secondly, as the British electoral system is a constituency based one, it caused minority communities to reside in the same area. They live together in specific towns or districts and with their voting power they are able to influence British politics. It is probable that this is not exactly special representation right that Will Kymlicka argues for but minority communities living in the UK can be influential and protect their rights (Koopmans and Statham, 2000b, p.199).

On the other hand, there are very serious arguments against the British model of multiculturalism. For instance as the British integration model focused on races and preventing discrimination, it provided platforms for the immigrants to be more assertive. However, this caused several anomalies. They have become so much assertive that even absurd practices took place, like the ban of “Baa Baa Black Sheep” nursery rhyme on the ground that it has been “racially offensive” (Joppke, 1998b: 312). Anti-racism campaigns and cry outs have become to such an extent that “anti-anti-racist” groups have been established (Joppke, 1998b: 312).

Another dramatic development was the Rushdie Affair that showed the consequences of the official multiculturalism. After Salman Rushdie published *Satanic*

Verses in 1988, angry Muslim crowd, who believed that the book insulted their religion, burned it and claimed that Rushdie must be punished for writing such a book. They wanted to activate an old blasphemy law. Riots had taken place in UK. Financially supported by Iran a radical group founded a parallel 'Muslim Parliament' (Favell, 1998, p.322). After the President of Iran, Ayatollah Khomeini issued a *fatwa* for Rushdie's execution on the grounds that he blasphemed Islam and committed apostasy, the author had to live in hiding. Muslim community responded very harshly. This incident made many authors think that multiculturalism has ceased to be a recipe for the integration of immigrants in the UK. They expressed that despite its motto for enabling different cultures to exist side-by-side, multiculturalism provided the necessary tools to immigrants in UK to react intolerably towards the different ideas (BBC News, February 13, 1998).

Adrian Favell (1998, p.323) believes that it would be wrong to decide about British Multiculturalism by only focusing to British Muslims and the Rushdie Affair. He says that while all the Muslims living in UK do not involve in these actions and even if they involved while British Muslims are not the only group that multiculturalism serves for in the UK, evaluating British multiculturalism with Rushdie Affair would be unfair. He adds that for twenty-five years multicultural institutions were functioning very well for the integration of immigrants.

However unlike Adrian Favell, with the riots in the northern cities of the UK showed many British people started to think that multiculturalism has ceased to become the recipe of UK. Inner-city riots that have taken place in UK since the 1980s have become major source of concern. The most known riots took place in Bradford, Brixton, Liverpool and Oldham, each costing at least £10m. Riots have taken place between the police and the Asian community members and sometimes between the Asian community members and racist party sympathizers (BBC News, October 26, 2001, par.1). Reports prepared after riots do not blame multiculturalism explicitly but implicitly they say that governmental policies help community members in isolating and segregating themselves. Reports draw attention to the fact that ethnic and racial communities segregate themselves and do not mix with the other components of the society. Reports prepared after Bradford, Oldham and Burnley riots called the government to act to bring together Britain's divided

communities. The reporters also highlight young members' economic problems and add that this is one of the main reasons that drive young Asian community members to riot (BBC News, December 11, 2001, par.2).

As Joppke (1998b: 310) says, "there is no presumption that these ethnic groups should become British in any other sense than their ownership of a British passport". It can be said that multicultural citizenship undermines the citizenship and the political organization whether it is a nation-state or not. A state is established by the people who feel allegiance for it. And as it can be seen from the Rushdie case, communities with the opium of the motto 'the right to be different' manipulate the British law and liberties according to their identities and interests. It is obvious that the liberal values could not be inherited by the immigrants while their community membership shielded them against these values. Rather than being real British Muslims, they maintained their ways of doing things that were valid in their home countries like the support of the *fatwa* for the execution of the Salman Rushdie.

British model of multiculturalism is still a controversial issue among academics. Its citizenship policy was shaped on the basis of the need to integrate different ethnic and social groups that used to live under the Empire. However, even in UK traditional citizenship regime has revalued. Until 1981, UK did not have a national citizenship regime but a one that is depended on a "pre-national concept of subjectship, defined as allegiance to the Crown" (Joppke, 1999: 636). The British Nationality Act of 1981 introduced a new concept of citizen of encompassing only those that would have the right to live in the UK and strengthened the restrictions for the New Commonwealth migrants. According to the Act to be a British citizen, a child must be born in the UK from British-born or naturalized parents. With the Nationality Act of 1981, highly civic British citizenship is said to be ethnicized. However, it must be noted that British Citizenship regime is still inclusive. Considering the realities and challenges that UK has faced since the dismemberment of the Empire, ethnicizing its citizenship regime is understandable. It must not be forgotten that UK is not asking for the descent of blood but only territoriality. And when it is thought that naturalization is not difficult, the regime is still highly civic.

2.4. Debates about Immigration and Citizenship

The second chapter began with the proposal that debates about immigration, integration and ethnicity in Europe have questioned citizenship in the last decades. By giving examples from the debates and examining citizenship regimes, we have found out that immigration indeed has a lot to do with the citizenship regimes. While some academics say that immigration undermines the basic premises of citizenship, the others say that this is not a negative development, but a positive one that shows citizenship regimes are changing and transcending their traditional understanding. The second group of academics believes that citizenship regimes are getting free from their traditional basis: the nation-state. Therefore they see this development as evidence, which proves nation-states' becoming insignificant.

However, findings of this chapter tell something different. The nation-state is not becoming insignificant as the postnational membership advocates say and citizenship regimes are not weakening by immigration, as the first group of academics believes. That is true that in the last decade, Western European states' citizenship regimes have changed a lot. One by one, citizenship regimes conformed to the fact that European states are transforming to countries of immigration. They have become more inclusive. Pure *jus sanguinis* regimes were left as they have become anachronistic, and as the number of immigrants increased, pure *jus soli* regimes were also modified to shield the countries against new waves of migration. In the end, it is observed that Western European states' citizenship regimes have started to become alike. Existing exclusive citizenship regimes are becoming increasingly inclusive, while inclusive ones are resisting to the pressures of the conservative and extreme right groups' for more exclusive regimes. Today with some small deviations most of the European citizenship regimes have elements from both *jus sanguinis* and *jus soli*.

As it is told in the evaluation of the cases of The Netherlands and France; as European states face the same challenges, no matter how much they are different from others, they start to head similar solutions. Today, citizenship regimes of Germany and France are very similar. A decade ago, there was a huge difference between them, they were

representing the opposite poles according to their citizenship regimes. It can be said that today most of the Western European states are modifying their citizenship regimes to make them more inclusive. They shape them with easy naturalization and entitlement of citizenship to the children born in that territory as they have seen that this is the only way to tackle the problem of long-settled immigration.

On the other hand, acquiescence of citizenship by non-nationals does not undermine citizenship regimes. It is often discussed that an inclusive citizenship regime is an indicator of the standard of a democratic state. Even if the *denizenship* status is said to solve the problems, keeping a part of the populace out of the political process denotes weakening of the legitimacy of a democratic rule in that state.

Furthermore, Western European states have started to view citizenship as an integration tool for the second and third generation of immigrants for whom postnational membership cannot offer much. On the other hand, rather than blurring the dividing line between peoples of different cultures, multicultural citizenship that takes shape with multicultural policies deepens it. As it is told in the British citizenship regime, by the help of the multicultural citizenship, racial groups live segregated and self-contained that gives the most unwanted results, like inner-city riots. Today for most of the European states it is apparent that immigrants are not going back. And neither giving them rights by multicultural policies nor *denizenship* status helps them. It is understood that these people are there to stay and the best way to integrate them is making them equal citizens. As Parekh (2000: 204) observes:

“ ‘We’ can not integrate ‘them’ so long as ‘we’ remain ‘we’; ‘we’ must be loosened up to create a new common space in which ‘they’ can be accommodated and become part of a newly constituted ‘we’ ”.

It is believed that making citizenship regimes more inclusive is a creation of that kind of a common space that Parekh talks about. Only making them equal citizens is not sufficient for their integration of course, however it is thought that it is a very good starting point, which make especially second and third generations identify themselves with the country.

III. The European Union's Impact on Immigrant Integration in the Member States

Since the Second World War Western Europe have experienced three different waves of immigration. As it was mentioned in the first and second chapters, the first wave of immigration started in 1950s with the recruitment of migrants from Southern European States for the economic reconstruction. In the mid-1970s when the labor recruitment have been stopped, families of the workers, recruited in the Western European states had started to join them. The families made up the second wave of migration. The third wave started in the 1990s with the demise of Soviet Union. All Western European states have observed increases in high numbers in the asylum applications and illegal immigration (Geddes, 2003, p. 17). Western European states that had still trouble in handling the immigrants of the first and second waves have found themselves in turmoil in fighting illegal migration and in handling asylum.

Since the 1990s, Western European states have had different understandings about handling immigration, which led to the formation of different policies. For example while Germany, Austria and Belgium had guest worker models that were based on the interpretation that migration was temporary and the migrants would return to their countries in the end, France had the assimilationist model, which was based on the perception that migration had a permanent character and via several institutions migrants must be assimilated in the French melting pot. United Kingdom, Netherlands and Sweden had multiculturalism that was erected upon the assumption that immigration was permanent and immigrants must be members of the society by retaining their cultural and ethnic characteristics. However, the changes in the conjuncture, has brought different challenges to all of these immigration-handling models.

At the same time, European Integration, having started as an economic project, has taken unprecedented steps and as a consequence of intensive economic integration; it has navigated to political and social integration of Member States. In 1991 Maastricht

European Council, Member States created the three-pillared structure upon which European Union was built. The first pillar is the Community Pillar and the other pillars comprise Common Foreign and Security Policy and Justice and Home Affairs.

In the beginning of the 1990s when the TEU was signed Member States were still thinking that transferring power to the Community institutions in Justice and Home Affairs issues would weaken their national sovereignties. That is why the cooperation in the fields of Justice and Home Affairs had an intergovernmental character. However, 1990s have witnessed many path-breaking developments in the European Integration. European Union has started to become a new platform for handling the problems of the new age. It would start to deal with such issues that Member States would have never thought before. One of these issues is the situation of Third Country Nationals (herein after TCNs). As it will be told later, European Union acts in several ways to equalize the conditions of TCNs with that of EU nationals. However, due to the sovereignty concerns of the Member States, it faces difficulties in some fields, one of which is the European Union Citizenship. But it cannot be denied that European Union strives hard to improve the rights and lives of the TCNs living in EU as it is believed that TCNs will be of crucial importance in overcoming the problems that EU Member States will face in the coming decades.

Today European Union has enough power to touch the lives of the people living in the EU. And this chapter tries to enlighten the relationship of EU and TCNs starting with the European Union Citizenship, to which European Community wished to include TCNs so much in vain.

3. 1. European Union Citizenship

The 1991 Treaty on European Union introduced the European Union Citizenship. Traditionally citizenship has always coupled with the nation-state. However, as the European integration intensified and has started to touch to the economic and social rights of individuals, it is thought that a kind of European citizenship would be necessary both for

the protection of individuals and for the establishment of a European civil society (Geddes, 1995, p. 203 & Kostakopoulou, 1998, p. 158).

It was firstly in the 1974 Paris Summit that the very concept of Community citizenship had been articulated. In the Summit a working group had been assigned to study if a community membership for the citizens of the Member States could be created through the grant of social rights (Jessurun d'Oliveria, 1993, p. 81). The following year Tindemans Report of 1975, which was prepared upon the request of European Commission to set out the necessary moves to be made by the European institutions to create a citizen-closer European integration, supported the creation of a 'European citizenship' that would include "protection of individual rights (including consumer rights); the protection of environment and the general recognition of fundamental economic and social rights" in compliance with the decisions of the European Court of Justice (Geddes, 1995: 203). Despite attracting attention, due to the problems that the Community was facing at that time the proposal for the Community membership was left to wait more than a decade.

The 1991 Treaty on European Union has broadened the perspective of the European Community. Besides several innovations for the functioning of the Community, it has also introduced the 'European Union Citizenship'. European Union citizenship derives from the principle of *free movement* that has been crucial for the establishment of the internal market. Therefore the rights that EU citizenship entitles focus on the mobility of the person in the first place (Jessurun d'Oliveria, 1993, p. 81). EU citizenship entitles:

- "The right to move and reside freely within the EU
- The right to vote for and stand as a candidate at municipal and European Parliament elections in whichever Member State and EU citizen resides
- Access to the diplomatic and consular protection of another Member State outside the EU
- The right to petition the European Parliament and to complain to the European Ombudsman
- The right to contract and receive response from any EU institution in any one of 12 languages
- The right to access Parliament, Commission and Council documents under certain conditions
- The right to non-discrimination on the grounds of nationality within the scope of Community Law
- The guarantee of fundamental rights as upheld by the European Convention on Human Rights and the Charter of Fundamental Rights of the EU.

- Protection from discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual discrimination
- Equal access to community civil service” (European Union Citizenship, European Union Rights, 2003, par.2)

Besides these rights in the last article (8e) it was expressed that EU citizenship would have a dynamic character that could adapt the evolution of the EU (Kostakopoulou, 1998, p. 159).

As Kostakopoulou (1998, p. 161) observes, in a political community citizenship has always been the end product. Imagined or not, state building process has always started with the communities. They have built the states and then states have granted them citizenship. This sequence is different for the European Union. European Union has a mission of creating a real European community by conferring rights to its members.

Differently from national citizenship regimes, EU citizenship is based on the principle of *domicile*, according to which rights are granted to the residents of that specific territory. Therefore it is much more inclusive than the national citizenship regimes. As it was mentioned before nationals of a Member State could not have access to the political sphere of another Member State with a few exceptional cases. However with the EU citizenship they can participate in the municipal and European Parliamentary elections in the territory of the Member State they are living in. This seems to be a tremendous development (Kostakopoulou, 1998, p. 161).

Unfortunately, the EU citizenship is reserved for the nationals of EU Member States. It means that third-country nationals living in the EU cannot reap the benefits of EU citizenship. They cannot have the right of free movement, settlement and the political rights (Kuper, 1998, p.151). While the European Union citizenship is introduced as a complementary to the national citizenship, it does not help third-country nationals. It fails to improve the rights of migrants established in the EU Member States. On the contrary, EU citizenship has deteriorated migrants’ status. They have become third-class citizens, as

the second-class is now attributed for the EU nationals⁴² living in a different Member State (Koopmans and Statham, 2000a, p. 41).

On the other hand, since the mid-1980s European institutions were more eager to voice concerns about the situation of established immigrants in the European Union. European institutions were on the side of the initiatives prepared for the widening of TCNs' rights. Before the Eastern enlargement, it was thought that there were more than 11 million TCNs in the EU 15 (Favell & Geddes, 2000, p.407). Their numbers were more than the number of people living in some Member States like Malta, Luxembourg or Belgium. At that time authors were stressing that they formed the 16th Member State (Kuper, 1998, p.149).

TCNs' is an issue of special concern. They do not have citizenship; therefore they do not have any political rights. As it was told in the second chapter their exclusion from the political sphere poses threats both for them and for the society. They become the "cheapest target" of the political parties that attract votes of the people who think immigration is the reason of all problems in the society (Bauböck, 2001b: 6). In the end this is of course linked with racism, which is a real problem of European societies for centuries. Despite the efforts to overcome racism, unfortunately it has been on the rise in Europe in the last decades (Castles, 2000, p. 87).

Migrants' exclusion from the political sphere in European societies is also a threat for the well being of European democracies. European Union officials have been aware of this fact. It was thought that EU citizenship could also be granted to the TCNs. That is why the emphasis in Article 8e about EU citizenship's adaptation to the EU evolution was made. However, some Member States, one of the leading figures being Denmark did not feel themselves comfortable with this dynamic nature of the EU citizenship. Denmark was reluctant in signing the Treaty on European Union with the fear that this dynamic nature of

⁴² Hans Ulrich Jessurun d'Oliveira (1993: 101) believes that the exclusion of established non-nationals from the local elections will end in the near future as the situation contradicts with the "non-discrimination rules of international law". Council of Europe has made several attempts for the inclusion of TCNs into the political sphere. One of its attempts was its 1992 Convention on the Participation of Foreigners in Public Life at Local Level. Parties of the Convention have taken the responsibility to "grant the right to vote and stand for election in local elections" (Ulrich Jessurun d'Oliveira, 1993: 101).

EU citizenship may reduce the rights that were conferred under the Danish law. Denmark ratified the Treaty by adding an Act of Ratification. And in the 1992 Edinburgh Summit it was made clear that EU citizenship did not substitute the national citizenships but only complemented them. This emphasis on the national citizenship has been very important in the sense that it has become obvious that EU citizenship would not be able to improve the rights of TCNs. And it has showed that the only way to become a member of the emerging European polity is the acquiesce of citizenship of a Member State (Jessurun d'Oliveria, 1993, p, 91). Paraphrased in Geddes (1995, p. 204) Castles and Miller agree that the most effective way to incorporate the TCNs into the political community is their acquiesce of full citizenship.

On the other hand, despite the fact that EU citizenship could not give the expected outcomes for improving the rights of TCNs, it cannot be denied that the EU itself has improved the rights of TCNs through other mechanisms that will be told later.

3. 2. Common EU Asylum and Migration Policy

Common European Asylum and Migration Policy seems to deal with the external dimension of migration to Europe. The situation of the TCNs is on the other hand related to the internal dimension of the migration. However, as TCNs are immigrants who have established in the EU for a long time ago, European Union Member States have decided to discuss their situation in the framework of the Common EU Asylum and Migration Policy. Therefore it will be useful to glimpse the brand new Common Asylum and Migration Policy, which will be a good prospect in understanding the Member States' attitudes towards migration.

European integration could not spillover easily to the issues of migration and asylum. Until the 1990s these issues had great priority for Member States. Having thought that transferring issues like migration and asylum or in other words transferring the control of their territory to the European Union would undermine their sovereignty, Member States were not willing to create a common asylum and migration policy.

On the other hand in the 1970s they had already started cooperating in the formation of measures that would strengthen their internal security. The Trevi group had opened security issues such as terrorism to discussion and securitized migration issues when they started to attract more attention and concern in the 1980s. Schengen Agreement that was signed by Benelux countries in 1970 to create a borderless area among them was extended to cover France and Germany. In the Schengen area that comprised Benelux countries, France and Germany by 1985, border controls were removed but other internal security measures including the ones for migration and asylum were intensified (Geddes, 2003, p. 130). In 1997 all Member States other than UK and Ireland⁴³ participated in this intergovernmental cooperation and joined to the Schengen Area. In 1999 Schengen Agreement was incorporated to the *acquis* (The Schengen Acquis and Its Integration into the Union, 2002, par.1).

Schengen Agreement is of crucial importance in the development of the Common Asylum and Migration Policy. In the words of Andrew Geddes (2003: 132) “Schengen Agreement was a testing ground”. It provided a platform where a core group of Member States could express their needs and their reservations about intensifying integration in the fields of asylum and migration.

In 1986 Single European Act designated the year 1992 for the establishment of the Single Market. The idea of single market brought migration and asylum issues into discussion as the single market without internal borders would necessitate intensified external controls. However, Member States were not ready to give teeth to the European institutions. They were still intergovernmentally cooperating at the European level (Geddes, 2003, p. 132).

⁴³ United Kingdom has been in favor of intergovernmental cooperation and while the Schengen Agreement was expanded to include other Member States, UK did not take part in the arrangements. As the country has been an island, the British governments thought that EU measures would not be able to protect and control UK as effective as they would in the Continental Europe. Ireland did not participate in the Schengen Agreement because of the same reason. However, both of the countries can participate to all Schengen arrangements or they can participate to the arrangements partially if the all other Member States’ representatives vote unanimously in favor. For example in 1999 UK took part in police and legal cooperation in criminal issues and the fight against drugs (The Schengen Acquis and its Integration into the Union, 2002, p.1).

In 1990 Member States signed Dublin Asylum Convention⁴⁴ to approximate their asylum policies. However, it did not enter into force until 1997. On the other hand as it was told above, European Community was going through an evolution. 1991 TEU created the European Union that is comprised of European Community, Common Foreign and Security Policy and Justice and Home Affairs Pillars. The last two pillars have been declared to be intergovernmental. Member States would cooperate intergovernmentally in the fields that were put under these two pillars.

TEU introduced that the following fields would be of “common interest” for all Member States under the Justice and Home Affairs pillar:

1. “Asylum policy;
2. Rules governing the crossing by persons of the external borders of the Member States and the exercise of controls thereon;
3. Immigration policy and policy regarding third countries (a) conditions of entry and movement by nationals of third countries on the territory of Member States, (b) conditions of residence by nationals of third countries on the territory of Member States, including family reunion and access to employment; (c) combating unauthorized immigration, residence and work by nationals of third countries on the territory of Member States;
4. Combating drug addiction in so far as this is not covered by 7 to 9;
5. Combating fraud on an international scale in so far as this is not covered by 7 to 9;
6. Judicial cooperation in civil matters
7. Judicial cooperation in criminal matters
8. Customs cooperation;
9. Police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime, including if necessary certain aspects of customs cooperation, in connection with the organization of a Union-wide system for exchanging information within a European Police Office (Europol)” (TEU, 1991, Title VI)

⁴⁴ Asylum seekers were applying to several Member States in order to maximize their chance to be accepted. 1990 Dublin Asylum Convention was signed to end this situation. According to the Convention only one member state would decide whether the asylum seeker would stay or leave. Dublin Convention has also introduced the Eurodac database in which information about the rejected asylum seekers can be found and shared by all Member States (Geddes, 2003, p.142).

In the beginning of the 1990s when the TEU was signed Member States were still thinking that transferring power to the Community institutions in Justice and Home Affairs issues would weaken their national sovereignties. And as the cooperation in the fields of Justice and Home Affairs had an intergovernmental character Member States continued their own migration policies.

After TEU (1993) was signed, Member States prepared many non-binding measures about immigration and asylum (Geddes, 2003, p.136). However, by the late 1990s it was already understood that unilateral efforts or intergovernmental cooperation would not be sufficient for handling migration and asylum effectively. 1999 Amsterdam Treaty brought migration and asylum into the ambit of European institutions (Towards a Common European Union Immigration Policy, 2004, par.2). Despite the fact that Amsterdam Treaty communitarised immigration and asylum issues or in other words brought them to the Community pillar, it also confirmed that decisions in these areas would be taken intergovernmentally until at least 2004. Amsterdam Treaty also integrated Schengen Agreement to the EC Treaty.

Meeting in the 1999 Tampere European Council heads of government gave the impetus for the establishment of a Common EU Asylum and Migration Policy (Towards a Common European Union Immigration Policy, 2004, p.3). Common EU Asylum and Migration Policy would be based on following four elements.

3.2.1. Partnership with countries of origin

While it is believed that development of partnerships with the countries of origin including policies of co-development will be one of the most important tools in establishing an effective Asylum and Migration policy, European Council gives special emphasis to them (Tampere European Council Presidency Conclusions, 1999, p.4). Andrew Geddes (2003, p.138) draws attention to the convergence of internal security matters with foreign policy. Furthermore he says that by enacting collective policies with the country of origin, “EU intends to keep migrants closer to the country of origin” (Geddes, 2003: 138).

3.2.2. Common European Asylum System

It was expressed that there must be a Common European Asylum System that would inhere the terms of the Geneva Convention, guaranteeing that the principle of non-refoulement⁴⁵ was being applied. The system would be able to designate the responsible Member State for the examination of the asylum application. It would also be able to establish “common standards for a fair and efficient asylum procedure, common minimum conditions of reception of asylum seekers and the approximation of rules on the recognition and content of refugee status” (Tampere European Council Presidency Conclusions, 1999: 5).

3.2.3. Management of Migration Flows

European Council drew attention to the need to cooperate with countries of origin and transit in order to deal with migration flows more effectively. It emphasizes the need to share information and cooperation in the prevention of human trafficking. The Council has also called for the establishment of common policies on visas and false documents (Tampere European Council Presidency Conclusions, 1999, p.6).

3.2.4. Fair Treatment of third country nationals

In the European Council heads of government expressed concern for the legally resident TCNs in the EU. They agreed on the view that EU “must ensure fair treatment” for them. Furthermore they called for “*a more vigorous integration policy*”, which should equalize their rights and obligations with that of EU citizens (Tampere European Council Presidency Conclusions, 1999: 6). Heads of government also discussed that this integration policy should enhance “non-discrimination in economic, social and cultural life and develop measures against racism and xenophobia” (Tampere European Council Presidency Conclusions, 1999: 7). In accordance with the Action Plan Against Racism, Member States were invited to prepare national plans to combat racism and xenophobia better. The Commission was invited to make proposals in accordance with the Article 13 of the EC Treaty that will be told in the next section.

⁴⁵ Being the key principle of international refugee law, Non-refoulement means that a state cannot return a “refugee in any reason to a country where his life of freedom may be endangered” (Glossary of Justice and Home Affairs, 2004: 16).

In the Article 21 of the Presidency Conclusions, European Council called for the approximation of legal status of TCNs with that of Member States' nationals. Furthermore, it is remarkable that European Council endorsed Member States to facilitate their naturalization regimes in order to grant citizenship to the long-term legally resident TCNs.

In its summary of developments in the second half of 2004, European Commission assesses the activities that have been done since the Tampere European Council. In the scoreboard, Commission highlights the fact that it has been the intergovernmental character of the third pillar and the unanimous nature of decision-making that brake the Commission in fulfilling the requirements set by the Tampere European Council (Scoreboard Document, 2004, p.6).

3.3. European Union and TCNs

The Treaty of Rome assigned European Community to create a Common Market. Besides this task, the Community would also work for the approximation of Member States' economic policies, to raise the standard of living in the Member states and act to promote the economic development (Bainbridge, 2000, p. 468). The Common Market entered into force on January 1, 1993. European Community continues to regulate the economic life of the Member States. As the economic integration intensified, at a point the need to complement economic integration with social and political integration of Member States arose. Today, European Union not only regulates the life of workers as it had started in the beginning but it regulates or affects the life of all people including TCNs living in the EU Member States.

In the last decade, TCNs have become one of the main sources of concern for the European officials. Despite the fact that they reap economic and social rights, their exclusion from the political sphere is believed to supplement the democratic deficit of European Union.⁴⁶ As it is told before, xenophobia and racism have been on the rise in

⁴⁶ The phrase of 'democratic deficit' is used to denote the lack of democratic control over the decision making of European Union. Academics have often articulated that to overcome the democratic deficit the European Parliament must be strengthened (Bainbridge, 2000, p.124). On the other hand, authors think that

Europe in the last two decades (Lloyd, 2000, p. 390). Immigrants that have made up the new ethnic minorities of the Member states are facing discrimination, racist attacks, and xenophobic behaviors and scapegoating. Member States have tended to make more policies about immigration and immigrant handling. However, as all member states have different political cultures that lead to different policy outcomes it is thought that it is time to act in the European level to create a more egalitarian European polity.

3.3.1. EC Treaty Articles improving the rights of TCNs

Since the beginning European Community has been responsible for protecting the fundamental rights of people living in the European Community, whether they are citizens or not. Article 12 of the EC Treaty is an indicator of this. Article 12 has forbidden discrimination that takes place because of national differences. This Article covers TCNs besides Member State nationals. However, only Article 12 would not be a satisfactory tool. Treaty of Amsterdam proliferated European Institutions with a new Article to fight more effectively against discrimination (Combating Discrimination, 2002, p.1).

Article 13 of Amsterdam Treaty empowered Council of Ministers “to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation’ (Bainbridge, 2000: 134). As pre-Amsterdam Treaties have already banned discrimination on grounds of nationality, this new Article, with its emphasis on racial, ethnic origin and religious belief, is believed to provide better conditions for the TCNs in the labour market. Indeed the Treaty of Amsterdam is a major step in the fight against all forms of discrimination in the European Union. It strengthened the already existing mechanisms in the fight against discrimination (Fighting All Forms of Discrimination in the European Union, 2003, p.1).

The requirement of unanimity in adopting legislation under Article 13 was the most impeding factor for the achievement of a functioning legislation. This problem was also solved. Signed in 2001 the Treaty of Nice did not only reinforce the Article 13, but it also

the lack of democratic control over the decision-making is not the only democratic deficit of EU. They believe that in different fields it has several democratic deficits, like the lack of a constitution and the political exclusion of TCNs, who make up almost 5% of the whole EU population (Geddes, 1995, p. 200; Kuper, 1998, p. 148).

introduced Qualified Majority Voting for the approval of legislation based on the Article 13 (Fighting all forms of discrimination in the European Union, 2003, p.1).

Treaties also include several other anti-discrimination articles in addition to the Article 13. Articles 2 and 3 of the EC Treaty say that European Community shall act to eradicate inequalities and to promote equality between men and women in the areas defined in the Articles. Articles 136 and 137 are designed to promote the effectiveness of the Common Market by combating social exclusion. To reach this end, Article 137 empowers Council of Ministers to act in the following areas: “social security and social protection of workers; protection of workers where their employment contract is terminated; representation and collective defense of interests of workers; conditions of employment for third country nationals residing in Community territory” (Consolidated Version of the Treaty Establishing the European Community, 1997: 2). Article 141 obliges Member States to embed the principle of “equal pay for equal work” without providing room for discrimination (Combating Discrimination, 2002: 4). It is clear in the wording of the Article that equal pay for equal work principle is designed to eradicate the sex discrimination in work. Declaration No. 22 in the Final Act of Amsterdam Treaty that is based on the Article 95 of the EC Treaty aims to create “equal opportunities for the disabled” (Combating Discrimination, 2002: 4).

EC has enacted several Directives and Regulations based on these Articles. However, In 2000 Council of Ministers adopted a path-breaking Directive that has been based on the legal foundation of Article 13 to fight with discrimination, which takes place because of racial and ethnic differences. Wording of the Directive is clear that it covers TCNs besides nationals of the Member States. The Directive says that:

“... Any direct or indirect discrimination based on racial or ethnic origin as regards the areas covered by this Directive should be prohibited throughout the Community. This prohibition should also apply to nationals of third countries” (Council Directive 2000/43/EC: 22)⁴⁷.

⁴⁷ The areas covered by the Directive are; “conditions for access to employment, to self-employment and to occupation, including selection criteria and recruitment conditions, whatever the branch of activity and at all levels of the professional hierarchy, including promotion; education; employment and working conditions

The Directive makes clear that discrimination of people because of their ethnic and racial differences can harm the objectives of the European Community, among which solidarity, social cohesion, raising the standard of living and level of employment are found. It is also obvious that without eradicating discrimination based on racial and ethnic origin, European Union cannot become an area of freedom, security and justice (Council Directive 2000/43/EC, p. 23).

Council of Ministers has also adopted several other Directives that arrange the conditions of TCNs. For example Council Directive 2003/86/EC harmonizes the national legislations of Member States about the right of TCNs' family reunification (Council Directive 2003/86/EC, p.13). Another Council Directive (2003/109/EC, p.44) regulates the status of TCNs who are long-term residents. Council Directive 2000/78/EC (2000:16) establishes a "general framework for equal treatment in employment and occupation" not only for the nationals of EU Member States, but for the TCNs as well. These Directives are only some examples that show European Community affects and improves the rights of TCNs.

Apart from legislative measures, EC works in different fields to create a more egalitarian, socially cohesive and a democratic society in which TCNs can take their place. To increase awareness against racism, to combat anti-Semitism and xenophobia better Council of Ministers declared 1997 as the European Year Against Racism. During the 1997, European Community organized serial conferences to inform the people about racism, xenophobia and anti-Semitism. Local governments, Presidencies of the Council, the European Parliament, the Council of Europe, universities, youth organizations, NGOs and media all took part in the activities arranged in accordance with the European Year Against Racism.

including dismissals and pay; membership of and involvement in an organization of workers or employers; social protection, including social security and healthcare; social advantages; access to and supply of goods and services which are available to the public, including housing" (Council Directive 2000/43/EC: 24). Directive had to be included to the national laws of Member States by July 19, 2003.

European Year Against Racism helped to increase the awareness of European people against an important threat that may harm the cohesion and solidarity of the society. It has also prepared the ground for the development of Article 13 of the EC Treaty. It has helped the formation of European Monitoring Centre on Racism and Xenophobia⁴⁸; it has brought European NGOs to work together in the fight against racism and it has also endorsed the Action Plan Against Racism⁴⁹ whose underlying idea is to make anti-racism a part of European policies (European Year Against Racism 1997, 2000, p.1).

The Charter of Fundamental Rights of the European Union was declared in 2000 Nice Intergovernmental Conference. Two of its chapters deal with discrimination, to which TCNs are vulnerable mostly. The Charter supports the anti-discrimination measures. Article 21:1 of the Charter says that:

“Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited” (Charter of Fundamental Rights of the European Union, 2000: 13).

As it is understandable from the examples above, European Union mostly deals about racism, xenophobia and discrimination while it is believed that these can affect the objectives of the EC Treaty negatively. But while it is trying to establish a more egalitarian European society, European Union improves the rights of TCNs besides nationals of the Member States.

⁴⁸ In June 1997 with the Regulation No 1035/97 Council of Ministers established a European Monitoring Centre on Racism and Xenophobia (EUMC). The aim of the EUMC has been to provide reliable data to Member States about racism, xenophobia and anti-Semitism. With the data that the Centre would collect making comparisons at the European level would also be made. EUMC would have a crucial role in taking effective measures against racism and xenophobia (European Monitoring Centre on Racism and Xenophobia, 2002, p.2).

⁴⁹ Council of Ministers decided to develop a framework to fight with racism at the European level in July 1996. The aim of the Action Plan Against Racism has been to strengthen European measures in combating racism. It would also help to take effective action within the Treaty Articles about preventing discrimination in the EU (Action Plan Against Racism, 2004, par.5).

Despite the fact that European Union improves the conditions of TCNs while it is regulating the market, it makes it clear that it favors *integration* for them.

3. 3. 2. Multiculturalism in the European Union

European Union's members are liberal states and today there is *de facto* multiculturalism in almost all Member States. However, today none of the Member States except United Kingdom recognize multiculturalism as an official policy for the integration of their migrants. European Union is a multiracial, multiethnic and a multicultural polity. But European Union, like its members, tends to interpret multiculturalism as a sociological fact rather than an official policy. As it will be told in the next section, rather than multiculturalism, European Union favors integration for the third country nationals and calls Member States to enhance their efforts to integrate their migrants. Furthermore, European Union calls Member States to liberalize their citizenship regimes.

3. 3. 3. EU's Attitude about Integration

In November 2000, European Commission issued a Communication (European Commission, 2000) in order to launch a debate about creating a Common EU Asylum and Migration Policy. According to the Communication a common approach based on several elements was necessary to handle migration better. One of these elements was related to TCNs. In the Communication the Commission said that the approach should take into account:

“...the need to develop specific integration policies based on fair treatment of third-country nationals residing legally in the union, the prevention of social exclusion, racism and xenophobia and the respect for diversity” (Towards a Common European Union Migration Policy, 2003:1).

As Patrick Ireland (1991: 458) observes migrant workers have been “indispensable companion” of European economies. Interestingly, although European Union Member States try to prevent illegal migration and try to integrate the long-term legally resident

migrants or in other words despite the fact that EU Member States are in trouble with migrants, according to the projections of the coming decades, it is predicted that for the renovation of the European economies, Member States will be in need of skilled migrant workers.

According to the Eurostat's studies, the working age population of the European Union including the 10 new member states will fall from 303 million to 297 million by 2020 and it is estimated that it will become 280 million by 2030. Besides this prediction, the fertility rates have also been decreasing since 1970s. Again Eurostat studies say that the number of old aged people in the population will increase and it will reach to 110 million in 2030 in EU-25. According to these projections the number of people that can be employed will decrease gradually, which in the end hamper the economic growth of EU (European Commission, 2003, p. 13).

To overcome such an important threat, EU launched the Lisbon Strategy in March 2000. Heads of government set a new strategic goal for the Union "to become the most competitive and dynamic knowledge-based economy in the world; capable of sustainable economic growth with more and better jobs and greater social cohesion" in the next decade (Lisbon European Council Presidency Conclusions, 2000: 3).

Commission in its Communication (European Commission, 2000) has emphasized that immigrants could play an important role in the realization of the Lisbon strategy⁵⁰. As the economic and social aspects of demographic aging become more visible, the importance that Commission attaches to the immigrants' integration to overcome these problems and for the accomplishment of the Lisbon Strategy increase. In its Communication (European Commission, 2003) European Commission focused on immigration, integration and employment and made a detailed analysis of how to integrate

⁵⁰ European Commission believes that immigrants can contribute to the renovation of European economies if they are able to fulfill their potential through integration policies. It is known that US has been able to overcome demographic aging and decline of the work force by the help of the large waves of legal and illegal immigration. Paraphrased in the Communication (COM (2003) 336), studies of UN show that between 1990 and 2000 more than 33 million people were added to the US population, which is believed to increase economic growth more than 3%. On the other hand it is known that Japan has been facing an economic stagnation due to the decrease in the work force (COM (2003) 336, p.10).

immigrants. With this Communication Commission called Member States to enhance their efforts to integrate their immigrants.

In the words of the Han Entzinger and Renske Biezeveld (2003: 3), “integration refers to a characteristic of a social system”. As the “society becomes more integrated, it becomes socially cohesive and its constituent parts become more related” (Entzinger and Biezeveld, 2003: 3). The concept of integration is used to denote the institutional participation of the immigrants. In emphasizing the cultural integration, academics prefer using “acculturation”, which denotes the adaptation of the immigrants to the culture of the host society without abandoning their own cultures. However, neither of these concepts can be defined clearly as integration is still an under-researched phenomenon. Generally it is used to denote both of these processes. Merriam-Webster (1996: 1) defines integration as the “incorporation of groups and individuals into the society as equals”.

As Tampere European Council decisions gave impetus for the creation of a “more vigorous integration policy” (Tampere European Council Presidency Conclusions, 1999: 6), Commission has prepared several proposals about “family reunification, long-term resident status, admission for employment and admission and status of students and of people coming to the EU for other non-remunerated purposes” (The European Commission Calls on the European Union Member States to Step Up Their Efforts to Integrate Immigrants, 2003, par.1).

The right to family reunification has been seen as an indispensable ingredient of an integration policy. In February 2003, Council reached agreement about the right to family reunification. TCNs with residence permits of one year or more would be able to have the right to family reunification⁵¹ (European Commission, 2003, p. 5). Statuses of long-term resident TCNs are also discussed upon a proposal of Commission. It is decided that they will be treated equally with EU nationals. Long-term resident TCNs are also entitled with

⁵¹ The Directive (2003/86/EC) gives TCNs the right to family reunification if they have a residence permit for one or more years and provided that they have prospects to have permanent residence status. Before TCNs are entitled the right to family reunification Member States will be able to assess their degree of integration that if “they comply with integration measures in accordance with national law” (European Commission, 2003: 5).

the right to work or study in another Member State. Entry and residence conditions of the TCNs who enter EU to work or start a business are also regulated.

On the other hand to meet the Lisbon strategy's needs EU introduced European Employment Strategy (EES) in 1997. One of the aims of the EES is to integrate disadvantaged groups that are mainly migrant workers and ethnic minorities (European Employment Strategy, 2005, par.1). EES is very important because as many studies set out there is a huge employment gap between EU nationals and non-EU nationals despite the fact that the second-generation young people that were born and raised in the EU.

In its Communication on immigration, integration and employment Commission sees integration as a two way process. It says that on the one hand, host society is responsible to provide formal rights to the immigrants in order to facilitate their integration and participation in economic, social, cultural and civil life of the host state, on the other hand it says that immigrants are also responsible "to respect the fundamental norms and values of the host society and they have to act to participate in the integration process, without having to give up their own identities" (European Commission, 2003: 17).

According to Commission the target of integration policies are labour migrants, family members that entered to EU under the family reunification regulations and refugees. Commission believes that the rights to an immigrant shall be entitled according to the longitude of his stay in the EU. The longer he lives, the more rights he shall have. On behalf of the second and third-generation immigrants the Commission supports obtaining the nationality of the Member State they are living in. Integration policies shall be designed such a way that when refugees enter into the country of asylum, their integration shall start with their introduction to the country of asylum (European Commission, 2003, p. 17). The policies shall also be aware of the fact that in most cases second and third generation migrants have problems in integrating the host society. Therefore, according to the Commission the policies shall also include these people, too.

Commission explains that the integration policy must be "a holistic approach that will take into account issues related to cultural and religious diversity, citizenship,

participation and political rights as well as economic and social aspects” (European Commission, 2003: 18). It is emphasized that integration policies must be planned for the long-term and they must take into account the specific needs of particular groups.

Furthermore Commission explains that to create effective, holistic and comprehensive integration policies, six main elements must be taken into account: Integration into the labour market, education and language skills, housing and urban issues, health and social services, the social and cultural environment, nationality, civic citizenship and respect for diversity.

It is obvious that one of the most important elements necessary for the integration of the TCNs is their access to the labour market. Today the employment rate of non-EU nationals is 52.7% and it is lower than the employment rate of EU nationals, which is 64.4%. By the help of the enhanced measures, EU aim to reduce the unemployment gap between EU-nationals and non-EU nationals by 2010 (European Commission, 2003, p. 19). It is also sometimes emphasized that due to the differences in the education systems of country of origin and host society some high skilled people can also become unemployed. EU is trying to overcome this barrier and makes studies to recognize the degrees that are obtained in the countries of origin.

Education is the most important element for a successful integration policy. As it was emphasized in the first and second chapters, Member States have often explained concern about the inability of most of the immigrants in speaking the language of the host society. Inability in speaking the language of the host society is seen as the main barrier for a successful integration. Language not only facilitates immigrants’ participation in the host society but it also serves as a “cultural bridge” by giving information about the values and norms of the society (European Commission, 2003: 20). For that reason, language and integration courses are seen indispensable.

Commission says, “ethnic residential concentration or so-called ghettos tends to isolate communities and prevent their participation in the wider society” (European Commission, 2003: 21). It is acknowledged that ethnic and social segregation in the cities

can be a huge barrier to integration. Commission wants urban and regional planners to be aware of these facts while preparing strategies of urban planning.

According to Commission, Immigrants' participation in the social and cultural environment is very important. Measures are needed to increase their participation. Unfortunately due to the events of the September 11, general hostility towards Muslims has increased. Commission believes that information about immigrants and their positive contribution to the European societies must be given to the European societies through media (European Commission, 2003, p. 21).

Tampere European Council Presidency Conclusions set out that long-term legally resident TCNs should be provided the opportunity to naturalize. Naturalization is important and it facilitates integration while it furnishes the TCN with citizenship rights. It creates a "sense of belonging in national life" (European Commission, 2003: 21). Commission says that naturalization should not be a long lasting process. Member States may require the immigrant to comply with several conditions such as a period of residence, ability to speak the language or not having a criminal record. However, despite the conditions it is clear that immigrants should be encouraged to naturalize for a successful integration. In its November 2000 Communication Commission introduced the concept of *civic citizenship*. Immigrants who lived in the EU for a long time would be able to acquire civic citizenship that would give them rights and obligations that EU nationals had. Civic citizenship would also be used to promote integration. However, Council has not yet reached to an agreement about this proposal of Commission (The European Commission Calls on the European Union Member States to Step Up Their Efforts to Integrate Immigrants, 2003, par.3).

As it can be understood European Commission has made detailed analysis for the integration of TCNs in the EU. It is understandable that to respond the challenges that EU will face in the coming decades and to realize the Lisbon goals, which claim EU to become one of the most competitive and dynamic knowledge-based economy in the world (Lisbon European Council: Presidency Conclusions, 2000, p.1), EU has decided to "mobilize its current human resources including migrant workers residing in the EU" (European Commission, 2003: 14). However, to be able to mobilize migrant workers and make them

use all their potential needs effective integration. That is why EU steps into this field and has prepared several proposals that improve the lives of migrants in the EU.

On the other hand, experts say that in the coming decades EU will have to take a lot of migrants in order to maintain its working population in the face of demographic aging. It is known that the emigration of high-skilled migrants to EU will be very beneficial for the European economies in the short-run⁵², however in the long-run, considering the demographic aging, integration of immigrants into the economic and social life of Member States is crucial.

However, as the integration is still considered to be a field where national governments wish to act themselves, enacting policies in this field is still in the responsibility of Member States. But heads of government's assigning European Commission to work and prepare proposals in this field shows that most of the Member States are having the same problems and it will not take them long to try to find solutions for this problem in the European Level.

In the national level, Member States have already initiated integration measures that are told in the Communication of the European Commission. Most of the Member States are leaving their old patterns and they are initiating integration programmes. For example Finland, Denmark and The Netherlands have adopted national legislation on integration in 1998 and 1999. Austria and Germany are also acting to walk the same path after these countries. Like The Netherlands, Sweden has left multiculturalism and decided to focus on integration more in 1997. Greece has started to implement an Integration Policy for the social integration of all immigrants in 2003. Spain has adopted a national plan for integration in 2001. Portugal established High Commission for Immigration and Ethnic Minorities, a national body that will work for the integration of immigrants. Differently from other Member States, Portugal relies on NGOs more for the integration of immigrants. And like Portugal, integration policy of Italy depends on NGOs and civil society for the integration of immigrants. Luxembourg introduced Integration of Aliens

⁵² Several EU Member States have started immigration programmes for high skilled workers, such as researchers and software engineers (COM (2003) 336, p. 15).

Law in 1993. France has introduced its integration policy in 2003, which prioritizes the efforts to teach migrants French and make them more educated rather than introducing them to the labour market firstly (Entzinger and Biezeveld, 2003, p. 31).

Generally national integration programmes have three key elements: “Language training, introduction courses and professional labour market training” (European Commission, 2003: 36). In most of Member States the programmes are compulsory and generally they are prepared by taking the special needs of the immigrant into account. The authorities interview with the immigrant and then they decide which components the programme should consist for that person. In most Member States the integration programmes last 2 or 3 years (European Commission, 2003, p. 37). The introduction courses give information about the culture, legal system and the history of the host society. While these programmes are mostly free of charge, some Member States take a fee, which they believe, contributes to the immigrants’ will of following the courses. In Denmark and Austria the failure of an immigrant to accomplish the integration course, affects his residence permit negatively. If an immigrant accomplishes the integration course successfully he is awarded with a success certificate in Germany and The Netherlands. Furthermore, this certificate shortens the naturalization period from 8 to 7 years in Netherlands. In South European States, like Greece, Italy, Spain or Portugal that have met with migration flows more recently, integration policies are aimed at introducing migrants to the labour market successfully rather than making them better speakers of the host society’s language or teaching them the values of the society. On the other hand, the integration policies of the Member States that started to take migration earlier, aim to give better language skills and knowledge of basic shared values to the migrants in the first place (Entzinger and Biezeveld, 2003, p.31). Member States have different ideas about a successful integration. While in some Member States naturalization is considered to be the end of successful integration, in others the immigrant’s becoming self-supportive is the real indicator of a successful integration.

It is understandable that each Member State’s understanding and their integration policy differ from the others’. Today none of the Member States have a clear definition of integration (Entzinger and Biezeveld, 2003, p. 7). However, they all agree that this is a

two-way process that involves both the immigrants and the host society. According to the Member States the key elements of a successful integration are “respect for fundamental values in a democratic society; the right to maintain his or her own identity; rights comparable to those of EU citizens and corresponding obligations and active participation in all aspects of life on an equal footing” (European Commission, 2003: 43).

Radtke (2003, p.75) argues that there is an integration cycle through which all European states go eventually. He says that starting in the 1960s and 1970s the first phase of this cycle is the ‘integration’, through which states attempt to establish the cultural assimilation of immigrants and indigenous groups. In the 1980s with the relaxation of the international order and the end of the Cold War, cultural assimilation was condemned and the second phase of the cycle ‘multiculturalism’ gained ground in Europe whether recognized in theory or not. However as multiculturalism could not give the expected results, one by one, European states entered to the third phase of the cycle; ‘integration’ came back with a new understanding. European states are not willing to assimilate cultural groups anymore but they also do not let them isolate themselves from the society by living only in their own communities. Today most of the European states try to make members of the cultural communities members of the society at the same time.

As a concluding remark, it can be said that European Union Member States are leaving their old patterns of immigration handling and one by one they start to enact integration policies with a new understanding. Today, it is known that immigrants are not going back. Furthermore, it is predicted that, because of demographic aging, Europe will have to take new waves of migration to reconstruct the economy. Member States still perceive that immigrant integration is an issue that must be handled nationally. However, the developments in the last decades have showed that there are also similarities besides differences between Member States. These similarities highlighted that European Union can be an effective venue in handling immigration. The establishment of Common EU Asylum and Migration Policy or the Treaty Articles made in the last few years definitely shows that European Union will play a more active role in this field in the coming decades.

CONCLUSION

In the last two decades academics that study immigration have been busy in revealing the relationship between globalization, nation-state, citizenship and immigration. In the late nineteenth and early twentieth century, it had been thought that the only way to manage ethnic diversity that had been created either by the existence of indigenous groups or immigrants had been assimilation. Western European states had been aggressively building their own nations, in which there could not be a place for differences. Monocultural assimilationist practices dominated political systems for a long time and made many people suffer. When World Wars especially the second one delegitimated the idea of nationalism, most of the Western European states had already nationalized their societies. However, the idea of assimilationism was maintained till the end of the 1960s. It were post-colonial settlers and labor migrants that spoiled Western European states' sweet dreams about a society whose political and cultural boundaries were congruent. By these people of different ethnic, national and cultural origins Western European societies diversified to their utmost.

In the 1960s and 1970s it was thought that this diversification was a temporary situation. Both migrants and the European states were reluctant about assimilation. Not only the authorities but migrants also perceived themselves as temporary elements of the societies that they would return to country of origins in the end. Western European states did nothing to integrate migrants and they even encouraged them to maintain their cultures in order to keep the return option open. They had social and civil rights but entitling them with political rights were never considered. Multiculturalism's boom as a governmental method to handle with cultural differences in the European continent heralded to these years.

As it is emphasized in the first chapter, a multicultural society and multiculturalism mean different things. While a society with more than two different cultural communities is called a multicultural one, multiculturalism appears when the society cherishes its multicultural character with policies to protect and maintain it.

Strengthened with special rights for the cultural communities like mother-tongue education, exemption from certain duties and obligations, state support for ethnic newspapers, cultural activities, TV and radio channels, multiculturalism is mainly about official recognition of cultural communities. Differently from Canada, Australia and USA, multicultural practices targeted migrants in Europe.

Some European states introduced official multiculturalism, namely the Netherlands, Sweden and UK, and almost others resorted to *de facto* multiculturalism to handle migration. In the 1980s European governments saw in bewilderment that migrants transformed into immigrants and return to home was unlikely. Migrants have become *de facto* ethnic minorities of the Western European states. With globalization and transnational ties, multiculturalism as an increasing trend in the world had already surrounded European societies with its promise for emancipation, recognition and respect for differences.

According to many academics assimilation was replaced by multiculturalism in immigrant integration. And multiculturalism with transnational identities rendered nation-state idea and citizenship insignificant. The starting point of these academics was the *denizenship* status of migrants by which they could benefit from social and civil rights that had always been thought to accompany citizenship. They believed that “transformation of ethnic and national composition of European states with the huge migration movements; intensification of transnational discourse and legal instruments that codify ‘human rights’ or personhood as a word level principle; the increasing legitimacy of the right to one’s own culture and identity and lastly diffusion of sovereignty and the emergence of multi-level polities such as European Union” (Soysal, 2000: 1) affect nation-state membership negatively. Therefore, immigrants were viewed as the “harbingers of a new multicultural and postnational world”, in which nation-states’ power to define and delimit identities and rights, was undermined very badly (Joppke and Morawska, 2003: 1).

However, due to the characteristics of multiculturalism, it gave the most unwanted results in the European context. It deepened the dividing lines between the majority

society and migrant communities rather than blurring them. When it merged with the lack of European states' policies for the real integration of migrants, multiculturalism worked as a mechanism of segregation and isolation. As a result multiculturalism as an immigrant integration model started to decline in Western European States. Sweden and Netherlands have left their official multicultural policies in early 1990s. European states like France and Germany that have never introduced official multiculturalism but have applied *de facto* multiculturalism started to move away from it.

On the other hand, developments in the 1990s, proved postnational membership advocates wrong. Today many academics share the view that postnational membership has been feasible for the first-generation migrants, who were thinking to return to the country of origin eventually. They were not interested in acquiring the citizenship of the host state, which, they believed, would break the link with the country of origin. However, the issue has taken another form for the second and third-generation of immigrants, for whom the citizenship of the country of origin does not mean that much as they have been born and raised in the host societies. Despite it offers more rights than an ordinary alien status, the *denizenship* status is not satisfactory for them because they will never be equal with the people that they have educated and work with. Today it is known that the only way to equalize the second- and third- generation of immigrants' with that of the people from host society is their acquisition of citizenship.

European states have also changed their understanding about the *denizenship* status. In the last decade most of them have modified their citizenship regimes to include immigrants, in other words to make them citizens. States have either liberalized their citizenship regimes or upgraded the status of citizen by attaching more rights to citizenship. By that way they were able to redraw the clear line between a citizen and an alien. They degraded the *denizenship* status. Furthermore, it is understood that making immigrants a part of the societies can only be achieved by entitling them real citizenship, which will equalize their status with those of the members of the host society.

Western European states have changed their perspectives about postnational understanding of membership and they have moved away from multiculturalism as an

immigrant integration model. In almost every Western European state citizenship has revalued and started to appear as an integration mechanism. It is believed that after assimilation and multicultural models; a new notion of 'integration' has started to dominate immigration studies as the third stage in immigrant integration.

New notion of integration is still a burgeoning concept. Although academics cannot agree about what it consists of, they are pretty sure about what it does not consist. Unlike the old assimilationist model that aimed to create a monocultural society, the new understanding of integration does not aim cultural assimilation. As it is told in the first chapter with the social movements in the 1960s, globalization and individualization the understanding that a society must be a homogenous one has changed. This change in the attitude gave rise to the emergence of life style groups and the demands of cultural communities for official recognition. Furthermore, it worths noting that liberal understanding that have become dominant in the Western European states in the second half of the twentieth century, have changed their attitude towards cultural assimilation. The belief that imposing a different culture to a person would violate the dignity of that person gained ground. It was this change in the attitudes of Western European States that gave rise to the adoption of multiculturalism in immigration handling. Multiculturalism with its emphasis on cultural recognition and emancipation replaced assimilationism in immigrant integration in the 1980s. In the 1990s it became apparent that, representing the opposite poles, none of those models could find answers to the question of immigrant integration.

The new notion of integration is thought to be something between these two models. Unlike assimilation, it does not expect immigrants to assimilate themselves culturally into the culture of the host society. And unlike multiculturalism it definitely does not let immigrants isolate themselves and create segregated cultural islands in the host society. Today *de facto* multiculturalism is a reality in almost all Western European states and transnational ties and immigrant associations are seen as legitimate. It expects immigrants to learn the language of the host society; to accept and respect the liberal political values of it. Furthermore, as it is discussed in the previous paragraphs, as the only way to equalize the rights of immigrants with those of the members of the host

society is making them citizens, the model sees the acquiescence of citizenship crucial in immigrant integration. Strengthened by language courses and courses about the political culture and history of the host society the integration model aims to make immigrants a part of the society. Acculturation, change of cultural traits between the host society and immigrants is thought to be inherent in the new notion of integration.

Most of the Western European states have started to apply integration. Unlike the old practices, the integration model promises success while the idea of integration is itself a mutual and reciprocal process. It is believed that by this model immigrants and the members of the host society shall be able to create a common societal culture in which both parties can find a place for themselves.

On the other hand, European Union starts to appear as an alternative platform to manage the new migration flows and to enhance the lives of immigrants. It is believed that today more than 13 million TCNs live in EU Member States. These people are excluded from political citizenship and unfortunately they are discriminated against in many fields of the society. Most of them cannot participate in the mainstream of the societies. European Union officials think that this is an anomaly and EU cannot create an egalitarian European polity unless it acts to ameliorate this situation. Furthermore, according to the projections of the coming decades European economies will face difficulties due to the demographic aging. It is believed that Europe will have to take new flows of migration. In such an environment integrating immigrants to make them reveal all their potential for the European economies seems a very effective way to use decreasing human resources of Europe. Therefore, in order to cope with the future migration flows and to reveal the existing potential of immigrants, EU has started to enter the field of integration of immigrants.

In the 1999 Tampere European Council heads of government decided to establish a Common EU Asylum and Migration Policy, which would also take the fair treatment of TCNs in the European market into account. The Council also called for a more vigorous integration policy that would equalize the rights and obligations of the immigrants with that of EU nationals. EU has adopted several legislations that aim to fight with racism

and xenophobia and to eradicate discrimination in the economic, social and cultural life of European polity. EU also called Member States to liberalize their citizenship regimes.

Member States used to think that integration of immigrants is a field that must be kept strictly under national control. The strong intergovernmental character of the second and third pillars verified this. However, with the changes in the conjuncture Member States have started to emphasize the characteristics they share one of them being the problematic immigrant handling. Besides this, as it is told in the previous paragraphs, the new notion of integration strengthened with liberalized citizenship regimes has start to be an orthodox idea in handling immigration. Therefore, all developments point that European Union will play an important part in immigrant integration in the next decades.

As a conclusion remark, it is believed that after assimilation and multiculturalism immigration studies have entered a new phase with the new notion of integration. The concept is still under-researched, but the orthodox idea is that what Western European states mean with integration is the institutional integration of immigrants that take place with their acceptance and respect for the liberal political culture and their acquisition of language. Cultural assimilation is believed to be replaced by acculturation, thorough, which immigrants adapt to the host societies' cultures without abandoning theirs. However, the questions about how this notion of integration will be applied in Western European states and will EU be able to carve out a real place for itself in the European integration and most importantly the question of thin line between assimilation and acculturation are already confusing. And it is believed that these issues will dominate immigration studies in the coming decades.

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