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The Role of Economic, Political, and Cultural Factors in Immigration Policy in France, the United Kingdom, and Germany

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THE ROLE OF ECONOMIC, POLITICAL, AND CULTURAL FACTORS IN
IMMIGRATION POLICY IN FRANCE, THE UNITED KINGDOM,
AND GERMANY

by

Sheri L. Rogers

A Thesis
Submitted to the
Faculty of The Graduate College
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Department of Political Science

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Sheri L. Rogers, M.A.

Western Michigan University, 2004

Immigration policy has been a crucial issue facing all Western European countries for decades; however, it has recently become an even greater concern. Much of the literature argues that shifts in immigration policy correspond with shifts in economic conditions or the power of far-right parties. Others argue that immigration policy is primarily a cultural issue, although very little research has been done to address the role of specific cultural factors in different countries.

This paper looks at the evolution of immigration policy in France, the United Kingdom, and Germany, and addresses the question of why immigration policies in each country target different groups. I argue that, while economics and politics are important, immigration policy is influenced primarily by a sense of national identity, to the point where even economic factors are viewed through the lens of national identity. By examining key immigration legislation, economic data, public opinion regarding immigration, historical circumstances, and immigration trends, this paper will show that deep-seated cultural norms and institutions have a greater impact on immigration policy than economic factors in the United Kingdom, France and Germany.

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CHAPTER I

INTRODUCTION

The Politics of Immigration Policy

Immigration policy has been a sensitive political issue particularly since 1945 when many European countries began recruiting foreign laborers to help rebuild their countries and their economies after the destruction of World War II. This issue became especially intense during the economic crisis of the mid-1970s. In recent years, immigration policy has once again become a volatile political issue; immigrants and refugees, especially those from developing countries have been blamed for many economic, social, and political problems within individual countries. For example, public opinion has increasingly shown that many individuals blame immigrants for hampering economic growth by stealing jobs away from citizens and thereby increasing the rate of unemployment and straining the welfare system; immigrants are accused of creating social tension by introducing other languages and customs in countries that perceived themselves, at least at one point in time, to be relatively homogenous; immigrants are accused of significantly contributing to crime rates; furthermore, many believe that immigrants and refugees abuse liberal asylum laws and generous welfare states (Betz 1994, 83). All of these negative public perceptions typically lead to political backlash whenever states consider more open immigration policies.

Although public opinion across Europe seems to favor restrictive immigration policies, not all experts view immigration in such a negative light. In recent decades birth rates in Europe, particularly in Western Europe, have steadily declined to the point where population growth has stagnated, or even declined (Zimmermann 1995, 45). Declining birth rates indicate that significantly fewer individuals will be entering the workforce within the next ten to fifteen years, yet during this timeframe a substantial percentage of the population will be retiring, fueling concern regarding the capacity of the welfare state to handle the growing number of pensioners. This has led many economists and politicians to claim that increased immigration through more open policies is the only way to expand the economy and save welfare states by increasing the number of workers contributing to the system (Straubhaar and Zimmermann, 1993). Although many citizens fear that immigration increases unemployment by taking away jobs from citizens, others point to studies which show that immigrants typically take jobs that are low-end yet necessary and usually refused by citizens (Chapin 1997, 12); some studies show that immigration actually leads to job creation and that immigrants actually contribute more to the state in taxes than they receive in benefits (Zimmermann 1995, 53).

Immigration's Driving Forces

This paper examines the development of immigration policies in France, the United Kingdom, and Germany. By comparing immigration legislation to economic conditions, public opinion data, and the justifications used by policy

makers it seeks to answer why these countries have divergent immigration policies that target distinctly different groups despite their similar economic experiences. Much of the literature regarding immigration policy by both political and economic researchers such as Andrew Geddes, Klaus Zimmermann, and Zig Layton-Henry argues that shifts in policy correspond with shifts in economic conditions. Some, such as Hans-Georg Betz, point to the proliferation of radical right-wing parties as a key factor in restrictive policies. Other researchers, such as Phillip Cole, argue that immigration policy is based primarily on cultural factors. This paper will argue that immigration policy, while economic conditions and political parties certainly play a role, is often the result of cultural factors and a perception of national identity.

While economic factors are easily measured and political factors are often moderately straightforward, trying to define, much less measure, the impact of national identity is drastically more difficult. Benedict Anderson, one of the leading scholars on nationalism and national identity has even stated, "Nation, nationality, nationalism – all have proved notoriously difficult to define" (1991, 3). However, he goes on to characterize a nation as a political community in which individuals believe or imagine that they share essential characteristics with members of a larger society to such an extent that they share a common destiny (6-7). Another scholar on nationalism, Ross Poole, points out that imagining shared characteristics is not enough to be considered a nation since other groups, such as religious groups, would also qualify under that definition. Poole qualifies Anderson's definition by stating that national identity as opposed to

other types of identity “is the public embodiment of the nation’s concept of itself. As a form of identity, it exists as a mode of individual self- and other-awareness” (Poole 1999, 13). It does this on a much broader scale than any other type of identity. Regardless of definition, both Anderson and Poole agree that national identity is a product of cultural features and norms.

In examining the economic, political, and cultural factors behind immigration policy I chose to study the United Kingdom, France, and Germany for several reasons. First, these three countries are among the most economically developed and most politically powerful countries of Europe, and therefore their immigration policies are likely to have the most significant impact upon both trends in European migration, as well as a common EU immigration policy. They have had relatively similar post-World War II economic performances, and yet they have very distinct immigration policies, while all restrictive, target distinctly different groups. In addition, these three countries each have a unique historical relationship with immigration that continues to affect national policy preferences; for example, both France and Great Britain have historical colonial ties to many non-European countries, which affects policy preferences. Also, a distinction can be made among these countries in regards to the Schengen Agreement, which, among other things, opened borders among 13 European countries; this agreement was signed and ratified by France and Germany, but not by Great Britain. Furthermore, each country emphasizes unique cultural aspects and norms, a key feature of national identity, which have the potential to lead to different immigration policies.

Following World War II, many European countries experienced severe labor shortages, leading them to actively recruit foreign laborers. Some countries, such as Germany, implemented revolving door policies that technically required laborers to return home after a specified period of time, typically a period between one to five years. As was often the case, however, many laborers remained indefinitely, leading to an ever-growing foreign population within many European countries. During the oil crisis in the early 1970's, high unemployment rates and public outcry regarding migrant labor led governments to implement "zero immigration" policies, not only ending labor migration, but also encouraging past immigrants to return to their country of origin (Zimmermann 1995, 47). Unexpectedly, however, following the implementation of zero immigration policies in the mid 1970's, the number of individuals legally immigrating to European countries remained relatively stable attributed to family reunifications and liberal asylum laws (Cornelius, et al. 1994, 17).

Many countries, particularly Germany, instituted a liberal asylum policy in the years following World War II; the German government incorporated a liberal asylum policy directly into its constitution as a way of making amends for Nazi atrocities and as a legal safeguard to prevent such things from happening again. One of the reasons receiving countries had such liberal asylum laws during the Cold War was the understanding that Eastern bloc countries would prevent their citizens from emigrating. Once the Iron Curtain came down and the influx of

refugees began, however, asylum laws in most Western European countries were quickly tightened (Massey 1999, 311).¹

Fact vs. Perception

In regards to people's views on immigration policy, what matters the most is not necessarily fact as much as perception. Apart from whether or not there is a direct connection between immigration flows and unemployment, researchers have definitely established a link between unemployment and xenophobia. Regardless of its causes, public backlash has been a leading factor of the proliferation of radical rightwing parties. Some researchers, however, argue that one of the reasons radical right-wing parties have not gained more support in recent years is due to the fact that European governments have responded to public pressure and the threat of strengthened radical parties, and have created policies to curb immigration (Betz 1994, 81).²

Another example of how perception and reality conflict is the fact that "immigration control has often emerged out of political, social and economic imperatives which have little direct relationship with migrants or migration" (Koser and Lutz 1998, 10-11). In fact, many researchers argue that the heightened tension and increased incidences of overt racism and xenophobia associated with immigration are often a result of a social construction of what Europe or a particular country is supposed to be, a key factor of national identity (3). In fact, national identity is the lens through which all other factors are viewed. National

¹ See also Betz 1994, 78-80

² See also Kurthen 1995; Freeman 1995

identity is important because, "national identity is always a form of difference and thus a form of exclusion. Others who do not share an identity are not entitled to participate in a certain form of communal life" (Poole 1999, 42). This problem has only been compounded in recent years; as Europe as an entity has become more politically defined, a greater emphasis has been placed on differentiating between "Europeans" and "outsiders" (8).

Despite public backlash, many economists have argued that immigrant labor has once again become imperative for European countries (Straubhaar and Zimmermann 1993, 232). There are several reasons that increased immigration and more open policies are inevitable. First, there is an increasing economic gap between EU countries and their non-EU neighbors, which inherently draws citizens of non-EU countries to the EU (226). More importantly, however, populations in countries surrounding the EU have been experiencing increasing birth rates, while European countries on the other hand are facing stagnating or even negative population growth. Regardless of whether or not that is the case, however, the chronic unemployment that most countries have been experiencing will make more open policies a difficult sell. In addition to perceiving immigrants as adding to the unemployment rates, in periods of high unemployment Europeans also view immigrants as taking away their ability to control their economy because they are unable to control the number of individuals seeking employment or state benefits (Zimmermann 1995, 45-46). Many believe that monetary and fiscal policy are useless if individuals continue to enter the country seeking work. Although those who believe immigrants take away jobs from

citizens will resist open immigration policies during times of high unemployment, economists have noted that there is a “lack of a statistical relationship between the presence of foreigners and the size of a country’s unemployment problem” (53).

Although economic conditions are linked in some instances to immigration policy, in many cases economic conditions are mainly used to justify policies that promote the dominant cultural identity. One thing that is clear is that policies are not static, and they have clearly developed over time. In addition to changes in immigration policy, integration and citizenship laws are intricately linked to immigration, and therefore often vary in correlation to changes in immigration policy. Therefore, while the paper will focus on changes in immigration policy, citizenship laws and integration policies will also be discussed accordingly.

As stated earlier, this thesis seeks to determine what factors influence changes in immigration policy in these three countries by examining public opinion data regarding both the perceived economic impact of immigrants as well as economic conditions, comparing amendments to immigration policy with changes in GDP and unemployment levels, and evaluating official explanations used to justify changes in immigration policy. I begin by devoting a chapter to the historical development of contemporary immigration policy in each country. The next chapter will then compare changes in economic conditions in each country to changes in immigration policy to see how well they correlate, followed by a chapter that examines the role of extremist political parties in the development of restrictive immigration policy. The two subsequent chapters will then examine

the role of cultural aspects as a factor of national identity on immigration policy and the implications it holds as the European Union works toward a common policy.

After examining this information, what I found was that in Germany, immigration policy changes could be traced to changes in economic conditions along with a cultural emphasis on ethnicity. In the United Kingdom, changes in immigration policy were due primarily to a cultural emphasis on race. In France, a cultural emphasis on Catholicism as well as the influence of far-right parties, particularly after the mid 1980s, fueled immigration policy changes. Even though each policy is restrictive, such differences in which groups they choose to exclude or include have made the formulation of a common EU immigration policy exceptionally difficult.

CHAPTER II

POST WORLD WAR II IMMIGRATION HISTORY

Introduction

Since World War II, immigration has been an important economic as well as political issue. Most Western European countries have immigration histories that share significant characteristics, one of the most important being the fact that the Second World War killed or disabled a large percentage of working age individuals leaving countries ill-equipped to rebuild infrastructure and revitalize the economy. Most political leaders quickly understood that the reconstruction of their countries would require foreign labor. "In the aftermath of the Second World War, foreign workers provided the hands that were essential to ensure the recovery of European economies. As the years passed, migrant labor became not merely a temporary convenience or necessity, but a structural requirement of advanced capitalism" (Freeman 1979, 3).

This chapter briefly outlines the changes in immigration policy in each country since 1945. Examining the immigration histories will clearly highlight the fact that policies in Germany, France, and the United Kingdom diverge dramatically. It will also briefly draw attention to the impact of different factors such as colonial ties and constitutional issues. Later chapters examine the justifications used for policy changes in more detail.

France: Official Immigration Policy

After the devastation of World War II, the French quickly realized that foreign labor would be a necessity. In response to declining birthrates, an aging population, and the fact that France lost 2.1 million citizens during the course of the two World Wars, in the years immediately following World War II Charles de Gaulle pushed for "an active immigration policy designed to repopulate the territory" (Freeman 1979, 69). The governmental effort to recruit foreign labor began in 1945 with the creation of the National Immigration Office (ONI), which was supposed to be solely responsible for the recruitment and regulation of foreign workers. Between 1946 and 1974 ONI recruited over 2 million workers from more than a dozen countries (Fetzer 2000, 55).¹ Since foreigners were allowed in for the sole reason of employment, the government assumed that when employment was no longer available, these workers would voluntarily return to their country of origin (Feldblum 1999, 20).² In addition, since the government based immigration solely on employment requirements, foreign workers could lose their resident or work permits if they sought employment in positions for which the French government had ruled that there were already an adequate number of French workers (Freeman 1979, 134).

One manner in which the French government did try to manage immigration was through the use of bilateral agreements with immigrant-sending countries. Between 1946 and 1965 France had signed bilateral agreements with Italy, Spain, Portugal, West Germany, Greece, Morocco, Mali, Mauritania,

¹ See also Money 1999, 107

² See also Freeman 1979, 70-72

Tunisia, Senegal, Yugoslavia, and Turkey. No two agreements were the same; in fact, "every nationality group had its own set of legal rights and duties and its own *limits* on numbers" (Freeman 1979, 74, emphasis his).³ Indeed, official French post-war immigration policy was characterized by bilateral agreements for almost thirty years.

In France the official number of immigrants entering the country each year increased from around 30,000 immediately following World War II to about 175,000 in 1970, dropping back down to approximately 100,000 in 1972. Overall between 1946 and 1974, over 2 million foreign workers came to France (Fetzer 2000, 55). Although these are the official numbers of *legal* immigrants according to the ONI, these numbers do not include individuals from Algeria; France initially established a special agreement with its former colony, in the hopes that the arrangement would preserve its precarious position in North Africa, essentially giving Algerians all of the rights enjoyed by French citizens, including the right of free entry (Freeman 1979, 22, 75).

Algeria was certainly the country with which France had the most complicated relationship regarding immigration. Beginning in 1947, Algerian Arabs were granted French citizenship, and therefore were allowed to enter freely. Following Algeria's independence and the signing of the Evian Accords in 1962, which ended the Algerian War, freedom of movement for Algerians was retained, mainly for the sake of the French colonists in Algeria who wished to return to their homeland. However, it also led to a high number of native Algerians migrating to France. In response to the growing number of Algerian

³ See also Hollifield 1994, 151

immigrants, the French government signed an agreement with Algeria in 1964 and again in 1968 designed to stem the flow of permanent migration through the use of quotas and residency permits. In 1970 the French government passed a law that specifically included Algerians in a clarification of labor laws that made it illegal to hire undocumented immigrants, and in 1972 the French and Algerian governments signed a third agreement which further reduced the number of Algerians allowed to enter annually (Money 1999, 109-110).

The French government was aware that many of the countries with whom it had signed bilateral agreements had drastically different languages and cultures, and from the onset they were much more concerned than many other Western European countries in assimilating immigrants. This was evident in the fact that they "expressed more concern in teaching immigrants their language and culture...than did the British" (Freeman 1979, 40). Likewise, "in the first years after the war immigration was almost always considered in either strictly demographic or strictly economic terms, or some mixture of the two, but was rarely linked to questions of race" (Freeman 1979, 76). The main reason it was never considered a racial issue is because immigrants were viewed as a temporary means of economic growth; when they were no longer needed it was assumed that they would return to their country of origin (Feldblum 1999, 21).

Laissez-faire Immigration: 1946-1968

The numbers of immigrants previously mentioned are only legal immigrants who went through the ONI. Although the ONI alone was supposed to

have the responsibility to recruit and control immigration, both employers and immigrants usually bypassed the ineffective system leading to practically uncontrollable immigration. It was not that the French government could not stop illegal immigration, but rather they chose early on to overlook foreign employees who lacked work or residence permits (Hollifield 1994, 151).⁴ The government, however, also tacitly encouraged illegal immigration through a process of “regularization” in which undocumented immigrants could receive employment papers from the government once they found work (Doty 2003, 59).⁵ Since employers had to pay fees in order to use the services of the ONI, many employers hired undocumented workers for much lower wages, and since the government did not control immigration flows, it also could not enforce wage and labor standards for foreign workers (Freeman 1979, 73).

“[O]ver the years from 1947 to 1967, France slipped into a long period of haphazard and lackadaisical control of immigration that amounted to a *laissez-faire* approach” (Freeman 1979, 73). “The process reached its peak in 1968 when over 80 per cent of the introductions that year were regularized and only 18 per cent entered through the official channels” (Freeman 1979, 77). Because of the haphazard manner of immigration and the difficulty in determining accurate numbers, adequate housing and medical services were usually unattainable for most immigrants leading to slums outside of major cities where illnesses were rampant; unlike other European countries, the living conditions of immigrants, not race, economics, or politics, became the initial focal point of the immigration

⁴ See also Money 1999, 107

⁵ See also Fetzer 2000, 57; Money 1999, 24, 107

issue. Public protest over immigration began in reaction to living conditions, forcing the government to attempt to regulate housing and denying work permits to immigrants who were unable to prove they had adequate housing (Freeman 1979, 77).

Restricting Immigration: 1969-2004

The tides began turning against immigration itself in the late 1960's. From May through June of 1968, countless foreign workers took part in waves of labor protests and demonstrations across France. Although these demonstrations and strikes primarily included French citizens, many of the foreign workers who participated in the protests were actually deported for their involvement (Doty 2003, 62).⁶ Over the years it had become increasingly clear that the haphazard immigration "policy" had to be reformed. In 1969 the French government overhauled the immigration policy in an attempt to curb economically driven immigration by creating a selective immigration policy based more on social factors such as integration costs; the government also tried to place the burden of these costs upon employers, thereby encouraging them to decrease the number of foreigners they employed. The Ministry of Social Affairs issued a letter intended to halt the practice of regularization. Although it continued to occur, the number of illegal immigrants that were regularized dropped dramatically (Money 1999, 108). Individuals from European countries were encouraged to migrate while from this point on non-Europeans were usually prevented from legally entering the country, and those that were already in

⁶ See also Money 1999, 109

France were often sent back to their country of origin during times of high unemployment (Freeman 1979, 87-88).⁷

In 1972, the government doubled the penalties imposed upon employers for violations of the immigration policy (Money 1999, 111). After his sudden death in 1974, President Georges Pompidou, a conservative Gaullist, was succeeded by the slightly more moderate Valéry Giscard d'Estaing; however, the Gaullists retained control over the National Assembly under Prime Minister Chirac. This change in government, however, did not seem to have much of an impact in liberalizing immigration policy. For instance, in 1974, French borders were officially closed to economic immigrants, although the number of immigrants remained relatively stable. Illegal immigration continued to be essentially ignored and illegal immigrants still had the possibility of being regularized by the government; spouses and children were legally allowed to enter due to family reunification policies, and thousands came as asylum seekers (Fetzer 2000, 57).⁸ In 1976, the government increased the number of reasons for which an immigrant could be deported, and the following year it revoked the right of family reunification except in incidences in which the family agreed to not seek employment. The government initiated a voluntary repatriation program in 1977, and in 1978 officials declared that they would cut the number of foreigners living in France by 200,000 each year. Many of these policies were contested in court; the courts ruled that such laws must be made only by the legislature,

⁷ See also Doty 2003, 63; Money 1999, 108

⁸ Feldblum 1999, 20

essentially revoking these policies; however, similar laws were later passed by parliament (Money 1999, 112).

However, while introducing tighter restrictions in the immigration system, beginning in 1974 the center-right government also began stepping up efforts in regards to social issues involving immigrants, especially concerning the issues of adequate housing, health, and other welfare services. In 1980 the government implemented additional social measures regarding wage standards, adequate housing, as well as expanding educational opportunities. In 1981, due to a falling out years earlier, Giscard d'Estaing and Chirac ran against each other for the Presidency; both lost to the socialist François Mitterrand. The socialist government beginning in 1984 granted the majority of legal immigrants automatically renewable ten-year combined work and residence permits (Doty 2003, 61).⁹

Although immigration into France began as a solution to employment needs, as a significant number of non-European immigrants became a permanent fixture in French society, immigration policy shifted to a social issue rather than an economic one. In other words, although non-European immigrants were initially tolerated out of economic necessity, tolerance waned over the years, even while European immigrants were accepted or encouraged to migrate. To head off the potential "social danger" posed by non-European immigrants, the French government implemented a series of integration and assimilation policies (Doty 2003, 61-62).

⁹ See also Money 1999, 114

From the late 1960's on, tolerance became the guiding principle of French immigration policy. It was argued that French society could only bear a certain level of cultural variation. In other words, beginning in the 1970's, there was widespread acceptance of the theory of *seuil de tolerance*, which "suggests that there exists a threshold of tolerance in any society concerning the presence of foreigners, beyond which social conflict is inevitable" (Doty 2003, 62). Although the concept has persisted, the exact placement of that threshold of tolerance has shifted over the years. At times it was argued that the brink had already been crossed into a state of social danger and conflict. "From 1977, the discourse on immigration focused on the immigrant as antithetical to the interests of the nation-state" (Doty 2003, 64). In any case, there has been a constant struggle between those that feel immigration has already gone too far, and those that feel there is still room to grow, even among government officials and party leaders. Those that believe that immigration has already exceeded what France can bear have often garnered the most support, even lobbying successfully in 1993 for the adoption of a zero immigration policy (Money 1999, 105, 114).

United Kingdom: Commonwealth Immigration

The history of immigration policy in the United Kingdom has in many ways been quite similar to that of France. Both France and Great Britain were significantly weakened in World War II, and their loss of power, both economic and political, hindered their attempts to retain control over their colonies. Their efforts to preserve control certainly had an impact on their immigration policies,

especially in the decade following World War II in which they reserved favorable entry conditions for citizens of their colonies or former colonies. Despite these similarities, however, there have also been significant differences. For example, France went to war with Algeria in an attempt to retain control over one of her most significant colonies, something that did not occur between Britain and her major colonies such as India. While immigration policies start on a similar page, as time went on the divergence between the two increased.

Colonial Impact on Immigration Policy

The government of the United Kingdom realized shortly after World War II that immigration would be necessary to revitalize the country; also like France, by far most of the immigrants to Great Britain, at least until the mid 1970's, were from its former colonies (Freeman 1979, 30). In 1948 Parliament passed the British Nationality Act that distinguished between citizens of the United Kingdom and its colonies from Commonwealth citizens, but it also "guaranteed the right of all Commonwealth citizens as well as citizens of the United Kingdom and Colonies to enter the United Kingdom without restriction" (Doty 2003, 45).¹⁰ Commonwealth citizens were defined as citizens of former colonies. From the beginning, however, a double standard was evident in which non-European citizens of Great Britain, its colonies and former colonies were treated with indifference if not utter contempt. Although Great Britain gave her colonies the freedom of self-government, she viewed herself as superior to the inhabitants of her former colonies (Freeman 1979, 34).

¹⁰ See also Money 1999, 67

Although the 1948 British Nationality Act declared citizens of colonies and former colonies equal to British citizens, each policy implemented after that made immigration more restrictive, including the Commonwealth Immigration Acts of 1962 and 1968 and the Immigration Act of 1971. "British immigration policy has since 1962 been moving steadily and without significant deviation toward an ever more restrictive, more overtly racist, and more inflexible position, but has done so not by conscious design but in retreat" (Freeman 1979, 45). Throughout the years Great Britain's immigration policy has consistently tried to differentiate between "us" and "them" (Doty 2003, 46, 51).

Beginning in 1948 after the passage of the British Nationality Act, substantial numbers of immigrants began coming to Great Britain from her former colonies, particularly India, West India, and Pakistan (Freeman 1979, 45). During the 1950's, those in charge of decolonization pushed the British government for open access for inhabitants of former colonies in order to not to give the impression that the British considered them inferior, a sentiment they feared would be detrimental to a peaceful decolonization process (Freeman 1979, 48). Although the British government initially tried to appease citizens of former colonies through promises of equal rights and access, this was merely lip service and the embracing sentiments toward former colonies did not continue for long. Political leaders worked out agreements with the governments of former colonies in which these governments would control the number of its citizens leaving their country for Britain. These exit controls were ineffective and were eventually abandoned in 1960 (Money 1999, 68).

Progressive Restrictions: 1961 – 2004

Repressed frustration among British citizens shot to the surface during the 1958 race riots, leading to significant pressure on the Conservative Party by the public to which they finally responded by introducing the Commonwealth Immigrants Bill in 1961 (Freeman 1979, 49). The Commonwealth Immigration Act of 1962 revoked the right of free entry for Commonwealth citizens by implementing a system in which “individuals could enter the country only if they held Ministry of Labour work vouchers or if they were dependents of someone who did” (Freeman 1979, 24).¹¹ The Act also defined conditions under which individuals could be deported

The Labour Party fiercely argued against the bill in 1961. However, by 1965, after Labour had gained control of the government, they also began to argue that immigration controls were necessary; the Labour-controlled Parliament even went as far as significantly reducing the number of work vouchers that were available to non-Europeans, the only means of long-term entry (Freeman 1979, 53-54). On the other hand, the Labour Party also passed the Race Relations Acts of 1965 and 1968; although the Labour Party had drastically reduced the number of non-European foreigners entering Great Britain, the Race Relations Acts sought to use government policies to reduce racial discrimination and “to amplify government efforts in the area of integration” (Freeman 1979, 56).

¹¹ See also Money 1999, 68-69

Despite attempts at preventing discrimination and promoting integration, the Parliament hypocritically continued to make immigration and citizenship more restrictive and more based on racial rather than economic factors. For instance, shortly after the passage of the Race Relations Act of 1968, the Labour-controlled Parliament also passed the Commonwealth Immigrants Act of 1968 which severely limited the number of nonwhite UK passport holders allowed to enter Great Britain; now only nonwhite UK passport holders who had family that had already settled in Great Britain were free from entrance restrictions. It also criminalized for the first time the illegal entry of Commonwealth citizens (Freeman 1979, 59).¹² The Immigration Act of 1971 expanded immigration control once again, denying immigrants from former colonies privileges that they previously had over other aliens as well as implementing an expansive system of internal controls such as broad police powers in regards to immigrants (Doty 2003, 50, 52).¹³ In 1981, the British Nationality Act was passed which significantly changed the former policy in which citizenship was based on place of birth to a policy in which citizenship is based upon the nationality of the parents (Doty 2003, 45). Although "Britain made a number of apparent attempts to tie immigration to her domestic labor market...these were ineffective and primarily designed to provide cover for moves to halt nonwhite immigration" (Freeman 1979, 134).

Although many of these policies were uncontroversial among British citizens, they were not implemented without notice. "A group of East African

¹² See also Doty 2003, 48; Money 1999, 69

¹³ See also Money 1999, 70

Asians filed a complaint against Britain regarding the 1968 Act with the European Commission on Human Rights in 1970". After the Commission ruled in favor of the complainants, "Britain increased the annual quota of entry vouchers" (Doty 2003, 49). Even when immigrants were granted entry, however, they were still relegated by the government to areas within Britain that would still tolerate immigrants. In 1988 yet another immigration law was passed which essentially bolstered the provisions of the 1971 Act by making entry more difficult and expanding the justifications that could be used to deport immigrants.

In 1981 the Conservative government implemented the British Nationality Act, which took away the remaining privileges, including voting rights, Commonwealth citizens had over other immigrants. It also restricted citizenship rights, which until this point were based on place of birth rather than parental nationality. In addition, the 1987 Immigration Act placed penalties on transportation firms who brought immigrants without proper documentation to Britain, and the 1988 Immigration Act revoked the right of family reunification to Commonwealth citizens who settled after 1973 (Money 1999, 71). Immigration policy in Great Britain today is still restrictive and the police have broad jurisdiction over immigrants (Doty 2003, 50).

Even with restrictive immigration and weak integration policies, "Britain is now the most popular destination for immigrants in Europe. A recently released Home Office report estimates that between 150,000 and 175,000 migrants from outside the European Union will enter the country every year until 2005" (Doty

2003, 44).¹⁴ While some of these are labor migrants, most are either individuals joining family members who have already settled in Britain or asylum seekers. In fact, Great Britain has repeatedly received the most applications for asylum than any other country in Europe. Even refugees are subjected to the same types of procedures as other immigrants. For example, in 1999 the Labour Party implemented a policy which forces asylum-seekers to move to various parts of the country in order to prevent high concentrations in urban areas.

Race riots continue to be a serious problem in Great Britain; the most recent widespread riots began in the spring of 2001, and escalated drastically after September 11. Around the same time, the government began systematically rejected asylum applicants who were from a list of "safe countries" and increased the number of rejected applicants who were deported or imprisoned. In fact, "the United Kingdom has been condemned by the United Nations as the only country in Europe to detain asylum-seekers in prison" (Doty 2003, 54-57).

Like in most European countries, Britain's restrictive policies have failed to curb immigration. Most of the individuals who move to Great Britain with the intention of permanently settling are not the work-related immigrants typical of earlier decades. In fact approximately 70 percent of immigrants in a given year are family members of individuals who have already settled within Great Britain, and around 20 percent are asylum seekers. This means that roughly 10 percent of immigration is due to all other factors, including labor opportunities (Browne 2002, 22-23).

¹⁴ Browne 2002, 20

Germany: A Policy of Denial

Like Great Britain, Germany is one of the most popular destinations for both European and non-European immigrants. As of 1999, Germany had a higher percentage than France and Great Britain of foreign citizens living within its borders at 8.9% compared to Great Britain's 3.8% and France's 5.6% (Klopp 2002, 12). Even at a time when foreign laborers were actively recruited, Germany never considered itself a country of immigration, going even as far as formally declaring so in the Alien Act of 1990 (Chapin 1997, 1). In fact, until recently, citizenship has always been associated with ancestry rather than place of birth (Klopp 2002, 35). Immediately following World War II, almost all Germans opposed non-German immigration, focusing their attention instead on rebuilding and reunifying a war-torn country.

Even as immigrants and refugees began coming to Germany in large numbers in the 1950s and 1960s, a comprehensive policy on immigration was never developed.

Although the Basic Law assigns general responsibility for immigration to the federation, there has, so far, been no single, comprehensive immigration law. This is no coincidence. It stems from the fact that the Federal Republic classifies those entering Germany into several distinct legal categories that cannot be subsumed under one general concept of "immigrant" (Hoffmann 1999, 361).

One of these categories was individuals with German ancestors. Virtually all individuals who migrated to Germany up to the mid-1950s were ethnic Germans from countries to the south and east rather than true "foreigners" (Klopp 2002, 35). In fact, over eight million of such ethnic Germans legally immigrated to

Germany by 1950 alone; this number increased to 15 million by 1990 (Hoffmann 1999, 360, 362).

Guest Worker System: 1955-1973

Another legal category as defined by the Basic Law was foreign workers, specifically those from non-Western European countries. Although at first immigrants were essentially only allowed based on German ethnicity, like in France and Great Britain, however, it soon became apparent that foreign labor would be necessary for economic growth.

Despite high rates of unemployment in the mid-1950's Germany reached a level of full employment (less than 1 percent unemployed) by 1961. In order to maintain this incredible economic expansion, the so-called *Wirtschaftswunder*, into the 1960's and early 1970's, it was generally agreed that the use of foreign labor was both necessary and profitable (Klopp 2002, 39).¹⁵

Between 1955 and 1968, labor shortages led Germany to sign bilateral agreements with Italy, Spain, Greece, Turkey, Morocco, Portugal, Tunisia, and Yugoslavia despite protests by labor unions (Klopp 2002, 38-39). These bilateral agreements and other policies toward immigrants, which were implemented in the late 1950's and early 1960's, were uncontroversial and essentially ignored by the public (Chapin 1997, 10).

One key assumption that was made about foreign worker, however, was that they were *not* immigrants, because their stay in Germany was only temporary, hence the name "guest workers". The assumption that these workers would return to their country of origin persisted for decades, even when evidence

¹⁵ See also Bade 1987, 8

suggested otherwise. As unrealistic as this belief was, the government tried to compel workers to return by issuing work and residence permits that were valid for only one year so that “the overall extent of foreign labor could be flexibly regulated according to the needs of the economy” (Hoffmann 1999, 362).

“The 1965 Foreigners Act made the entrance and tenure of foreigners dependent on the interest of the Federal Republic” (Chapin 1997, 13).¹⁶ It gave police and the states sweeping powers to issue or rescind work and residence permits with little or no justification, and to deport foreigners when they felt it was necessary while giving most foreigners no legal recourse. Some immigrants, however, were protected by the state; those that had renewed their residence permits multiple times were legally protected from being denied subsequent residence permits, making their expulsion by the state for economic reason nearly impossible. The Federal Constitutional Court upheld this protection of long-term workers in 1978 (Hoffmann 1999, 363).

Albeit short-lived, foreign workers first became an economic issue in 1966 after a brief recession; “however, once the recovery began in 1968, employers’ desire to use foreign labor returned” (Klopp 2002, 39). Slowly the German government realized that their revolving door policy regarding foreign laborers was unrealistic. In addition to the inability to deny residence permits to individuals who had repeatedly renewed their residence permits, the 1971 Ordinance on Work Permits allowed guest workers who had been employed for at least five consecutive years to get a work permit which would be valid for five

¹⁶ See also Hoffmann 1999, 363

years instead of one, and it would not be dependent on economic conditions (Chapin 1997, 15).

In addition to offering lengthened work permits, however, the 1971 ordinance also curbed the recruitment of new workers. Still, in spite of greater restrictions, the number for foreigners actually increased due to family reunifications and higher birthrates among non-German residents (Chapin 1997, 16).¹⁷ In 1973, blaming the oil crisis' impact upon the economy, the federal government abruptly ended all labor migration. Not only did the government not allow new workers to legally enter the country, but it also used different tactics, mostly monetary incentives, to encourage workers who were already there to return to their country of origin. The government also restricted the number of children and spouses who could enter for family reunification purposes. However, "the courts lifted many of these restrictions by appealing to the protection of marriage and family that is guaranteed in the Basic Law", and incentives to leave were largely ignored, allowing the number of foreigners to remain relatively stable (Hoffmann 1999, 364). It was at this point that some German citizens truly began opposing the guest worker system (Klopp 2002, 39).¹⁸ Germany's lengthy reliance on such a system would have had an impact, however, even if all foreign workers left Germany. For instance, even when foreign workers did return to their home countries, Germans would often refuse to fill the less-esteemed jobs left vacant by their departure (Chapin 1997, 12).

¹⁷ See also Klopp 2002, 39

¹⁸ See also Bade 1987, 8; Chapin 1997, 12

A Contradictory Issue: 1974-2004

When it became clear that zero-immigration policies implemented in 1973 were not having the desired impact, the government began to aggressively pursue measures to convince foreign workers to leave Germany. These programs, which were implemented and highly promoted from 1981 to 1984, used different monetary incentives to convince a larger number of foreign workers to return home. "A 1983-1984 program offered a departure bonus of \$5,000 for workers who would surrender their work and residency permits. In addition their social security contributions were refunded immediately upon arriving in their home countries" (Chapin 1997, 17-18). This, however, only caused a short-term reduction in the number of foreigners within Germany.

German immigration policy throughout the years, insofar as there is one, has been permeated with contradictions. For example, in 1990 the Bundestag extensively revised the Foreigners Act of 1965.

The new "Alien Law" that took effect in January 1991 exhibited some of the same fundamental contradictions as the old one. On the one hand, it secured the legal status of long-term residents for the first time and eased the naturalization of children born to foreigners living in the Federal Republic. But on the other hand, it retained the supervisory capacity and broad discretionary latitude granted to the immigration authorities. It was not possible to construct a consistent policy on this basis (Hoffmann 1999, 370).¹⁹

The influx of ethnic Germans from Eastern European and former Soviet countries as well as asylum-seekers, the third category of immigrants addressed by the government, after the end of the Cold War forced the government to rethink their relatively open door policy regarding these two groups. "In 1990

¹⁹ Chapin 1997, 18

alone, 400,000 ethnic Germans entered the FRG from the Eastern bloc, claiming their right to citizenship. At the same time, the number of asylum-seekers rose from 370,000 in 1990 to 430,000 in 1992" (Hoffmann 1999, 370). In 1992, the government passed a law that restricted the entrance of ethnic Germans, and in 1993 it amended Article 16 of the Basic Law which prevented the entrance of asylum-seekers who entered Germany through a third "safe" country, a country "in which application of the Convention Relating to the Status of Refugees and of the Convention for the Protection of Human Rights and Fundamental Freedoms is assured" (Bundesregierung Online).

Attempts in recent years to loosen immigration restrictions have failed, and even today, policy simultaneously tries to restrict immigration while condemning xenophobic violence and slowly addressing integration issues. The most recent effort to loosen immigration restrictions was attempted in 2001 and 2002. Both the Bundestag and the Bundesrat passed the bill, however it was overturned by a federal court due to a procedural error; a second attempt to pass the bill, which would ease immigration restrictions, has been unsuccessful (Bundesregierung Online).

Conclusion

Beginning in 1945, France, the United Kingdom, and Germany were confronted with a variety of issues that forced them to address the question of immigration. All three countries required additional labor to rebuild their devastated infrastructure as well as fuel a rapidly expanding economy after

World War II; however, each country dealt with a unique set of issues relating to immigration. The United Kingdom and France dealt with the influx of colonial citizens, and for France, the repercussions of the Algerian War. Germany repatriated millions of ethnic Germans, and established policies to recruit temporary workers from other countries. What the next three chapters will discuss is how these countries dealt with the economic repercussions of increased immigration flows, intended or unintended, after 1945.

CHAPTER III

IMMIGRATION POLICY AND ECONOMIC CONDITIONS

Introduction

Many scholars such as Andrew Geddes, Klaus Zimmermann, and Zig Layton-Henry argue that immigration policy is strongly tied to economic conditions. In particular they argue that immigration policies become more open during times of economic growth and more restrictive in the face of high unemployment rates. Although a substantial amount of literature focuses on the connection between economic trends and immigration, what kind of impact do economic conditions actually have on immigration policy? If economic conditions can offer insight into policy formation, are they sufficient in providing an explanation? I argue that immigration policy trends cannot be fully explained by economic conditions. Even Zimmermann and Layton-Henry admit that more open policies do not always occur during periods of economic growth, as one might expect.

As I will demonstrate, although at times countries have indeed tightened immigration control during times of economic downturns, as many of them did in the early 1970s, there have been other economic recessions in which these countries did not take any steps to reduce the levels of immigration. In addition, there were also numerous times in which the economy was expanding,

sometimes rapidly, when government leaders did not increase immigration, even blatantly ignoring the advice of economists.

France: Discounting an Economic Link

A brief look at France's immigration history would lead some to assume that French immigration policy had a close relationship with the country's economic conditions; for example, as one would expect, France implemented a zero-immigration policy a year after the initial oil shock in 1973 which triggered a worldwide recession. A closer examination would show, however, that an actual relationship between economic conditions and immigration policy was tenuous at best.

France began restricting levels of immigration well before the first oil shock in 1973, even implementing severe restrictions in the late 1960's and very early 1970's while the economy was still rapidly expanding (Money 1999, 105, 112). While the economic crisis may have been used by political leaders to justify the zero-immigration policy implemented in 1974, economics had very little to do with the policy decisions. Certain business sectors that relied heavily on migrant labor were never notified of the possibility of stopping immigration. In fact, the Parisian Federation of Construction, a field in which most immigrants worked, was outraged that such a policy had been implemented without any warning, and they and other employers pressed the government to reverse the decision, albeit with little success (Money 1999, 146, 151).

Likewise, despite several economic downturns, French governments did little to control immigration throughout the 1960's; they even tacitly encouraged illegal immigration through a process in which illegal immigrants could receive legal documentation. In fact, even as the French government dealt with pervasive labor strikes that crippled the country, 80% of all legal immigrants to France in 1968 were originally illegal aliens who had been regularized. Furthermore, in 1983 50% of French citizens polled cited unemployment and 34% cited inflation as the most urgent problems facing France, yet during this time the socialist government under Mitterrand expanded opportunities for foreigners living within France and began granting automatically renewable work and residence permits to foreign workers (Money 1999, 114).¹

The United Kingdom: Discounting an Economic Link

Similarly in the United Kingdom, economic conditions often had little bearing on immigration policy. While some researchers such as Layton-Henry argue that economic factors had a significant impact upon immigration policy, pointing to the influx of Irish and other European workers, these studies cannot explain why Irish and other European citizens were given special consideration while all other immigration was increasingly restricted regardless of economic conditions. In fact, the first legislation designed to restrict immigration from Commonwealth countries, countries that initially had an immigration advantage over other aliens, was introduced in 1961 and passed in 1962 when the British

¹ See also Doty 2003, 61

economy was not only rapidly expanding, but at a time “when economists both within and outside the government were predicting severe labor shortages”, and concern for the state of the economy among British citizens was at its lowest point in post-World War II history (Money 1999, 66).

Beginning with the Commonwealth Immigration Act of 1962, almost every piece of legislation passed by the British government from that point on progressively restricted immigration, regardless of economic conditions. The Commonwealth Immigration Acts in 1962 and 1968 revoked the right of free entry of Commonwealth citizens, and placed severe limitations on entry qualifications, despite the fact that during these times the economy was stable, and even growing. In a rare instance of easing restrictions, the Labour government in 1974, despite an economic downturn due to the oil crisis, lessened immigration restrictions, particularly constraints on family reunification (Layton-Henry 1994, 286). Furthermore, although the economy was doing fine at the time, both the Immigration Act of 1971 and the Immigration Act of 1988 placed additional limits on immigration and increased the number of reasons that could be used for deportation, and the 1988 act revoked the right of family reunification for anyone that arrived after 1973. In fact, the immigration controls put in place from 1987 to 1988 occurred at a time when the economy was at its highest point in almost 20 years. All in all, even Layton-Henry pointed out “the case in favor of immigration in terms of economic advantage, capital investment, expanding the labor force, international contacts and trade, and the acquiring of

enterprise and entrepreneurial skills has little salience in public debates" (1994, 276).

Germany: Economics as a Partial Explanation

While both French and British policies defy economic explanation, Germany's experiences have been somewhat different. Since Germany's immigration policy was created specifically to meet economic needs, one should think that her policy would be more closely linked to economic reality. Even though the policies did not always have their desired effect, compared to France and the United Kingdom Germany's policies themselves more closely correspond with economic conditions, especially between 1955 and 1993. Economic immigration, per se, really did not begin until 1955. From immediately following World War II until the mid-1950s the only individuals who migrated to Germany, although the government did not consider them immigrants, were ethnic Germans from Central and Eastern Europe. In 1955, when it had become clear that ethnic Germans alone would not be enough to fuel Germany's rapidly expanding economy, Germany began its *Gastarbeiter* program with a series of bilateral agreements. These agreements were signed with the understanding that when unemployment increased, the workers would return to their country of origin. When, in times of high unemployment, it became clear that foreign workers were remaining in Germany, the government began implementing policies to encourage, and sometimes even force, foreigners to leave.

The oil crisis and subsequent high unemployment rates led the German government to cease all new economic immigration in 1973 as well as restrict family reunification. Unlike in France, where the sudden halt in immigration prompted an uproar from certain economic sectors, these restrictions met little resistance from the public. During the economic downturn from 1981 until 1983, Germany implemented a series of programs to convince workers to return to their country of origin, ending these programs in 1984 when the economy recovered. In 1992 and 1993, additional restrictions were implemented at a time when Germany was dealing with economic integration issues with East Germany. In all, Germany's immigration policy, even if the policies were ineffective, tended to reflect economic conditions.

Even today, there continues to be a debate within the government about the necessity of continued immigration. While supporters such as economist Klaus Zimmermann point to demographic concerns and employment needs in high skill sectors of the economy, opponents such as CDU opposition leader Angela Merkel point to chronically high unemployment rates and the lack of integration of foreigners currently in Germany. Both sides of the issue appeal to economic concerns. In 2001, a government-appointed commission presented a set of proposals that promoted a controlled immigration policy in which a point system would be used to select 20,000 immigrants annually based on education, language ability, and other criteria, with the ability to increase the quota up to 40,000 in the event of a labor shortage. The commission also argued for the implementation of extensive language programs to assist the integration of

foreigners within Germany. Both the Bundestag and the Bundesrat passed the bill proposed by the commission, however a federal court overturned it due to a procedural error. During the second attempt to pass the bill, the Bundesrat voted against it, quelling the chance of a similar bill to be passed in the near future, despite an appeal by Chancellor Gerhard Schröder to do so (Bundesregierung Online).

Conclusion

Although many assume that immigration policy and economic conditions have a definite connection, that is not always the case. In both France and in the United Kingdom, immigration policy has often defied economic expectations, typically by the addition of restrictions during times of economic expansion. This means that some other factor must be driving immigration policy. Germany, on the other hand, seems to have a close connection between economic conditions and immigration policy, even if those policies have not had the desired effect. Does that mean, however, that economic conditions tell the whole story? In the next chapter, the role of political parties will be examined.

CHAPTER IV

THE ROLE OF POLITICAL PARTIES IN IMMIGRATION POLICY

Introduction

Although many factors drive policy changes, political parties clearly play a profound role in the formulation of immigration policy. "As the politics of immigration and incorporation intensify, political institutions in general and political parties in particular, come to center stage. Demands for greater immigration control or changes in nationality or citizenship laws will be channeled through political parties and party systems" (Hollifield 2000, 170). When one thinks of political parties in regards to immigration policy, radical right-wing parties are the most salient.

Although the responsibility of all political parties is to channel the desires of its constituents, some argue that radical right-wing parties in particular actually foster xenophobia rather than merely providing an outlet to express it (Schain, et al. 2002, 11).¹ Other researchers, however, disagree, arguing that while radical right-wing parties may use immigrants and asylum seekers as scapegoats, economic factors such as unemployment have a much more dramatic impact upon support for such parties than immigration per se (Givens 2002, 146). For example, one such study in France has shown that the number of immigrants admitted each year has had no statistical effect upon support for the radical right-

wing party, the National Front, while unemployment has often had a dramatic impact upon levels of support (Fetzer 2000, 84).²

In many cases, regardless of how or why they gain support, because these radical parties often do not gain enough electoral strength to be a viable part of the government, they usually do not play a direct role in policy formation. Rather if these parties have enough *potential* electoral support to be perceived as a threat by mainstream parties, they “can force traditional parties to rearrange their policy platforms, their priorities for government, and, ultimately, the very nature of immigration policy reform” (Adolino and Blake 2001, 106). In other cases, traditional parties may take the lead in restricting immigration without far-right pressure, thereby preventing the development of radical parties before they even become an electoral threat.

In each of these three countries, if radical parties became viable at all, it was not until the mid to late 1980s, despite the fact that immigration was already a significant political issue in the 1960s and 1970s. If immigration was the defining issue for far-right parties, why, when immigration first became a critical issue as early as the 1960s, did far-right parties not experience much electoral success until the mid to late 1980s, particularly in France and Germany? In the case of the United Kingdom, the single-member district system hindered the development of any third party, including the British National Front. In France

¹ See also Karapin 2002, 211; Schain 2002, 232

² Givens also points to studies in other countries that show that the number of immigrants has little or no statistical impact upon support for radical right-wing parties compared to economic factors, and the number of immigrants is not at all an indicator of how successful a radical party will be (2002, 148). See also Karapin 2002, 193, 207.

and in Germany, mainstream parties often responded directly to public pressure, or responded to the threat of electoral viability of extremist parties.

This section will briefly examine the role of political parties in Germany, France and the United Kingdom. As mentioned earlier, in the United Kingdom, a single-member district electoral system hindered the development of a viable radical right-wing party. Since immigration was clearly an issue in Great Britain, in order to win votes, both the Conservative and Labour parties needed to develop a coherent strategy for immigration. France and Germany, on the other hand, both have electoral systems that allowed for the development of third parties, but still have had different experiences with far-right parties. In France, the National Front has gradually established itself as a potential electoral threat, even on the national level. In Germany, however, constitutional requirements and suspicion of anything that resembles a fascist ideology have hindered the electoral success of far-right parties, at least on the national level.

Right-wing Parties in France

Of the three countries under consideration, post-World War II radical right-wing politics have probably been the most prominent and have had the most impact in France. The National Front (FN), the French party notorious for its xenophobic platform, was created by Jean-Marie Le Pen in 1972. The National Front provided a political outlet for nationalist sentiment, usually in its most extreme forms. Although the party embraces many mainstream conservative ideals such as a free market economy, it also heavily promotes ultra nationalist

and racist principles. While the party has campaigned on economic issues such as unemployment and trade, the issue with which it is most frequently associated is immigration.

Le Pen founded the National Front as a means to unify a variety of right-wing groups; however, its effectiveness in pushing immigration as a political issue did not become evident until the late 1980s and early 1990s. For example, despite the economic downturn caused by the oil crisis in 1973, immigration was not a national campaign issue in either the legislative elections of 1973, or in the presidential elections of 1974. This was even true of Le Pen, the National Front's presidential candidate; during the 1974 presidential campaign, "none of his national campaign literature or his nationally televised speeches incorporated an anti-immigrant platform", although he discussed his xenophobic views at local campaign events (Money 1999, 141).

In the first round of national elections in 1993, the National Front won over 12% of the vote, the most it had ever received in a national election. "The emergence of FN as a serious force within the political system became evident in 1993, when the party demonstrated its ability to win significant electoral support in most parts of the country" (Schain 2002, 227). By 1997, the party had gained even more electoral support, becoming a significant political contender at the local level in every region of the country, gaining most of its strength in areas with high concentrations of Muslim immigrants (Schain 2002, 229). Demographically, the National Front has had a tendency to draw support from both the far-right as well as left-leaning workers who view immigration as an economic issue.

While the National Front is known for its xenophobic platform, it is the mainstream parties that have had a tremendous impact upon immigration policy. Because public support for restricting immigration was so strong, from the late 1960s on, French governments continued to implement policies that were more restrictive regardless of what party was in power. For example, when the socialist-led government came to power in 1997, it vowed to remove many of the restrictions that had been implemented by more conservative governments. In response to political pressure, however, the socialist government only amended the restrictions rather than repealing them, which led to a sharp division within the governing coalition. When it finally passed a more moderate law in 1998 that repealed many of the harsher restrictions, Prime Minister Jospin expressed concerns "of playing into the hands of right-wing extremists" by pointing to polls which showed that 92% of the French public was in favor of additional restrictions on immigration (Adolino and Blake 2001, 126-127).

France's unique electoral system has certainly had an impact on party distribution within the government; it is neither a simple single-member district system, such as in Great Britain, nor do they use proportional representation. The French electoral system uses a double-ballot in which a set of two elections are held to determine who will become a member of the legislature or who will become the President. If no candidate receives an absolute majority of votes in the first election, then all legislative candidates who receive at least 12.5% of the vote, or the two Presidential candidates who receive the most votes, compete in a second run-off election. While France is divided into legislative districts, unlike

a simple single-member district system, the double-ballot system allows for the possibility for third parties to gain legislative seats, or potentially even the Presidency. In addition to the double ballot is a tradition of electoral coalitions. In other words, if two small parties with similar ideologies win enough votes to advance to the second round of elections often they will form coalitions in which one party will withdraw their candidate while encouraging their members to support the candidate of the other party. They do this with the hope that the candidate who remains in the race will be in a better position to win the election than if both candidates had competed.

The following tables demonstrate the ability of third parties, such as the National Front, to gain access to the political system. As the statistics below demonstrate, support for the National Front steadily increased through the 1990s, even garnering 15% of the vote during the first round of legislative elections in 1997, and almost 17% of the vote in the first round of Presidential elections in 2002. However, other conservative parties have been reluctant to form electoral coalitions with the National Front, hence the reason they have not gained more legislative seats.

Table 4.1 National Legislative Elections in France (Percentage of the First Round Vote and Resulting Seats)

	1981	1988	1993	1997
PCF	116.2 (44)	11.3 (27)	9.2 (24)	9.9 (37)
PS	37.5 (269)	34.8 (276)	17.3 (53)	25.6 (246)
PRS	(14)	1.1	1.8 (6)	(13)
Other Left	2.2 (6)	2	2.6 (8)	5.2 (16)
Moderates	—	—	1.2	—
UDF (Giscardians)	19.2 (61)	18.5 (130)	18.6 (207)	14.7 (109)
RPR (Gaullist)	20.8 (83)	19.2 (128)	19.8 (242)	16.8 (139)
Other Right	2.8 (11)	3.0 (13)	4.4 (36)	4.6 (8)
FN	0.4 (0)	9.7 (1)	12.4 (0)	15.1 (1)
Les Verts	1.1 (0)	0.35 (0)	10.7	6.3 (8)

Source: Hossay 2002, 327

Despite the fact that Le Pen received less than 18% of the vote during the second round of Presidential elections in 2002, the fact that he was even a candidate in the second round was very significant. After all, an extremist politician, who many viewed as a threat to democracy, actually received more first-round votes on a national level than numerous other candidates, including the Prime Minister, Lionel Jospin.

Table 4.2 Presidential Elections in France

	First Round	Second Round
1981		
Mitterand (PS)	25.8	51.8
Giscard d'Estaing (UDF)	28.3	48.2
Chirac (Gaullist)	18.0	
Marchais (PCF)	15.3	
Others	12.5	
1988		
Mitterand (PS)	34.1	54.0
Chirac (Gaullist)	19.9	46.0
Barre (UDF)	16.5	
Le Pen (FN)	14.4	
Others	15.0	
1995		
Chirac (Gaullist)	20.7	54.0
Lionel Jospin (PS)	23.3	47.4
Edouard Balladur (Gaullist)	18.0	
Le Pen (FN)	15.1	
Robert Hué (PCF)	8.7	
Others	13.7	
2002		
Chirac (Gaullist)	19.9	82.2
Le Pen (FN)	16.9	17.8
Jospin (PS)	16.2	
François Bayrou (UDF)	6.8	
Arlette Laguiller (LO)	5.7	
Jean-Pierre Chevènement (MDC)	5.3	
Noël Mamère (Les Verts)		

Source: Hossay 2002, 327

In the past couple of years, however, support for the National Front has dropped somewhat since mainstream parties continue to implement or support increasingly restrictive policies.

The Role of Parties in the United Kingdom

Whereas in France a radical right-wing party emerged as a threatening force to mainstream parties and therefore often had an impact on policies chosen by more moderate parties, party politics in regards to immigration policy has been a completely different issue in the United Kingdom. Although they might differ on the degree, both the Conservative and the Labour Party have consistently tightened restrictions on immigration for both Commonwealth citizens as well as other aliens. Because there has been support among both parties for restrictive immigration policies, support for the radical right-wing British National Front party, which was quite small to begin with, essentially fell apart after 1979 (Adolino and Blake 2001, 131).

Great Britain began restricting immigration several years before either France or Germany, partly because of the race riots during 1958. Over the course of a week in August 1958, riots occurred nightly between whites and blacks while police not only did little to stop them, but they even discouraged the press from referring to the riots as racial riots; no one was fooled. In response to increasing racial tensions, the Conservative Party introduced the Commonwealth Immigrants Bill in 1961. The Commonwealth Immigration Act of 1962 revoked the right of free entry for Commonwealth citizens by implementing a system in

which “individuals could enter the country only if they held Ministry of Labour work vouchers or if they were dependents on someone who did”, as well as created conditions under which individuals could be deported (Freeman 1979, 24).³

The Labour Party fiercely argued against the bill in 1961 and 1962, however, by 1965, after they had gained control of the government, they also began to argue that immigration controls were necessary; the Labour-controlled Parliament even went as far as significantly reducing the number of work vouchers that were available to non-Europeans, the only means of long-term entry (Freeman 1979, 53-54). The Labour-controlled Parliament also passed the Commonwealth Immigrants Act of 1968, which severely limited the number of nonwhite UK passport holders who were allowed to enter Great Britain; now only nonwhite UK passport holders who had family that had already settled in Great Britain were free from entrance restrictions. It also criminalized for the first time the illegal entry of Commonwealth citizens (Freeman 1979, 59).⁴ The Immigration Act of 1971, passed by a Labour government, expanded immigration control once again, denying immigrants from former colonies privileges that they previously had over other aliens as well as implemented an expansive system of internal controls such as broad police powers in regards to immigrants (Doty 2003, 50, 52).⁵

³ See also Money 1999, 68-69

⁴ See also Doty 2003, 48; Money 1999, 69

⁵ See also Money 1999, 70

In 1979, the Conservatives once again gained control of the Parliament. Which party controlled Parliament, however, seemed to have little impact on immigration policy, since both major parties continued to give in to public pressure to restrict non-European immigration. In 1981, the British Nationality Act was passed by the Conservative government, which significantly changed the citizenship policy from one based on place of birth to one based upon the nationality of the parents (Doty 2003, 45). The British Nationality Act also took away the remaining privileges, including voting rights, that Commonwealth citizens had over other immigrants. In addition, the Conservative government ratified the 1988 Immigration Act, which revoked the right of family reunification to Commonwealth citizens who settled after 1973 (Money 1999, 71).

Right-wing Parties and German Policy

Whereas France's double-ballot electoral system opens the door to potential electoral success for a wide range of political parties, and Britain's single-member district system hinders third party development, Germany has a mixed electoral system. In Germany, "each voter casts a 'first vote' for a particular candidate, and a 'second vote' for a party. Half the members [of the *Bundestag*] are elected through proportional representation; the other half are elected in single member districts" (Hossay 2002, 329). In other words, not only do German citizens vote directly for a specific candidate, but they also vote concurrently for a party list. Germany's mixed electoral system has certainly had

some impact upon the development and electoral success of Germany's far-right parties.

Despite having the largest percentage of foreigners of any European country, radical right-wing parties have never mustered any real strength in Germany, at least not on the national level; in fact, in the 2002 election the three far-right parties, the Republikaner (REP), the German People's Union (DVU), and National Democratic Party (NPD) only received approximately two percent of the national vote combined (Karapin 2002, 187). Until the mid 1990s, when the party leader made a disastrous attempt to take their party to more extremes, the Republikaner party was the most prevalent far-right party within Germany. Even when the Republikaner party was the largest far-right party in Germany, as the table below demonstrates, it was still unable to capture any legislative seats at the national level.

Table 4.3 National Legislative Elections in Germany (Percentage of Votes and Resulting Seats)

	1990/ Direct	1990/ List	1994/ Direct	1994/ List	1998/ Direct	1998/ List	2002/ Direct	2002/ List
SPD	35.2% (91)	33.5% (148)	38.3% (103)	3.5% (149)	43.8% (212)	40.9 (86)	41.9% (171)	38.5% (80)
CDU/CSU	45.7% (235)	438 (84)	45.0% (221)	41.4% (73)	39.6% (112)	35.1% (133)	41.1 (125)	38.5% (123)
Die Grünen	4.4% (0)	3.8% (0)	6.5% (0)	7.3% (49)	5.0% (0)	6.7% (47)	5.6% (1)	8.6% (54)
FDP	7.8% (1)	11.0% (78)	3.3% (0)	6.9% (47)	3.0% (0)	6.2% (43)	5.8% (0)	7.4% (47)
PDS	2.3% (1)	2.4% (16)	4.1% (4)	4.4% (26)	4.9% (4)	5.1% (32)	4.3% (2)	4.0% (0)
Republikaner	1.7% (0)	2.1% (0)	1.7% (0)	1.9% (0)	2.3% (0)	1.8% (0)	0.1% (0)	1.6% (0)

Source: Election Resources Online

The Republikaner party, even in its prime, has not been able to garner much support. "The percentage of Germans intending to vote for the anti-immigrant party 'Die Republikaner' has remained relatively low since the group's founding in

1983, never exceeding 10% of the population nationwide. General opposition to foreigners, on the other hand, is more prevalent" and in 1991 a slight majority even opposed foreigners (Fetzer 2000, 87, 124).

While far-right parties have not had significant success on the national level, the parties have experienced limited success in local and regional elections such as in 1992 when the DVU received 6% of the vote in Schleswig-Holstein, and in 1998 when DVU won 16 seats in the regional parliament in Sachsen-Anhalt; however, their appeal has not been widespread. For example, in the former East Germany there tends to be higher rates of xenophobia than in West Germany along with sporadic violence against foreigners, and yet there is significantly lower than expected levels of electoral support for radical right-wing parties (Karapin 2002, 193).

Part of the reason some argue that immigration policy has not been a more salient political issue is that German governments never acknowledged that they had immigrants within their borders. To them, they were either ethnic Germans who belonged, or guest workers who would only be there temporarily (Karapin 2002, 197). When it became a political issue, it was mainly the asylum policy that was addressed. In addition, when immigration was politicized, even if far-right parties initially brought it to the voters' attention, it was politicized much more effectively by mainstream parties who often added a sense of legitimacy to the issue that was lacking from the extremist parties (Karapin 2002, 209).

Another reason radical right-wing parties have not gained a big foothold is due to the constitutional restrictions placed upon political parties, which prevent

them from endorsing platforms that are blatantly racist. According to Article 21 of the Basic Law, “parties that want to restrict or eliminate the free and democratic system of government in the Federal Republic of Germany or pose a threat to its existence are unconstitutional” as well as parties that are deliberately xenophobic (Bundesregierung Online). Government officials have little tolerance for racist parties, and they have made an effort to outlaw them when necessary. In 2001, the Germany government initiated proceedings with the Federal Constitutional Court in an attempt to outlaw the far-right NPD, but in 2003 the Court decided to suspend the proceedings due to a technicality (Bundesregierung Online).

This is not to say that far-right parties never made their presence known. As the number of foreigners in Germany grew, so did the support for radical right-wing parties. “The media often exaggerated the nature of the population inflows, and some politicians, particularly those associated with extremist parties, manipulated these issues to their own advantage” (Adolino and Blake 2001, 121). However, mainstream parties usually had the most impact. For example, in 1993 the conservative CDU/CSU coalition introduced legislation that would amend Article 16 of the Basic Law, which would restrict grounds for granting asylum and prevent individuals from seeking asylum if they had entered Germany through a “safe country”. While the amendment was vehemently opposed by the leftist SPD at first, public opinion was so powerfully in favor of the changes that the SPD finally conceded for fear of a substantial electoral backlash (Adolino and Blake 2001, 122).

For the most part, far-right parties in the late 1980s enjoyed moderate electoral success on the local and regional level. Interest in far-right parties, however, declined rapidly immediately after reunification. A short spike in support occurred in the 1992 elections due to the salience of the asylum issue, but “the passage in 1993 of a constitutional amendment restricting the right of asylum deprived the Republikaner party of its major appeal” (Hancock, et al. 2003, 215).

Conclusion

While some researchers such as Karapin argue that extreme-right parties act as an instigator, fueling xenophobic hatred, I believe that they act more as a conduit, channeling the desires of its constituents. This is evident in the fact that support for these parties declines when immigration issues no longer are salient. However, the role they play in immigration policy formation is clearly not a direct one. At times they have successfully pressured mainstream parties to address the issue of immigration, and at other times traditional parties have taken the lead, hindering the development of far-right parties. While this and previous chapters dealt with factors that have had a peripheral impact on immigration policy, the next chapter will address what I believe is the most salient issue.

CHAPTER V

IMMIGRATION POLICY'S CULTURAL DIMENSION

Introduction

France, Great Britain, and Germany despite similar (although not identical) economic structures and experiences have considerably different immigration policies, while all restrictive, target distinctly different groups. If neither economic conditions nor political parties can adequately explain changes in immigration policy, what else has significant influence? Policy variations among these three countries can be explained by their cultural differences, differences that help define national identity. While some of the literature regarding immigration policy agrees that it is "driven in no small measure by attitudes and beliefs shaped by national cultures and histories" (Hollifield 2000, 172), not much has been done to explain in more detail how differences in culture lead to dissimilar policies.

This chapter discusses the role specific cultural factors play in immigration policy, especially compared to economic and political factors. Like nationalism, culture is incredibly difficult to define or measure. Both Anderson and Poole argue that it is cultural features and norms that are the foundation of national identity. Poole characterizes culture as representative objects that have meaning for "those with the appropriate cultural knowledge and identity", the way "these

objects are created, recreated and modified”, and “the process by which human individuals acquire various social identities” (1999, 13).

Why is culture so important? Anderson argues that national identity can only be understood in cultural terms; “nationalism has to be understood by aligning it, not with self-consciously held political ideologies, but with the large cultural system that preceded it” (1991, 12). Within each country, regardless of history, economic performance, military power, or global position, a distinct sense of national identity is fostered through common cultural features such as ethnicity or religion.

We can see that an important element of a national culture is that it is distinctive – it enables those who belong to it to distinguish themselves from others; and this distinctiveness, it seems, is the crucial aspect of *national* culture. This difference is what enables people to draw a boundary between themselves and others – to *identify* themselves; a national identity therefore rests on cultural differences (Cole 2000, 109, emphasis his).

Each national culture emphasizes different cultural aspects, and it is these different cultural emphases that have a profound impact on immigration policy. Governments that foster the idea that cultural diversity is beneficial to a country will have more open policies than countries that promote the idea that a country’s language or a certain cultural feature is something that should be protected. “National myths and self-images can be particularly important for understanding policy reform because they allow political leaders to portray their preferred policy outcomes as consonant with a nation’s self-identity” (Adolino and Blake 2001, 104). Cultural diversity is not something that has traditionally been encouraged or celebrated in these three countries, and as a result, each of these countries

have relatively restrictive immigration policies. While this is no surprise, little research has been done to explain the differences among these policies. While all three have policies that are restrictive, each country excludes different groups than the other two.

Why is national identity important? “[N]ational identity is the primary form of identity available to us...it underlies and informs all our other identities, and...in case of conflict it should take priority over them” (Poole 1999, 67). One way to maintain a country’s perceived national identity is to emphasize the importance of keeping cultures distinct. While declaring that certain peoples are incompatible with the perception of a nation is viewed as inflammatory and xenophobic, claiming that other cultures should be respected by remaining distinct from other cultures is socially acceptable because it emphasizes the importance and value of cultural differences (Doty 2003, 20). While emphasis on cultural distinctions may seem innocent, it often leads to social conflict through the perception that different cultures are incompatible with the mainstream society. Perceptions of incompatible traits often produce social conflict, which then leads to a push for restrictive immigration policies in the name of protecting those traits.

Certain cultural aspects of a given country have a tremendous impact upon the acceptance or rejection of specific immigrant groups, which in turn impacts both immigration policies as well as citizenship laws. “Where citizenship is based on a common history and tradition, language, religion, or racial characteristics, there should be a low tolerance for immigrants. On the other

hand, where citizenship is defined by political participation, tolerance of migrants should be greater" (Money 1999, 28). The citizenship laws of these three countries, although altered through the years, historically reflected an emphasis on common cultural features rather than the liberal democratic goals of tolerance, equality, and participation. These citizenship laws will be discussed shortly.

France: Catholicism and Immigration

Since no two countries have identical national cultures, then specific cultural features should have a distinctive impact upon immigration policy. So what role does culture play in policy formation? Which cultural aspects in each of these three countries contribute to differences in immigration policies? In France, the most predominant cultural feature that influences immigration policy is religion, specifically Catholicism. How could Catholicism play such a dramatic role in a country that prides itself on its secularism? For centuries Catholicism was the predominant religion in France to such an extent that it is now part of their social identity, regardless of the state's secular stance or whether or not one is actually a practicing Catholic. As Poole stated, "culture provides the necessary support for their identity and, as they live, they reproduce that culture" (1999, 109).

After the French Revolution in 1789, which embraced the idea of a separation between church and state, discrimination against non-Catholics was still clearly evident. Protestants who were expatriated in the years before the Revolution were forced to take a civil oath before they were able to regain their

French citizenship whereas all others were automatically granted French citizenship (Brubaker 1992, 87). In addition, "French colonialism typically involved a notion of a *mission civilisatrice* in which the metropolitan culture attempted to impose a uniform identity on its dependent regions and, in the nineteenth century, colonization required cultural assimilation" (Turner 2001, 209). It was not until the twentieth century, however, when most French citizens really began to accept the idea of a separation between church and state, a concept that was fiercely contested by many during the nineteenth and early twentieth century (Hollifield 1999, 59).

In his research on the causes of xenophobia, Joel Fetzer notes that since the mid 1880s, Catholic clergy and other leaders have often supported immigrant rights, however rank-and-file Catholics clearly have not. Fetzer contends that ordinary Catholics have historically been much more threatened by immigrants because most of them are nonpracticing and therefore less secure in their cultural identity and threatened by the loss of Catholic supremacy (2000, 59-60). Other researchers have stated that although European countries such as France espouse the separation of church and state, when compared to the United States, "church and state are (still) insufficiently differentiated" (Joppke and Lukes 1999, 17).

The impact of Catholicism on support for immigration policy manifests itself in several manners. For instance, typically, support for anti-immigration parties is believed to be tied to economic changes, and initially this seems to have been the case in France. Support for Le Pen and the National Front

decreased as real wages increased, and support increased as unemployment increased. However, “no potential cause achieves significance” suggesting “that public views of Le Pen respond more to the momentary ‘gaffes’ of this incendiary French politician than to such structural changes as the state of the economy” (Fetzer 2000, 86). In addition, actual economic conditions do not have as great an impact as *perceived* economic conditions; “believing that immigrants threaten natives’ or one’s own job dramatically increases opposition to immigrants” (Fetzer 2000, 118).

Even the impact of economic perceptions, however, does not have as dramatic an impact upon xenophobia as identifying oneself as Catholic (regardless of whether one is a practicing or non-practicing Catholic). Studies have found that Catholicism, as France’s dominant religion, has a substantial impact on anti-immigrant sentiment, more so than even economic perceptions. French citizens who identified themselves as Catholic were significantly more likely to dislike foreigners than Protestants, Jews, or agnostics (Fetzer 2000, 114). In fact, Joel Fetzer, who conducted a statistical analysis on public attitudes toward immigration, found that Catholicism had a statistically significant impact on negative attitudes toward immigration, while “poverty, unemployment, and poor finances all fail to produce statistically significant effects on any form of xenophobia” (Fetzer 2000, 116).

Not only does Catholicism have an effect upon anti-immigrant sentiment, but it also influenced immigration preferences. For instance, immediately following World War II, it was clear to French demographers that immigration

would be necessary in order to replace the 2.1 million citizens, mostly able-bodied workers, who were lost during the course of the two World Wars. In 1950, Alfred Sauvy, one of France's leading demographers and the founder of the French journal *Population*, maintained that France should implement extensive recruitment of migrant workers from Spain, Portugal, and Italy, all exceedingly Catholic countries. He even went as far to argue that recruiting workers from these "culturally compatible" countries would help France rebuild their economy more effectively (Hollifield 1994, 147).

From shortly after World War II until 1974, French immigration policy consisted primarily of bilateral agreements with sending countries, beginning with Spain, Portugal, Italy, Poland, and Russia. No two agreements were the same; in fact, "every nationality group had its own set of legal rights and duties and its own *limits* on numbers" (Freeman 1979, 74, emphasis his)¹. Even these numbers and regulations, however, followed cultural lines. The range of regulations for particular groups from more favorable to less favorable even seemed to be ranked according to similarities to French culture. The French government was aware that many of the countries with whom it had signed bilateral agreements had drastically different languages and cultures, and from the onset it was much more concerned than many other Western European countries in assimilating immigrants. This was evident in the fact that they were more concerned than the other European countries about teaching immigrants language skills. Likewise, for several years following World War II "immigration

¹ See also Hollifield 1994, 151

was almost always considered in either strictly demographic or strictly economic terms, or some mixture of the two, but was rarely linked to questions of race” (Freeman 1979, 40, 76). The key reason it was never considered a racial or cultural issue was because immigration was viewed as a temporary means of economic growth and not as a permanent fixture in French society; when immigrants were no longer needed it was assumed that they would return to their country of origin (Feldblum 1999, 21).

Between 1946 and 1968, French governments tacitly encouraged illegal immigration by allowing illegal immigrants to receive papers if they met certain requirements. In 1954 less than 15% of foreigners living within France’s borders were from Muslim countries, including Algeria; from 1946 to 1955, immigrants from Spain, Portugal, Poland, and Italy accounted for over 70% of annual immigration (Hollifield 1994, 151). By 1990, however, over half of the foreign population was Muslim, many of whom were initially illegal immigrants. In 1969 the French government drastically scaled back its process of regularization in which some illegal immigrants were granted legal documentation. These cutbacks had different impacts on different groups of immigrants, and although the government seemed to be attempting to control immigration as a whole, “the real effort was not to reduce the number of immigrant workers, but to select them more carefully” (Money 1999, 108). From this point on, individuals from European countries were not only tolerated, but even encouraged to migrate while non-Europeans, who were typically North African Muslims, were usually prevented from legally entering the country, and those that were already in

France were often sent back home during times of high unemployment² (Freeman 1979, 87-88).

Some argue that as the number of foreigners within a particular country increases, so will xenophobic backlash. This has not been the case within France. Sheer numbers of foreigners within its borders do not “explain over-time variations in French opinion toward foreigners” (Fetzer 2000, 61). Rather, anti-immigrant sentiment is more closely tied to the presence of particular immigrant groups, specifically non-European immigrants. Even after the policies that strongly encouraged non-EU immigrants to return to their country of origin had been implemented, over half of the foreigners within France were from Algeria, Morocco, Tunisia, and Turkey alone (Adolino and Blake 2001, 124)³. As the percentage of non-European immigrants in France increased, especially after implementing policies to encourage them to leave, xenophobia has grown stronger.

Even citizenship laws in France leave the door wide open for arbitrary discrimination. In France a person can become a citizen if he or she is over 18, has lived in France for at least 5 years, speaks and writes French, proves he or she is loyal to France, and has not been convicted of a criminal offense. However, after an application has been filed approval hinges upon a thorough investigation conducted to determine whether or not one has assimilated, which, broadly defined, creates an obvious opportunity for application rejection.

² See also Doty 2003, 63; Money 1999, 108

³ See also Hollifield 1994, 151

The religious impact on immigration issues has been even more prominent within the past few months. Just a couple of months ago, the French National Assembly overwhelmingly approved a proposal by a 494 to 36 vote that would outlaw any religious symbol or clothing in public schools and hospitals, claiming it is an attempt to promote multiculturalism; around 70 percent of the population supports this legislation. French President Jacques Chirac was quoted as saying that such symbols and articles of clothing actually weaken national cohesion. He also stated that he was opposed to creating additional national holidays representing religions other than the Catholic majority. Others, including human rights groups, however, argue that such a law would only add to the stigmatization of the Muslim minority (Bittermann 2004).

The United Kingdom: Racism and Immigration

Like France, immigration policies in the United Kingdom also reflect the impact of cultural values. However, the cultural emphasis is not on religion as in France, but on racial differences. Some observers argue that unlike other liberal democracies such as the United States, Britain has gone from a less racist policy to a more racist one, instead of the other way around (Freeman 1979, 45). Over the past forty years many changes have been made to immigration and citizenship laws. Politicians have argued that they are merely clarifying the ambiguity of previous acts; it was only a coincidence, they claim, that these clarifications happen to exclude mainly immigrants of color (Cole 2000, 35).

During the nineteenth century, Britain expanded its colonial base to the point where just after World War I the British government controlled one-fifth of the world's land mass and one-fourth of its population (Kumar 2003, 35). During this time, "the imperialist burden of superior races to educate and civilise the world became a significant part of British national imagining...and being British was conceived as a near *racial* identity" (Poole 1999, 41-42, emphasis his). A sociology scholar, Krishan Kumar, terms British national identity "missionary nationalism" (2003, 31). Missionary nationalism is characterized by a group or a state that dedicated to a larger cause, and individuals within that group or state get their "principal identity and sense of belonging in the world from its role as carrier of the imperial mission" (34). Kumar adds that it was the Industrial Revolution that succeeded in initiating a "pan-Britannic" identity by integrating Britain's different regions; however, it was the empire "where all Britons displayed themselves; where, especially in relation to non-white and non-European cultures, they found a common identity and a common purpose" (169, 170).

Even after Britain began losing control over its vast empire, the idea of racial superiority was still evident. In 1948 Parliament passed the British Nationality Act, which divided citizenship into different categories. Although this act made a distinction between U.K. and colonial citizens, and citizens of newly independent Commonwealth countries, both groups were given similar rights and privileges. The idea that this would later lead to large-scale immigration from Commonwealth countries seemed not to have occurred to members of Parliament. Part of the reason for this is that after World War II Commonwealth

countries established “their own national citizenship in order to be a recognized member of the world community” (Karatani 2003, 116, 119).

The British government established these rights and privileges for Commonwealth citizens as an incentive because they wanted to keep certain countries, especially India, under the banner of the British Commonwealth for both political and economic reasons. India is strategically located within Asia and it provided a substantial number of troops for Britain’s imperial army. Economically, India accounted for roughly one-third of Britain’s exports. Politically there were concerns in the late 1940’s that countries that left the Commonwealth would fall under communist control and the hope that Britain would be able to influence the policies of Commonwealth countries (Karatani 2003, 121-122).

Like most Western European countries after World War II, the United Kingdom faced labor shortages in many economic sectors. Instead of relying on Commonwealth countries for labor, however, the government instituted the European Volunteer Workers program which recruited laborers from mainly Eastern European countries and Ireland. Between 1946 and 1951, almost 200,000 workers were brought into Great Britain. During that same time period, 417 Jamaicans arrived and by law were entitled to all of the rights and privileges of British citizens. “During the month of their arrival, however, the Minister of Labour, George Isaacs, stated, ‘I hope no encouragement is given to others [Jamaicans] to follow their example’” (Karatani 2003, 127). While accepting labor immigration from other European countries, the British government

simultaneously tried to convince colonial governments that jobs were in short supply in the United Kingdom, thereby discouraging immigration from those countries.

When it became clear that immigration from Commonwealth countries would remain steady, the Commonwealth Immigration Act was drawn up and finally passed in 1962. The Commonwealth Immigration Act of 1962 revoked the right of free entry for Commonwealth citizens by implementing a system in which “individuals could enter the country only if they held Ministry of Labour work vouchers or if they were dependents on someone who did.” It also created conditions under which individuals could be deported⁴ (Freeman 1979, 24). Although political leaders justified the restrictions by stating that they were merely temporary measures, memos discovered later stated that the purpose of the Act was to prevent “the ‘dangers of social tension inherent in the existence of large unassimilated coloured communities’” (Karatani 2003, 128).

In his book, which is strongly opposed to immigration into Great Britain, Anthony Browne, the Environment Editor of *The Times* and former Economics Reporter for the BBC, argues that historically with immigration comes the “destruction of cultures” and “cultural obliteration” (2002, 26). In fact, he goes as far as to claim, “the imperative to publicly celebrate multi-cultural Britain is obviously a reaction to the fact that actually there is widespread public unease with the whole notion” (103). He argues that immigration should be halted

⁴ See also Money 1999, 68-69

because, contrary to the official stance, it isolates entire communities rather than providing cultural enrichment (104).

Browne is not alone in his argument against immigration; even though former colonies were given preferential treatment in regards to immigration, most British citizens "did not, however, welcome the racially and ethnically distinct migrants from the New Commonwealth, believing that they would not be easily assimilated. Thus strict controls have always been justified by political leaders as being essential for good race relations in the country" (Adolino and Blake 2001, 129). "British immigration policy has since 1962 been moving steadily and without significant deviation toward an ever more restrictive, more overtly racist, and more inflexible position, but has done so not by conscious design but in retreat" (Freeman 1979, 45). Gradually, Great Britain's immigration policy has grown considerably more restrictive, consistently expanding differentiation between "us" and "them" (Doty 2003, 46, 51). Recent immigration legislation has continued to place restrictions on immigrants from different cultural backgrounds. For example, the 1988 Immigration Act revoked the right of family reunification, which included placing restrictions on the entry of polygamous wives, and the British Nationality Act of 1991 severely restricted both rights of entry and the possibility of citizenship for residents of Hong Kong (Money 1999, 71).

Likewise, citizenship laws have also become increasingly restrictive. In the United Kingdom, citizenship laws were changed most recently in 1983. Now citizenship is based almost primarily on nationality or legal status of the parents rather than place of birth, as it was previously. Over the course of the years

citizenship has been revoked by British passport holders from Commonwealth countries; now if they wish to become a British citizen they must go through the entire application process. Children born in the United Kingdom only become citizens if at least one of their parents is either a British citizen or a legal resident; previously children only had to be born in the United Kingdom or one of its territories in order to gain British citizenship.

Germany: Ethnicity and Immigration

Historically Germany's national identity, as well as immigration policy, has been characterized by ethnicity; many political leaders deny Germany is a country of immigration, while at the same time more individuals migrate to Germany than any other European country (Adolino and Blake 2001, 119). In fact, almost one out of every 10 individuals living in Germany is a foreigner according to Germany's legal definition (Chapin 1997, 1). Germany's emphasis on national identity is reflected in its post-World War II immigration policy, or rather, lack thereof; for decades, ethnic Germans from Eastern Europe and the Soviet Union were allowed to enter freely while other migrants were carefully regulated, often through the use of temporary work permits. National identity "is often used as an argument for the existence of special obligations. It is suggested that I have a responsibility to my compatriots that I do not have to other – perhaps equally deserving – foreigners" (Poole 1999, 70). By 1950 almost 12 million ethnic Germans had migrated to Germany; between 1950 and 2000 an additional 4.1 million ethnic Germans arrived with approximately

100,000 more arriving each year. These settlers have historically gotten more governmental assistance, including financial assistance as well as the benefits of employment and language programs (Oezcan, 2002).

This ethnic basis for immigration and citizenship laws had its foundation in Wilhelmine Germany in the late nineteenth century.

Migrant labor was economically indispensable in eastern Prussia in the Wilhelmine era. Yet immigrants – ethnic Poles from Russia and Austria – were not wanted as citizens, for no one believed that they could be made into Germans....[The belief that they could not become Germans] was powerfully reinforced in the Wilhelmine era by the increasingly evident failure of attempts to assimilate indigenous Poles in the Prussian east. Having failed to secure the political loyalty of Poles to the German state, and having failed to assimilate them to German language and culture, Prussian and German policy toward the indigenous Poles became increasingly “dissimilationist.” The state openly discriminated by ethnic nationality, treating ethnic Germans and ethnic Poles differently in an effort to “strengthen Germandom” in frontier districts (Brubaker 1992, 15-16).

German citizenship law changed in 1913 to include only those who had German ancestry and exclude anyone else. Before this point, Germans who lived abroad for more than ten years lost their citizenship (Brubaker 1992, 114). This was not a large leap from previous citizenship laws given that since the early nineteenth century citizenship was only available to those born in Germany of German parents; citizenship was routinely denied to those born and raised in Germany to non-ethnic Germans, particularly Poles, a policy referred to as *Polenpolitik* (119, 127). Nineteenth century Prussia placed such strong emphasis on an ethnic base for citizenship because ethnic “descent creates a more substantial community than the ‘accidental fact’ of birthplace. Descent binds the individual more closely to the destiny of the state” (123). In addition,

during the mid to late 1880s ever-increasing birthrates provided little need for immigration (124).

For decades Germany has declared that it is not a country of immigration, yet approximately 20 million people have migrated to Germany since the end of World War II. How then, can Germans argue that it is not a country of immigration? They argued this for two reasons; the 16 million ethnic Germans who moved to their ancestral home since 1946 were not viewed as immigrants in the eyes of German law, at least not until 1993. These individuals were not considered immigrants by the government but rather they were more considered distant relatives who had been expelled but now were returning home to resettle. Second, in many senses, the foreign laborers who characterized German immigration until 1974 were also not viewed as immigrants because their stay in Germany was intended to be temporary. Beginning in the 1950's it became clear that more laborers would be needed to help fuel Germany's economic miracle, than were available within Germany. The German government began implementing a "guest worker" program, which recruited workers from a variety of countries by issuing temporary work and residency permits. After the permits expired, typically one to two years, the worker was expected to return to his country of origin. These permits, however, were often renewable, and many workers chose not to return to their home.

Slowly the German government realized that their revolving door policy regarding foreign laborers was unrealistic. In addition to the inability to deny residence permits to individuals who had repeatedly renewed their residence

permits, the 1971 Ordinance on Work Permits allowed guest workers who had been employed for at least five consecutive years to get a work permit which would be valid for five years instead of one, and it would not be dependent on economic conditions (Chapin 1997, 15). In 1973, the German government banned the entry of additional guest workers and encouraged those in Germany to return to their country of origin; however, immigration remained steady, mainly due to family reunification.

When it became clear that zero immigration policies implemented in 1973 were not having the desired impact, the government began to aggressively pursue measures to convince foreign workers to leave Germany. These programs, which were implemented and highly promoted from 1981 to 1984, used different monetary incentives to convince a larger number of foreign workers to return home. "A 1983-1984 program offered a departure bonus of \$5,000 for workers who would surrender their work and residency permits. In addition their social security contributions were refunded immediately upon arriving in their home countries" (Chapin 1997, 17-18). This, however, only caused a short-term reduction in the number of foreigners within Germany.

Germans' denial that Germany is a country of immigration can also be seen through their citizenship laws up until 2000. Despite the fact that the government had ended labor migration, the number of foreigners living within its borders continued to steadily increase, due mainly to family reunification and high birthrates among foreigners. Germany has only recently changed its citizenship laws, officially recognizing for the first time that being German can no

longer be connected with ethnicity. In 2000 a new citizenship law was passed, and “for the very first time, children born to foreigners in Germany automatically receive German citizenship, provided one parent has been a legal resident for at least eight years” (Oezcan 2002). The new law also recognizes the fact that over half of the “foreigners” living in Germany have been there for over 20 years, and therefore has made it easier for legal residents to become naturalized citizens.

There continues to be a debate within the government about the necessity of continued immigration. While supporters point to demographic concerns and employment needs in high-skill sectors of the economy, opponents point to chronically high unemployment rates and the lack of integration of foreigners currently in Germany. In 2001 a government-appointed commission presented a set of proposals that promoted a controlled immigration policy in which a point system would be used to select 20,000 immigrants annually based on education, language ability, and other criteria, with the ability to increase the quota up to 40,000 in the event of a labor shortage. These immigrants would be allowed to stay in Germany for five years, during which time the government would gather information to determine if the program was achieving its objectives and decide whether to alter the program. The commission also argued for the implementation of extensive language programs to assist the integration of foreigners within Germany (Oezcan 2002). However, these proposals failed to pass due to opposition in the Bundesrat.

Conclusion

Distinct cultural features such as ethnicity or religion serve to foster a sense of national identity, and therefore, these features have a profound impact on immigration policy. In France, despite the fact that it considers itself a secular country, Catholicism remains a part of the French national identity. Distinctions are made in the United Kingdom along racial lines, and in Germany along ethnic lines. What implications does this have for the future? The next section will consider the impact of a common European immigration policy as well as suggest areas for further research once a common policy has been implemented.

CHAPTER VI

CONCLUSION: IMPLICATIONS OF A CULTURAL IMPACT ON A COMMON IMMIGRATION POLICY

Introduction

Throughout this paper I have tried to determine the factors that drive immigration policy. While economics certainly play a role, I have concluded that policy is often the result of cultural factors as a facet of national identity. In fact, many times national identity is the lens through which all other factors are viewed, both by the public as well as policy makers; this is why the French often address immigration in religious terms, the United Kingdom usually as a racial issue, and Germany as an ethnic matter. Other factors, however, also influence immigration policy and in many instances perception plays a much more powerful role than fact when determining one's views on immigration; if individuals feel that their job, religion, culture, etc. is threatened, they will be less open to immigration, regardless of whether or not the threat is real. In fact, many researchers argue that the heightened tension and increased incidences of overt racism and xenophobia associated with immigration are often a result of a social construction of what Europe is supposed to be (Koser and Lutz 1998). This problem has only been compounded in recent years; as Europe as an entity has become more politically defined, a greater emphasis has been placed on differentiating between "Europeans" and "outsiders" (8).

This is not to say that national identities never change, however change is incremental. Shifts in national identity can be witnessed, for example, in Germany where in the last ten years less emphasis has been placed upon ethnicity as the basis of immigration and naturalization. Slowly, the definition of "German" is expanding to include those who have been born and raised in Germany to non-German parents as well as to long-term immigrants. In addition, there is the slow development of a European identity that some hope will someday challenge individual national identities for primacy. However, since identities are slow forming, a dominant European identity will not be widespread anytime in the foreseeable future.

Many researchers such as Zimmermann and Layton-Henry argue that immigration policy is determined primarily by economic factors, which I have shown is not necessarily the case. In both France and in the United Kingdom, immigration policy has often defied economic expectations, typically by the addition of restrictions during times of economic expansion; Great Britain in particular often ignored economists who called for additional workers to fuel a growing economy by increasingly restricting immigration. This is not to say that economic conditions do not have any influence over policy changes; in fact changes in the guest worker system in Germany have a close correlation to economic conditions. However, the fact that changes in immigration policy have often defied economic explanation clearly demonstrates that some other factor must have significant influence on immigration policy.

In addition to the impact of economic conditions, the role of political parties in immigration policy formation was also examined. Political parties are supposedly designed to channel the desires of its constituents, and additional restrictions in immigration policy are often credited to extreme-right parties. In almost all cases, however, these radical parties do not gain enough electoral strength to be a viable part of the government, so they usually do not play a direct role in policy formation. On the other hand, if these parties are perceived as a threat by mainstream parties, as happened to a certain extent in France, they "can force traditional parties to rearrange their policy platforms, their priorities for government, and, ultimately, the very nature of immigration policy reform" (Adolino and Blake 2001, 106). For example, in 1997 in France the National Front gained enough support to become a significant contender at the local level in almost all regions of France. While it did not gain enough support to become part of the national government, it was able to force the socialist government to retreat from its goals to remove many immigration restrictions.

In other cases, as was evident in Germany and Great Britain, traditional parties may take the lead in restricting immigration with little far-right party pressure, thereby hindering the development of radical parties before they even become an electoral threat. For example, in the United Kingdom both Conservative and Labour governments have consistently tightened immigration policy. In addition, Germany has both constitutional restrictions as well as a strong aversion to fascism that has hindered the development of far-right parties. In fact, in 2001 the German government attempted to persuade the Federal

Constitutional Court to ban the radical rightwing NPD party because of its racist platform, although the attempt failed due to a technicality.

Since political parties act more as a conduit, and since economic factors alone cannot explain policy variations among these three countries, I argue that immigration policy can often be explained by cultural differences, differences that help define national identity. Within each country, regardless of history, economic performance, military power, or global position, a sense of national identity is fostered through common cultural features such as ethnicity or religion, and countries emphasize different aspects in shaping their national culture. Cultural features as a facet of national identity are incredibly important, because they differentiate between who belongs and who does not. It is these different cultural emphases that have a profound impact on immigration policy, hence the reason France's policies target Muslims, while Germany focuses on anyone without Germany ancestry, and Great Britain tries to exclude nonwhites. While some would argue that a cultural impact is no surprise, little research has been done to explain the differences among immigration policies, which while all restrictive, are restrictive in very different ways targeting different groups.

In each of these three countries, economic conditions, political parties, and cultural features have played a different role at different times. For instance, in France immigration was not a contested political issue until 1968; in fact, the government virtually encouraged illegal immigration for over twenty years. During this time, immigration was viewed mostly as an economic issue since the entire immigration system was organized in such a way as to provide foreign

labor to necessary industries when needed. French officials and citizens alike assumed that when the economy slowed, so would immigration flows and immigrants already in the country would return home. The proliferation of immigrant slums around large cities and the ever-increasing number of migrants regardless of economic conditions forced citizens and officials to realize that these migrants were here to stay.

Even during these two decades, however, there was a cultural aspect to immigration. This is evident in the fact that when labor migration was initially needed, immigration officials recruited heavily from countries that were deemed "cultural compatible", particularly highly Catholic countries such as Spain and Poland. In addition, official immigration policy used bilateral agreements to control who was allowed legal entry and what kind of restrictions were placed upon them once in France, and these bilateral agreements also followed cultural lines in which culturally compatible countries were allowed a larger number of immigrants with fewer restrictions. Also apparent were the increasing attempts to stem the flow of North African Muslims, particularly Algerians after 1964. After 1969, cultural factors played an increasingly influential role in immigration policy in which illegal immigration was drastically curbed and official policy became much more selective and restrictive.

In the 1980's a socialist government eased restrictions somewhat, although considerable public pressure prevented the government from opening immigration policy significantly. Part of this was due to the emergence of a viable radical right-wing National Front party, which, by the early nineties evolved into a

serious electoral threat. Part of the appeal of the National Front, however, is due to cultural issues and the threat to French national identity. Even today, mainstream parties are supporting policies designed to protect French national identity, such as the proposed headscarf ban which both the National Assembly and the Senate passed earlier this year.

The impact of different factors is also evident in the case of the United Kingdom. For political reasons, Britain's former colonies initially received the same right of free entry as British citizens. Beginning in 1962, however, cultural factors became more important than political ties with former colonies; from 1962 on, entry restrictions were placed upon citizens of former colonies, and immigration policies became increasingly more restrictive. Even the Labour government, which initially supported immigrant rights, imposed additional restrictions in 1965 upon both citizens of former colonies as well as labor migrants. The laws passed in 1961, 1965, 1968, 1971, 1981, 1987, and 1999 all added additional restrictions for non-white immigrants, regardless of whether or not they came from former colonies.

Germany also experienced varying influences upon its immigration policy. From 1945 until 1955, practically the only individuals who came to Germany were people with German ancestors; during these ten years, over 12 million ethnic Germans settled in Germany from central and eastern European countries. From 1955 until 1973, the German government based their immigration policy upon economic conditions; in 1955 it created the guest worker system that recruited foreign laborers in times of economic expansion, decreasing the

number of migrant workers admitted into the country in times of recession. The program was designed in such a way that workers were expected to return to their country of origin after one to two years. While this particular program corresponded with economic conditions, the fact that it even existed is clearly influenced by national identity. It was called the "guest worker" system because it was not intended that these individuals would stay in Germany permanently.

Beginning in the late 1960s and early 1970s, it became increasingly evident to Germany officials and citizens that the guest worker system was ineffective in that foreign laborers often did not leave. For the next decade the government implemented several programs designed to compel foreigners to return to their country of origin. During this timeframe, however, ethnic Germans were still allowed to permanently settle in Germany, receiving additional assistance from the government, and easily gaining citizenship, all benefits denied to other foreigners. Slowly, however, this mindset is changing as economic concerns clearly point to the need for a more open immigration policy and a better system of integration. Beginning in the early 1990s, benefits given to ethnic Germans have been limited and the right of entry has been somewhat restricted. In addition, in the past five years there have been several attempts by the government to loosen immigration restrictions and it has eased requirements on gaining German citizenship.

A Common EU Policy

Issues regarding open versus restrictive immigration policies are coming to a head for two reasons: first, the European Union is in the process of formulating a common immigration policy, and they have recently established common asylum guidelines; second, the expansion which added 10 additional countries to the EU has raised some serious questions about the freedom of movement traditionally granted to member states, as well as questions of how to define what it means to be European. An issue that Europe has dealt with for years is whether (and how) to formulate a common immigration policy. The Treaty of Amsterdam, which was ratified in May of 1999, was the first major step in forming a common policy by giving the European Union some jurisdiction over immigration. The treaty set a deadline of five years for the formulation of a common policy regarding asylum issues, illegal immigration, and a policy regarding the return of third-country nationals (mainly illegal aliens) to their country of origin; policies regarding these groups, however, tends to be less controversial. This deadline does not include the creation of a policy regarding the legal entry of third-country nationals, the type of immigration this paper primarily addresses.

While the Treaty of Amsterdam did not address legal immigration other than asylum, the recently drafted constitution, however, has laid the foundation for a common policy regarding third-country nationals. References in the draft constitution to immigration are intentionally vague, merely stating that the EU

shall develop a common policy without establishing a timeline or specifically stating what the common policy should entail. It also explicitly states that the constitution "shall not affect the right of Member States to determine volumes of admission of third country nationals coming from third countries to their territory" (Draft Treaty, 2004). In addition, an entire chapter of the constitution is devoted to providing a variety of resources to help end poverty and political instability in developing countries, countries that are the main source of immigration to the European Union.

The EU clearly recognizes the need for greater social cohesion, a problematical task that is now even more challenging after the expansion. The measures that the European Union has taken so far indicate that a common European immigration policy will be restrictive. For instance, not only have they established guidelines for reducing illegal immigration, but the European Commission has also proposed a program that would provide financial and technical assistance to the usual immigrant-sending countries in order to reduce the reasons that induce individuals to leave in the first place, and to prevent a brain drain in these countries (Towards a Common Policy, 2004).

Obstacles to a Common Policy

Formulating a common EU policy will not be easy. What is clear is that most, if not all, European countries have restrictive immigration policies; even the Netherlands, a country known for its liberal social policies and traditionally open immigration policy, has within the past two years substantially clamped down on

immigration, even to the point where the Dutch are deporting individuals who have been in the Netherlands for more than a decade and have close relatives who are Dutch citizens. Furthermore, policies across Western Europe have become increasingly restrictive as these countries braced themselves for the anticipated influx of citizens from new member states after the May 1 expansion.

The chief setback to a common policy is the reluctance of national governments to relinquish control over such an important issue. According to the draft constitution, immigration policy would be determined by a majority vote of member states. Germany, however, has placed a great deal of pressure upon the European Convention to allow member states to have veto power over immigration policy that might conflict with national interests. German political leaders on both sides of the ideological spectrum such as Chancellor Gerhard Schröder of the social-democratic SPD and opposition leader Angela Merkel of the conservative CDU have said that immigration is a burden to Germany and a source of social conflict to a larger extent than in any other European country. Therefore, they argue, the German government should retain some control over such policies (Germany Calls for Veto, 2004).

While some would think that a common policy would be easy to agree on since basically all EU countries have restrictive policies, the problem with a common immigration policy is that each country has emphasized different aspects, such as ethnicity in Germany and religion in France. However, in order to address the pressing demographic issues and to stem future social conflict, Europe will need to foster a sense of European identity that is inclusive.

Germany is already beginning to accept that it must change its approach to immigration. Unfortunately, the EU does not give any indication that it will begin to head in that direction. In fact, it has indicated that immigration policies will be even more restrictive in the face of the recent EU expansion. There has also been a heated debate within the EU on how to define a "European", especially considering the debate on whether or not to include Turkey in a future EU expansion.

An excellent example of the fine line the EU must walk is evident in a EU Council directive from November 2003 regarding the status of long-term residents from third countries. The directive states that integration "is a key element in promoting economic and social cohesion", which recognizes that immigration is a necessary fact of life (Council Directive 2003/109/EC). In order to be considered a long-term resident in the legal eyes of the EU, individuals from third countries who have legally migrated to an EU member state need to have been there for at least five continuous years, prove that they have established themselves within the society, prove that they will not become a financial burden upon the state, even requiring them to have sickness insurance so that they do not become a welfare burden in times of unexpected illnesses, and they cannot be considered a threat to public security or public health; most of these are subjective requirements. However, the directive also includes provisions for basic social assistance as well as protection from expulsion and of the right of family reunification as required by the European Court of Human Rights.

The EU expansion also presents a problem to immigration policy, as most experts expect it to lead to an influx of individuals from new member states to old member states. While EU members have traditionally enjoyed freedom of movement within the EU, the same benefits will not apply to new EU members. On April 28, 2004, the Swedish Parliament voted not to place any entrance restrictions upon EU citizens from the expansion countries; Sweden, however, is the only current EU member state that has not created restrictions for migrants from new member states (Sweden Votes 2004).

Despite the influx of immigrants into these three countries which makes the countries visibly different that a few decades ago, the national identity of these three countries have only changed incrementally. As discussed earlier, however, that is not to say that they have not changed at all. Instead of accepting the new reality of inevitable immigration, these countries have historically either denied the impact or have tried to reverse immigration trends through restrictive immigration policies as well as trying to persuade, or even compel migrants through a variety of means, to return to their country of origin. Slowly these countries, particularly Germany and Great Britain, are beginning to accept the fact that not only is immigration a reality, but that immigration is actually needed. If political leaders begin to aggressively and sincerely promote integration and diversity, the national identity of these countries will slowly shift to inclusion-based identities.

Conclusion

Even when European countries relinquish control over immigration policies, they will still retain control over citizenship and integration policies. So far, integration and citizenship laws have reflected changes in immigration policies. Once the European Union is under a common immigration policy, further research should be done to see if these issues continue to be reflected in citizenship and integration laws.

While cultural aspects have played out in national level immigration policies, Europe must now find a common thread in order to even gain control of immigration from individual states. The fact that immigration is an integral characteristic of national identity is evident in the zeal countries show in trying to retain control over the issue. It is clear for a variety of reasons, economic and social, that immigration and integration need to be effectively addressed by the EU. In order to be successful with this issue, Europe needs to define what is European in an inclusive manner, and foster that sense of identity. Without that, Europe faces a future of economic stagnation and widespread social conflict.

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