

**IMMIGRATION IN THE EUROPEAN UNION
IN THE POST-COLD WAR ERA**

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MASTER OF PHILOSOPHY

P. SRIKANT



**Centre for American and West European Studies
School of International Studies
Jawaharlal Nehru University
New Delhi - 110 067**

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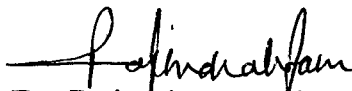
CENTRE FOR AMERICAN & WEST EUROPEAN STUDIES
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110067

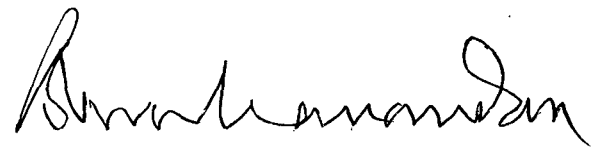
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CERTIFICATE

This is certify that the dissertation titled "**Immigration in the European Union in the Post-Cold War Era**", submitted by **Mr. P. Srikant** is his own work and has not been submitted to any other University or institution or for any other diploma or degree.

We recommend that this dissertation may be placed before the examiners for evaluation.


Dr. Rajendra K. Jain
Supervisor.


Prof. B. Vivekanandan
Chairperson.

*with love
to my*

Parents

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PREFACE

Migration is generally understood to signify the movement of people from one place to another, sometimes temporarily and at times permanently. The movement of people is also the result of several other economic, political, and social factors. The usual destination for immigrants is a prosperous and peaceful part of the world.

As a prosperous region, Europe has become a major destination for immigrants. Europe has long been a receiver of people in search of permanent settlement due to its colonial legacy. Britain, for instance, has allowed the citizens of Commonwealth countries to enter Britain freely till 1962, while France used to give the option for citizens of colonies to opt for either of the one citizenship before setting the colonies free.

The post-1945 reconstruction period witnessed an economic boom, which led many European countries to invite manual and semi-skilled workers from all over the world. In the 1960s, the immigrants' dependents were allowed in view of a declining birth rate and an expanding economy. This kind of labour force was considered as a 'reserve army' as it was cheap, temporary, mobile and alien.

The 1973 oil crisis, which led to a severe recession, led to growing hatred towards immigrants. This gave rise to Far Right wing groups like

neo-Nazis and Skin heads and also many of these parties started thriving on anti-immigrant sentiments. West European countries also adopted more restrictive immigration policies.

The European Union seeks to deter immigrants by trying to formulate a common migration policy. In 1985 five northern EC countries -- Belgium, Netherlands, Luxembourg, France and Germany -- signed the Schengen Convention, which came into force from 1993. Subsequently, Portugal, Spain, Greece, and Italy have joined while Denmark has applied for observer status. The Schengen Agreement differentiates between an EC citizen and a non-EC national. It introduced enhanced police cooperation and central computer information system called as Schengen Information System (SIS).

The Dublin Convention of 1990, signed by all but one of the EC member states (Denmark) is another step towards common migration policy. Like the Schengen agreement, the Dublin Convention proposes the harmonisation of procedural and restrictive norms governing asylum policies.

The harmonisation towards migration policy stands as a distant dream as national governments are not ready to transfer their sovereignty to the Union on matters regarding asylum and immigration. Countries like Britain are not ready to leave immigration policy to the Commission. More often the

issues related to migration are resolved to the advantage of some and the detriment of others. To evolve a effective common migration policy, the Commission has to coordinate all the member states. This is mainly not done effectively due to the interests of some nations.

The, West European countries are lifting more and more restrictions among their borders and at the same time they are building strong walls surrounding them. The integration of Europe in the broader sense means 'cultural pluralism'. There is growing intolerance against immigrants where national-interests are dominating, which ultimately results in nations not accepting the cultural assimilation.

The first chapter highlights the patterns and trends of migration from 1945 to 1990 and analysing changes that occurred after 1973.

The second chapter analyses the changing patterns of migration to European Union in the post-Cold War era.

The third chapter examines European responses towards immigrants and the kind of racism and xenophobia prevalent in Europe.

The fourth chapter traces the origin of idea of common immigration policy and progress and development made till date, including a discussion of the Schengen and Dublin Conventions.

The fifth chapter, summarises the broad conclusions of the study.

I like to express my deep gratitude to my supervisor Dr. R. K. Jain, who helped and guided me in completing this study.

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CHAPTER - I

INTRODUCTION

Immigration has been a perennial problem in the history of the world. The search of people for a better standard of living and better living environment have made people migrate developing to developed countries. Migration has gradually been the result of economic problems as manifested in civil war, ethnic cleansing, political instability, etc. In search of economic stability, peace in the civil society, and political stability. The immigrants in the new country find themselves as aliens and take time in adjusting to a new society and culture. On the other hand, the natives feel insecure whenever there is an economic crisis and opposition, which otherwise the migration of people will be encouraged under a state policy for more human resources in an expanding and growing economy.

Europe as a developed region and better living conditions has been welcoming the immigrants right from the past. Initially immigrants were from the colonies that were governed by European colonial powers. People from the colonies started migrating when they were given a choice by the colonial powers before setting them free. During this time many people opted for the citizenship of their colonial powers, which resulted in large-

scale migration. These immigrants though initially faced some minor problems slowly adopted the native culture, this assimilation during the 1950s took place smoothly, because labour was received by the state due to the compulsions that developed in the post-1945 period, like the reconstruction of Western Europe, growth of economy, scarce for human resources, etc. Although many people's movements were determined by colonial legacy, four vital and dominant factors are evident from their migration, viz. a common language, close past and current political relationship, receptive mood in the receiving countries and finally economic avenues and opportunities.¹ Hence, during the 1950s immigrants concentrated more in Britain and France. Even though, the Netherlands was a colonial power due to its small geographical size and the underdevelopment of Spain and Portugal deterred the immigrants in entering those countries. Similarly, the Turkish immigrants due to Turkey's traditional political ties with Germany has led most of them to go to Germany.²

The 1950s were also marked by internal migration within West Europe, the main countries of origin being Spain, Portugal and Italy. On the

¹. Charles V. Kidd, "Migration into Britain and Western Europe: An Overview", in The Committee on the International Migration of Talent (ed.), *The International Migration of High-level Manpower: Its Impact on the Development Process*, New York, (Praeger Publishers, 1970), p. 506.

². *Ibid.*

other hand, Turkey, Yugoslavia and East Germany provided for considerable number of immigrants while the North African and Commonwealth countries provided the rest. For example, by July 1955 there were 80,000 foreign workers in Germany alone, of which 10 per cent were Italians. However by the end of the 1950s foreign workers in West Germany rose to 280,000 of which 44 per cent were from Italy.³ In view of a state sponsored policy for human resources for the expanding economy, where the foreign workers were seen as either as the 'guest workers' or the 'reserved labour force'. During, the early 1950s many people entered Western Europe as war refugees. By 1952 there were nearly 200,000 refugees from Eastern Europe living in various camps in Berlin and other parts of West Germany. These refugees were converted into labour army and were allowed to move freely within Western Europe.

During the 1960s, West European countries had invited around 10 million guest workers. This labour force consisting of immigrants was seen as a 'reserve army' as it was cheap, temporary, mobile and alien. Also during this period, migration was a non-policy matter for the national

³. Philip L. Martin, "Germany: Reluctant Land of Immigration", in Wayne A. Cornelius, Philip L. Martin and James F. Hollifield, (eds.), *Controlling Immigration: A Global Perspective*, Stanford, (Stanford University Press, 1994), p. 198.

governments. France, in this decade has received sizeable number of immigrants called 'Harkis' or French Muslims. These were Algerians, who during the Algerian war of independence fought on the French side, but after the French left Algeria, they started facing serious persecutions. Hence, they migrated to France. In the 1960s while the French population rose from 47 to 49 million i.e. 6 per cent, the foreign population increased by 40 per cent during the same period.⁴ The reunification of families in the 1950s and 1960s was viewed with equanimity by France and with unease in Germany.⁵ For a long time family reunion was free from restrictions but for that the dependents should be free from diseases that are danger for the public health. On the other hand, while Austria, Belgium, Sweden and the UK did not subject family members to any period of qualification, France introduced a one-year waiting period.⁶

Citizens of the Commonwealth of Nations had fewer restraints relatively with other foreigners that wanted to enter Great Britain. According to the British Nationality Act, 1948 the population was divided into two

⁴. Michel Bouvier and Marie-France Desbruyeres, "France: Immigration of Scientific and Medical Personnel", in *The International Migration of High-Level Manpower: Its Impact on the Development Process*, n. 1, p. 533.

⁵. W. R. Bohning, *Studies in International Labour Migration*, London, (Macmillan Press Ltd., 1984), p. 152.

⁶. *Ibid*, p. 153.

categories: citizens of the UK and the colonies (CUKCs) and citizens of independent Commonwealth countries, where both the categories enjoyed unrestricted entry to Britain. However, in 1962 this was abolished for the Commonwealth and for CUKCs in 1968 who were not born in Britain and who did not have a father or grandfather in Britain.⁷ At the same time, the main source of immigrants in the 1960s was mainly within the Europe, i.e. from Spain, Portugal and Italy, while the rest originated from the “French Union”—Algeria, Morocco, Tunisia, the fourteen African and Malagasy states, Laos, Cambodia, Vietnam, Syria and Lebanon.⁸ Table 1.1 explains clearly the growth of ‘guest workers’ in the West European countries and at the same time decline of manpower considerably in the sending countries of the 1960s.

Table - 1.1
RATES OF GROWTH IN THE LABOUR FORCE – 1958-1969
(PER CENT AVERAGE PER ANNUM)

	BEFORE MIGRATION	AFTER MIGRATION
RECEIVING COUNTRIES ^a	0.2%	0.4%
SENDING COUNTRIES ^b	0.8%	0.1%

a. France, Germany, the Netherlands, Switzerland, United Kingdom.

b. Greece, Italy, Portugal, Spain, Turkey, Yugoslavia.

Source: OECD, *Manpower Statistics, 1958-69 and Migrant Workers in West Europe*, (IBRD, 1970.)

⁷. Robert Miles and Nora Ruthzel, "Migration and the Articulation of Racism in Western Europe, 1974-88", in B. S. Bolaria and Rosemary Von Elling Bolaria, (eds.) *International Labour Migrations*, Delhi, (Oxford University Press, 1997), pp. 22-23.

⁸. *Ibid.*

Table 1.2 also gives an clear picture of the trends till the 1970s in the original six members of the European Union.

Table - 1.2

FOREIGN WORKERS IN THE EEC COUNTRIES⁹

Country	Year	All Foreign Workers '000s	Proportion of Foreigners from other EEC countries	Foreign Workers of % of total population
Germany	1970	1949	25%	9
France	1968	1158	31%	6
Belgium	1970	208	50%	7
Netherlands	1970	90	26%	2
Italy	1969	32	33%	0.2
Luxembourg	1970	32	84%	22

Source: Van Houte H., and Melgret (eds.) *Foreigners in our Community*, p. 189.

The peak recruitment years were from 1968 to 1972, when the foreign labour force grew from 5 to 12 per cent, i.e., 1 million to 2.6 millions in the German workforce alone.¹⁰

The 1970s had witnessed a complete 'U-turn' regarding the policy of national governments and the attitude of natives towards the immigrants. On the other hand, West European countries were treating the immigrants as a 'rotation labour force', according to which the immigrants would work for two years or so and go back to their country of origin by giving space to new

⁹. Francis Wilson, *Migrant Labour in South Africa*, Johannesburg, (The South African Council of Churches and SPRO-CAS, 1972), p. 129.

¹⁰. Martin and Others, n. 3, p. 201.

work force. But many of the immigrants instead of leaving for their homes started bringing their families, while the employers were not willing to change their already well trained workforce. The main reasons for the change in the national governments' policy was due to the oil crisis, which substantial unemployment. Thus led to growing insecurity and resentment against the presence of 'guest workers' and a rise in xenophobia, racism and right wing parties. This in turn, led to stricter immigration laws by the West European governments. The changes in immigration policies led to a sharp reduction in immigration inflows. However, between 1975 and 1976 Portugal received around 600,000 "retornados".¹¹ Even during the high unemployment period, 1974-78, foreign workers submitted 6,370,000 requests for issue of a new work permit or renewal of a existing one. Only around 152,000 or 2.4 per cent were refused.¹² On the other hand even though some economic improvement was there, no reversal of trends was witnessed in 1976.¹³

¹¹. Michael R. Marrus, *The Unwanted: European Refugees in the Twentieth Century*, Oxford, (Oxford University Press, 1985), p. 368.

¹². Bohning, n. 5, p. 127.

¹³. Bernard Kayser, "European Migrations: The New Pattern", *International Migration Review*, vol. 11, no. 2, p. 232.

Table - 1.3
ESTIMATED NUMBER OF FOREIGN WORKERS - 1975

Austria	185,000
Belgium	278,000
France	1,900,000
Germany	2,171,000
Luxembourg	46,800
Netherlands	216,000
Sweden	204,000
United Kingdom	775,000

Source: Sopemi, 1976, Cf. Bernard Kayser, n. 13, p. 234.

In the 1980s, two significant changes occurred regarding immigration. Firstly, the traditional source for immigration countries like Greece, Spain, Portugal and Italy became the receiving countries for people entering from African and East European countries. This was because of Greece in 1979, Spain and Portugal in 1986 joining the European Economic Community (EEC). Secondly, several countries including France started negotiations and signing agreements for return of immigrants with countries of origin of immigrants. But there was little change in the inflows, as immigrants were sought to be assimilated. Others were offered economic incentives for repatriation. The assimilation was undertaken in order to maintain the demographic balance. Immigrants were given broader rights and the decade witnessed an overall growth in the participation of immigrants in political activities. As immigration has become one of the major political issues, the 1980s witnessed the growth of right wing political parties like the Front

National Party in France.¹⁴ In Britain, the Margaret Thatcher government implemented restrictionist controls to stop the inflow of immigrants, but the inflow from Commonwealth countries remained constant.¹⁵

Since it was difficult to stop family reunifications, West European governments took instituted considerable complications regarding family reunification, providing additional incentives for repatriations and came down heavily on illegals.¹⁶ Thus, the 1980s witnessed a fall in internal migration and an increase in migration from outside regions. The traditional countries were traditionally sources for immigration have now become the 'gateway to Europe'.

¹⁴. Alec G. Hargreaves, "Gatekeepers and Gateways: Post-Colonial Minorities and French Television", in Alec G. Hargreaves and Mark Mckinney (eds.), *Post-Colonial Minorities in France*, London, (Routledge, 1997), p. 88.

¹⁵. Zig Layton-Henry, "Britain: The Would-be Zero-Immigration Country", in Martin and Others, n. 3, p. 276.

¹⁶. Richard L. Derderian, "Broadcasting from the Margins: Minority Ethnic Radio in Contemporary France", in Martin and Others, n. 3, p. 110.

CHAPTER - II

TRENDS IN IMMIGRATION IN THE 1990s

Europe has been attracting migrants from all over the world. Initially many of the immigrants were from the colonies that migrated to Europe as labourers. There was huge inflow of immigrants in the post-war period. The 1990s have witnessed a tremendous change of patterns in the immigrant influx which was different from the earlier patterns. This was mainly because of political changes that took place in the Europe and elsewhere in the world. The reunification of Germany, the fall of 'Iron Curtain' and the subsequent collapse of the Soviet Union, the break up of Yugoslavia, economic reforms in many countries etc. have shown a deep impact on the behaviour of immigrant inflows. Husbands wrote of the 1990s as "the decade of the migrant or would be migrant".¹ On the other hand, the Schengen Implementing Convention (19 June 1990) and the Dublin Convention of 1990 had also been influenced by the inflow of refugees, asylum-seekers and other illegal immigrants. The number of family reunions as a source of immigration in Europe has remained a constant vital source in the 1990s also. Migration was mainly from the developing to the developed

¹. Andrew Geddes, "Immigrant and Ethnic Minorities and the EU's 'Democratic Deficit'", *Journal of Common Market Studies*(Kent), vol. 33, no. 2, June 1995, p. 200.

countries, i.e. from the poor to the rich nations. There was a shift in the region of origin i.e., to Central and East Europe from traditional countries like those Asia and Africa. Apart from the labour migrants, there is a growth in asylum seekers, who also tend to stay back illegally, many of them mostly concentrating in Germany, France, followed by Britain.

In the 1990s Western Europe is outstanding in the South-North migration movements in the sense that the contrast in the socio-economic development of Western Europe and the other countries of Eastern Europe, Africa, Asia etc., is wide.² This is one of the main reasons for immigrants to first come to the Iberian countries and then proceed to the heartland of Europe. The launching of the Single Market and the removal of internal borders and barriers has made it easier for the immigrants to step into the heartland of Europe easily through Portugal and Spain. The subsequent removal of internal barriers regarding the mobility of capital, commodities and people, further contributed to the increase in immigration and admission policies.³

Apart from the removal of internal barriers, there are also some external factors that contributed to the flow of immigrants. The quiet

². Isable Bodega and Others, "Recent Migrations from Morocco to Spain", *International Migration Review*(New York), vol. XXIX, no. 3, Fall 1995, p. 800.

³. Helga Leitner, "International Migration and the Politics of Admission and Exclusion in post-war Europe", *Political Geography*(Oxford), vol. 14, no. 3, April 1995, p. 260.

revolutions of East Europe in 1989 contributed largely to West Europe in terms of immigrants. For example, the unsanctioned emigration of East Germans, via Hungary to the Federal Republic of Germany in August and September 1989 was one of the main routes. In 1989 alone approximately 1.3 million people emigrated from the east to the west, the majority being ethnic minorities, where as Germany alone received some 3,44,000 East Germans and some 380,000 ethnic Germans from the former Soviet Union, Poland and Romania.⁴ The opening up of the East-West borders has to some extent hindered the speed of the integration process due to the immigrants flowing from the poorest parts of the world. This applies to both that already live in the EU region and those who arrive at the doorsteps of Europe.⁵

There was considerable migratory pressures from other developing countries particularly those of Africa targeting the 'southern periphery' of the European Union. Italy and Spain have been the destinations from the last thirty years for thousands of illegal immigrants coming from North Africa in large number.⁶ This was mainly due to the powerful push factors at home and at the same time strong pull factors from the European Union side. Apart from the growing illegal immigrants, the 1990s has also seen huge

⁴. Leitner, n. 3, p. 269.

⁵. Grete Brochmann, "Fortress Europe" and the Moral Debt Burden: Immigration from the "South" to the European Economic Community", *Cooperation and Conflict*(Norway), vol. XXVI, no. 1, 1991, p. 186.

⁶. Leitner, n. 3, p. 270.

growth in the people seeking asylum. However, many of the applications rose in number after the Cold War. The total number of people seeking asylum in West European countries rose from about 60,000 in 1983 to 400,000 in 1990.⁷ According to European Community estimates, the net inflow of non-EC nationals into EC territory in 1989, excluding East Germans but including asylum seekers, was 517,000 or about 0.2 per cent of the total population. For the EC-12 taken together, out of a total population of about 324 million in 1989, "foreign residents" accounted only for 4 per cent, or 13.4 million.⁸ However, many of these immigrants are concentrated in major cities of West Europe, by 1990 the immigrants constituted 16 per cent of Greater Paris, 22 per cent in Amsterdam, in Frankfurt about 25 per cent and 28 per cent in Brussels.⁹ In the 1990s five vital forms of migration can be witnessed in the European Union: the intra-EU mobility of EU citizens and workers under the freedom of movement recognised by the community law; the legal immigration of non-EU workers, which became less since 1973-74; the family reunification processes that allow the arrival and settlement of parts of the family of migrant workers already established

⁷. Leitner, n. 3, p. 270.

⁸. R. K. Jain, "Fortifying the 'Fortress': Immigration and Politics in the European Union", *International Studies* (New Delhi), vol. 34, no. 2, 1997, p. 165.

⁹. Goran Therborn, *European Modernity and Beyond: The Trajectory of European Societies 1945-2000*, London, (Sage Publications, 1995), p. 50.

in the EU; the flow of asylum-seekers and refugees from various parts of the world; the immigration of illegal and clandestine workers originating in non-EU countries, including those moving from one EU Member state to another.¹⁰

Table - 2.1
IMMIGRATION TO THE EU IN THE 1990s

Number in 1000s	1991	1992	1993	1994	1995	1996	1997
Belgium	68	67	64	66	63	62	59
Denmark	44	43	43	45	63	54	50
Germany	1199	1502	1277	1083	1096	960	841
Greece	24	32	28	18	21	22	22
Spain	24	39	33	34	36	30	58
France	102	111	94	64	50	47	66
Ireland	33	41	35	30	31	39	44
Italy	127	114	100	99	97	172	--
Luxembourg	11	10	10	10	10	10	10
Netherlands	120	117	119	92	96	109	110
Austria	--	--	--	95	--	70	70
Portugal	--	14	10	6	5	4	3
Finland	19	15	15	12	12	13	14
Sweden	50	45	62	84	46	40	45
United Kingdom	267	216	210	253	246	258	285

Source: Eurostat Year Book 2000, p. 102.

UK: International Passenger Survey.

Data Exclude unrecorded migration.

Greece: From 1994 onwards only non-nationals

Data not available.

Ireland: Labour Force Survey.

France and Portugal: non-nationals.

The two principal host countries are Germany and France, having the highest proportions of non-EC nationals followed by Great Britain. As France and Germany make the heart of Europe and given French colonial links and Germany's border with East European countries, many of the

¹⁰. Marco Martiniello, "EU Citizens, Immigration and Asylum", in Phillippe Barbour, *The European Union Handbook*, London, (Fitzroy Dearborn Publishers, 1996), p. 256.

immigrants tend to prefer these two countries, however the 1990s witnessed mainly three kinds of migration, namely asylum seekers, refugees and family reunions apart from the regular and illegal migration. The main change of pattern in the 191960s was that a decline in internal migration and a growth in external migrants.¹¹ Although this flow might have fallen due to the abolition of border checks to the EU citizens, but it is a fact that there was considerable growth in the migrants flowing into the Single Market. "The 'immigration stop' in most European countries are that the total number of immigrants has increased substantially, and that the composition of the group has changed in favour of family members of original migrants, asylum seekers and an indistinct group of "illegals", - huge, yet impossible to estimate accurately...".¹² On 1 January 1997 the estimated foreign nationals in the European Union were about 19 million, which represented 5 per cent of total population and 70 per cent of those (over 13 million) are non-EU citizens, the highest part being represented in Austria 8 per cent and Germany 7 per cent. In terms of EU-nationals they are mainly recorded in

¹¹. T. Straubhaar, *On the Economics of International Labour Migration*, Bern 1988; Eurostat: *Migration Statistics 1995*, (Luxembourg, 1995), quoted in Thomas Straubhaar and Achim Wolter, "Current Issues in European Migration", *Intereconomics*, November/December 1995, p. 268.

¹². Brochmann, n. 5., pp. 188-189.

Belgium- 6 per cent and in Luxembourg- 31 per cent.¹³ The main trends in the 1990s are discussed below:

INCREASING ASYLUM SEEKERS

A country generally gives asylum to a political refugee of another country. It is a generally assumed notion that a asylum application is seen with sympathy and hence is easy to migrate. Furthermore, the relatively fairly liberal policies of West Europe with respect to asylum seekers has become one of the main "pull" factors, which in turn made the host countries to reconsider and revise their policies to restrict illegal migration.¹⁴ The initiation of the "stop policy" by hosts nations has led to a tremendous increase in the asylum seekers in the early 1990s. The seekers entering Europe have increased from an average of 13,000 to an average 195,000 per year.¹⁵ The number of asylum seekers in the 1990s showed a very high rate of increase, from 292,000 applications in 1989 to 672,000 in 1992, which was +130 per cent in three years. After this increase the number fell to 517,000 in 1993 and to less than 250,000 applications later. However, Germany even to the close of the year 2000 was still receiving 40 per cent of the applications (it was about 60 per cent in 1992-93) and was above 70 per

¹³. *Eurostat Yearbook: A Statistical Eye on Europe*, Luxembourg, (European Commission, 2000), p. 98.

¹⁴. Brochmann, n. 5, p. 189.

¹⁵. *Ibid*, p. 187.

cent together with the Netherlands and the United Kingdom from 1994 on.¹⁶ In 1991, France received, about 46,000, the UK 45,000 Italy 23,000 and Germany 256,000.¹⁷ Till July 1, 1993, Germany's Basic Law contained a very liberal asylum provision. Since politically persecuted persons enjoyed this right, this, in turn, led to large inflow of asylum-seekers, which led to considerable dissatisfaction among the Germans leading to a more restrictive asylum law by 1 July 1993.¹⁸

Asylum seekers apply in more than one country. In the process they always willingly avoid a country which has stringent laws on asylum and deliberately choose a easy route i.e., the country with soft laws and subsequently cross the border and enter the country with stricter laws, thereby gaining the status of an 'EU internal migrant'. This kind of hobnobbing and shopping is termed as three-cornered immigration.¹⁹ Mainly three countries have generated huge number of asylum seekers, viz former Yugoslavia: 250,000, 37 per cent; Romania: 117,000, 17 per cent and Turkey: 37,000, 5 per cent while the remaining number came to Western

¹⁶. *Eurostat Yearbook: A Statistical Eye on Europe*, n. 13, p. 98.

¹⁷. *Liberation*, 27th November 1992, p. 29. Cf. SOPEM, *Trends in International Migration*, Paris, p. 122 quoted in Therborn, n .9, p. 50.

¹⁸. Anne Marie Seibel, "Deutschland ist doch ein Einwanderungsland geworden: Proposals to Address Germany's Status as a "Land of Immigration", *Vanderbilt Journal of International Law*, vol. 30(4), October 1997, p. 913 and 915.

¹⁹. T. Straubhaars and A. Wolter, "Current Issues in European Migration", *Intereconomics*, vol. 31(6), November/December 1996, p. 268.

Europe from other crisis-ridden Third World countries.²⁰ The asylum seekers are also making their host countries spend highly on social and administrative expenditure. Thus, in 1991, Germany alone received 256,000 asylum applications which cost Germany \$4 billion.²¹ In Sweden²² alone the number of asylum seekers has far outnumbered the number of all kinds of immigrants.²³

It is a general trend that many of the asylum seekers even after their applications are rejected do not return to their homeland, rather many of them stay back. Many times such kind of "stock" is deported through a forceful manner or with pressure. But on the other hand whenever the applicants are met with a denial many of the applicants "disappear" in the Union, instead of leaving for the home country.²⁴ Thus the Common Market makes their 'disappearance' easy, as all the fifteen members in the Union have different asylum laws in the beginning of the 1990s. Many of these asylum seekers generally come from Middle East, the Indian subcontinent, Africa and Eastern Europe, when the Cold War has ended the asylum applicants have started flowing in Northern and Central Europe.

²⁰. Jain, n. 8, pp. 166-167.

²¹. Alexander Casella, "Asylum Seekers in Europe: A Humanitarian Quandry", *The World Today*, (London), November 1988, p. 190 quoted in Jain, n. 8, p. 168.

²². Though Sweden was not a member of the European Union in 1992, it became one in 1995.

²³. *The Economist* (London), December 5-11, 1992, p. 53.

²⁴. Jain, n. 8, p. 167.

The Balkan conflict in the beginning of 1990s led to the exodus of 607,300 ex-Yugoslavs into Western Europe, which more than a third of them entered Germany while one half have applied for the asylum in the year 1991.²⁵ On the other hand 98,000 Romanians till December 1992 had applied for asylum. Similarly, Turks and Sri Lankans also applied for asylum in large number to West European countries.²⁶ The main reason for general increase in asylum seeking is the tightening of immigrant laws in West European countries, which closed the doors for immigrants in the 1970s after the oil crisis. In the 1970s Germany alone cleared 40 per cent of applications for asylum, while in the 1990s it cleared only 3-4 per cent. Thus it is evident from these application numbers that the immigrants are bypassing tough immigration channels.²⁷

Almost all the European countries are tightening the asylum laws along with the immigrant laws. France in the 1990s has reduced the number of asylum-seekers to half the 1989 number. Spain too is seeking to impose restrictions in legislation regarding asylum-seekers.²⁸ Germany amended the constitutional right to asylum on 1 July 1993 which led to a decline in the

²⁵. *The Economist*, n. 23.

²⁶. *Ibid.*

²⁷. Straubhaar and Wolter, n. 19, p. 268.

²⁸. *The Economist*, n. 23, p. 54.

applications for asylum in Germany that it fell to half.²⁹ The German government also restricted the work permit for asylum seekers by which they have no right to work during the first two years of their asylum. And after this period, only if a advertisement is published and no German or work permit holder has taken it within three months, then the asylum holders can apply.³⁰ Similarly, France prohibited its asylum applicants to work for a period of five years.³¹ However, they enjoyed the social security benefits and they also worked illegally mainly in the underground economy, there by making no contribution to the society.

In the past while these asylum-seekers were given 'B' status or 'humanitarian' leave to stay, in the 1990s they are being turned away or thrown out as fast as possible. For instance, the French government promised to deport annually 25,000, Belgium has set a target of 15,000 while Germany and Switzerland set a similar kind of targets to deport refugees back to the former Yugoslavia.³² On the other hand as the asylum seeking has got a political side, it has become more sensitive, also depending upon the relations between 'giving' and 'sending' countries. As generally on

²⁹. Geddes, n. 1, p. 202.

³⁰. Dima Abdulrahim, "Defining Gender in a Second Exile: Palestinian Women in West Berlin" in Gina Buijs (ed.), *Migrant Women: Crossing Boundaries and Changing Identities*, Oxford, (Berg, 1993), p. 63.

³¹. Mark J. Miller, "Illegal Migration", in Robert Cohen (ed.), *The Cambridge Survey of World Migration*, Cambridge, (Cambridge University Press, 1995), p. 537.

³². Liz Fekete, "Blackening the Economy: The Path to Convergence", *Race & Class*, vol. 39, no.1, July-September, 1997, p. 6.

the humanitarian grounds it is accepted, many immigrants opt for this. There are also other reasons that come up in the post-Cold War era for seeking asylum, the economic problems, the ethnic clash within the nations, separatist and secessionist tendencies etc. are some of the main "push" factors while peace is the main "pull" factor.

IMMIGRANTS FROM NORTH AFRICA AND THE MEDITERRANEAN



The North African or Maghreb countries are a potential source of immigrants to the European Union. Given the conditions of living, the immigrants face poverty, civil war constantly back at home. Hence they get lured by the Western peaceful life and they tend to cross the Mediterranean shores and land in Italy or Spain and from there to the heartland of Europe. In fact the large number in the Union by 1992 were from the Maghrebi region amounting to Algeria 6 per cent, Tunisia 2.6 percent and Morocco 10.2 per cent.³³ The current 'soft destinations' like Portugal, Spain, Italy and Greece have changed their character only in the 191980s, before which the same four used to be the countries of net emigration. However, thanks to the EU's regional policy and their close geographical proximity to North Africa, these four countries have become the 'Migration Frontier' in the southern

³³. Eurostat, *Europe in Figures*, 4th ed., 1995, p. 154.

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periphery. The accession of Spain and Portugal in 1986 and subsequent establishment of the Single Market has made it easier for the immigrant (illegal) aspirants to cross the shores and reach Spain. On the other hand, the receiving nations like Spain have become the destination of immigrants because of the need for unskilled labour in the agricultural sector and export-oriented goods.³⁴ Spain has traditionally been an easy destination for the North Africans due to geographical proximity. Many of the illegal immigrants just cross the strait of Gibraltar and getting into small fishing boats, which cannot resist the force of the sea. As a result, many of them die.³⁵ On the other hand, the high growing rate of population in the Maghreb in addition to increasing poverty enhances migratory pressures to the EU.³⁶ Many immigrants are illegal hence they select 'soft targets' like Portugal, Spain, Italy and Greece. The Maghrebis go to the first three, Egyptians prefer towards Greece. The main reason for the North Africans to target these areas is not only in the 'soft target' sense but also they can easily get jobs and can involve in the underground and informal economy.³⁷ While in the 1960s and the 1970s the immigrants from North Africa migrated directly to France as an offshoot of colonial legacy, but the character of North

³⁴ Leitner, n. 3, p.

³⁵ Bodega and Others, n. 2, pp. 807-808.

³⁶ Geddes, n. 1, p. 201.

³⁷ Russell king, "Migration and Development in the Mediterranean Region", *Geography*, vol. 81(1), p. 8.

African immigrants changed towards the 'soft destinations' in the 1980s and 1990s. However, policies to regularise 'clandestines' by granting amnesties and proper registration through wider publicity had met with little success in Italy, Spain and Portugal. In a study on immigration phenomenon into Southern Europe, Gildas Simon (1987) estimated that there were 2 million immigrants in four Southern Europe states in which again the biggest groups were Morocco and Tunisia, the North African countries.³⁸ A major EU concern is that on an average 30 illegal immigrants enter Spain in a day by crossing the waters from Morocco.³⁹ The illegals have several routes into Europe, one of them fondly called by the clandestines as "blue border" has three different routes from Morocco via Spain, from Tunisia into Italy mostly via the island of Lampedusa and from Albania to the Italian coast.⁴⁰ Thus, given the constant political instability, civil unrest and the economic backwardness has led to a considerable inflow of immigrants from North Africa.

REFUGEES

Refugees have always been one of the primary concerns in any study of immigration. During the Cold War era many refugees came from the

³⁸. king, n. 37, p. 8.

³⁹. Trevor Parfitt, "Europe's Mediterranean Designs: An Analysis of the Euromed Relationship with special reference to Egypt", *Third World Quarterly*, vol. 18, no. 5, 1997, p. 867.

⁴⁰. *The Economist*, February 20-26, 1999, p. 51.

former colonies due to ethnic fighting and civil war. In the 1990s, however, many refugees flowed from Eastern Europe, viz. erstwhile Soviet Union and also from Yugoslavia after its break-up. The main distinction lies in the fact that there were many refugees that flowed into the European Union for economic reasons. But, the Bosnian crisis and the Kosovo crisis and the subsequent ethnic cleansing led many refugees to flee to West Europe both for reasons of close proximity and economic factors. However, though the official sources claim that Europe is burdened with a heavy influx of refugees, the reality is that most part of the burden is shared by the Third World countries. The *World Refugee Survey* in 1983 estimated that out of 7.3 million refugees in need throughout the globe, only 30,700 of these were in Europe, again that also, mainly passing through Austria for their way to permanent settlement.⁴¹ Similarly, many of the refugees are born out only after the involvement by any one of the European countries, be it the ethnic conflict or civil war in ex-colonies or the NATO's intervention in the break-up of Yugoslavia. The end of the Cold War has brought a change in the character of refugees. Previously they used to be political in character, but the end of the Cold War has turned them into economic refugees primarily because of the collapse of the economy in many East European countries. As

⁴¹. Michael R. Marrus, *The Unwanted: European Refugees in the Twentieth Century*, Oxford, (Oxford University Press, 1985), pp. 370-371.

a result, many countries are providing them with social security benefits, while restricting their work permits. Between 1988-93 Greece has received more than 52,000 refugees of 'pontic Greeks' from the former Soviet Union. They had fled in order to escape violence and persecution. Since they were ethnic Greeks they qualified for the Greek citizenship. However, though this number was given by the Ministry of Public Order, the Social Welfare Office that provides financial assistance to Pontians show the number at 129,000.⁴² On the other hand each country has its own concern and worries about the origin of refugees. For instance, Germany and Austria are concerned about the economic refugees from Central and East European countries, the United Kingdom from Hong Kong, France from North Africa, Italy and Greece from the former Yugoslavia.⁴³ Germany has comparatively generous policy towards refugees.⁴⁴ Germany has been receiving refugees from East Germany. The number of refugees increased rapidly in 1989 when 2 per cent of the East German population and 3 per cent of labour force entered West Germany.⁴⁵ Even after the reunification of Germany between 1989 and 1993 about 1.4 million East Germans settled in West

⁴². Richard Black, "Livelihoods Under Stress: A Case Study of Refugee Vulnerability in Greece", *Journal of Refugee Studies*, (Oxford), vol. 7, no. 4, 1994, p. 365.

⁴³. S. F. Goodmann, *The European Union*, 3rd ed., Hampshire, (Macmillan Press Ltd., 1996), p. 19.

⁴⁴. *The Economist*, March 25th 2000, p. 58.

⁴⁵. Hermann Kurthen, "Germany at the Crossroads: National Identity and the Challenges of Immigration", *International Migration Review*, vol. XXIX, no. 4, winter, 1995, p. 920.

Germany.⁴⁶ In all the West European countries, refugees are coming in because of both political persecution and severe economic crisis. This has made the national governments feel no obligation to receive "economic refugees".⁴⁷ Germany was until recently host to 350,000 Bosnian and other Balkan refugees as "asylum seekers" or "displaced persons" where they are expected to return back to Bosnia and other parts of Balkans as conditions are getting normal.⁴⁸ Germany stands as the first choice for European and Asian refugees.⁴⁹ After the Kosovo crisis, many refugees started flowing into West European countries. There is growing resentment among the people on the refugees, as it is widely felt that they are just entering into West European countries for the generous social security benefits, which is widely claimed as the taxpayers' money. By May 1992 around 1,225,000 Yugoslavians were reported to seek asylum in Germany, 70,000 in Hungary, 25,000 in Sweden and 20,000 in Austria as refugees.⁵⁰

Though the Kosovo refugees in the beginning entered neighbouring states like Albania and Macedonia and then they started moving European Union member countries like Greece, Austria, Germany, Italy, etc. due to

⁴⁶ Kurthen, n. 45, p. 920.

⁴⁷ Brochmann, n. 5, p. 191.

⁴⁸ *The Hindu*, (New Delhi), October 18, 1999.

⁴⁹ *Ibid.*

⁵⁰ *Gaurdian*, May 18, 1992.

their geographical proximity and for the future economic benefits. There are refugees from Sri Lanka and other Commonwealth countries in the United Kingdom. This has become an emotional issue in Britain with 50,000 in the year 1998 and 74,000 in 1999, this again largely due to the Kosovo crisis, increase of discrimination towards gypsies in East Europe and a little contribution from places like Afghanistan.⁵¹ The refugees in UK receive 30 pounds a week in vouchers and 10 pounds in cash, along with free accommodation. Though this is not a large amount and less than what is offered by countries like Holland (which again has a higher proportion of refugees than Britain) still it is generous is the wide feeling among the Britans.⁵² France and Germany have a substantial number of Kurds in their countries. Most of the refugees that arrive to the European Union are predominantly originating from Europe. For example, in the mid-1990s, 64 per cent out of 556,947 people were from Eastern and Southern European countries.⁵³

EAST AND CENTRAL EUROPEAN REFUGEES

Central and Eastern Europe remains as the potential source of migrants to the European Union. Though the flow from the East has been

⁵¹. *The Hindu*, April 16, 2000.

⁵². *Ibid.*

⁵³. *The Hindu*, October 18, 1999.

continuing since the Cold War in a slow pace and less in number, the number increased in the 1980s and the 1990s. Many of the asylum seekers that pour into Germany every year are the one who cross Polish border and the close by Czech border.⁵⁴ The immigrants from East Europe were welcomed by the West European countries in the Cold War period as it was seen as a victory over communism. But, now the flow of people from East European countries has become an sensitive issue. In order to control these people, national governments from the West are aiding them and also investing heavily in the East European countries. Numerous ethnic Germans (people who are eligible for German citizenship) are entering Germany from this region. Along with them gypsies who for a long period stayed in East European countries, unable to bear the harsh oppression and persecution are migrating to the West European countries. The issue of mass migration from the East has also become an issue regarding eastward enlargement. Many believe that the removal of restrictions on the borders will lead to a mass exodus from east to west.⁵⁵ Many countries like Poland, Hungary, the Czech and Slovak Republics etc, have become transit points in the process of East-West migration. For example the immigrants first enter these countries to enter the Union, at the same time the members of the Union deport the

⁵⁴. *The Hindu*, February 28, 1999.

⁵⁵. Straubhaar and Wolter, n. 19, p. 273.

illegals and unwanted immigrants to these countries.⁵⁶ In both the cases of failure immigrants stay back at these 'created transit points'. As East Europeans under the Geneva Convention, do not qualify as refugees, they tend to migrate illegally. According to German Interior Ministry in the first of 1991 about 42,000 East Europeans illegally crossed the border into Germany using the 'transit points'.⁵⁷ It has also been an exaggeration of state that there will be a sea of immigrants flowing from the East to West. To protect their borders and to stop the flow of immigrants from the East, European Union member countries are trying to create favourable conditions back at home.

CONCLUSION

The trends in the 1990s have also shown a deep impact on the responses shown by the national governments. For example, the Nordic countries are facing heterogeneity in their social structure, with a growing number of foreigners entering their country. The foreign population amounts to 3 per cent in Denmark, 1 per cent in Finland, 3.5 per cent in Norway and 5.5 per cent in Sweden.⁵⁸ In response, the national governments are first trying to deter the immigrants in case of illegals and even if the entry is

⁵⁶. Leitner, n. 3, p. 260.

⁵⁷. *Ibid*, p. 270.

⁵⁸. Jan-Erik Lane and Svante Ersson, "The Nordic Countries: Contention, Compromise and Corporatism", in Josep M. Colomer(ed.), *Political Institutions in Europe*, London, (Routledge, 1996), pp. 205-206.

legal, they are being stopped or make it delay etc. Countries like France have made their family reunion and asylum more restrictive, while same is the case with Germany and the UK. Also at the Commission level steps are being taken to evolve a common understanding on the issue of immigrants.

France has reformed its nationality laws in 1993, according to which family reunifications became strict and is restricted to one spouse and one set of directly dependent children. The laws included extra powers for the police dealing with illegals and was enacted from January 1994. Britain had always strict laws and under the 1993 Act the finger prints of asylum-seekers are to be taken to prevent benefit fraud and multiple asylum applications. At the same time Germany abolished its constitutional right to asylum, while Spain, Portuguese and Italian governments had to tighten the immigrants laws due to pressure from the Schengen members. Spanish law has now abolished the difference between the two categories, asylum and refugee and also the automatic right of entry.

All these stricter laws have complicated the situation further there by increasing illegals. According to an estimate of the International Labour Organisation (ILO) on illegals, 14 per cent of the foreign population in West Europe is illegal i.e., around 2,600,000 people, with Germany and Italy

having the largest numbers.⁵⁹ This kind of response were in a way forced and rubbed on the national governments due to the growing popularity of the Far Right and racist groups that survive only on the anti-minority and anti-immigrant platforms. European Union member countries which face a harsh recession period currently are not in a position to lower the unemployment rate. This, in turn, led the national governments to restrict foreigners further more. However, countries like Germany are inviting skilled technicians from the Third World for cheap labour, where in Germany has opened doors for 100,000 odd Indian specialist in high-technology service areas.⁶⁰ This shows that countries like Germany are still perceiving foreign labour as 'rotation labour force', where in they will work for a period of two years and go back to their home country.

Thus, there has been an overall increase in the number of immigrants in the 1990s with trends and patterns of migration fast changing. This is again only due to the unequal development of the North and South. At the same time, there are some marginalised groups in the West European countries, who show their anger on the foreigners, which has led to the development of the Far Right, racist and xenophobic tendencies.

⁵⁹. W. R. Bohning, "Integration and Immigration Pressures in West Europe", *International Labour Review*, 1991, 130: pp. 445-58.

⁶⁰. *The Hindu*, April 13, 2000.

CHAPTER - III

XENOPHOBIA AND RACISM IN WESTERN EUROPE

In the process of post-war reconstruction with the American aid, Europe had allowed immigrant labour from their ex-colonies or from other countries to participate in the economic expansion and to contribute to the same as human resources. But during this time immigrants were tolerated and accepted in the society, primarily because of four reasons: (i) The bitter reminiscences of the Nazi and fascist regimes were still fresh in the minds of the people; (ii) There was growth in the economy constantly due to which the natives didn't feel insecure; (iii) Ideologically Communism was able to effectively counter the rightist philosophies like Nazism and Fascism and finally (iv) Immigrants were never seen as a permanent settlers in their countries.

Historically the kind of nationalism that grew up in the Europe has nurtured violence, thereby making minorities and foreigners feel the insecurity and face the wrath. However, there was no exact policy of the State towards immigration control or regularising, as there was a non-serious and non-assimilative approach by almost all the West European countries in dealing with the immigrant minorities. "Shaped by the view that migrant

workers were temporary mobile units which could be recruited, utilised and disposed of according to market requirements.”¹

Racism in the narrow sense percolates down to physical attacks motivated by hostility ascribing to their ethnic or racial features. Nevertheless, in the broader sense it means harassment and intimidation of any kind. The roots of the racism can be traced back to colonial times where colonial masters in order to justify their interpretation of colonial structures. This later was transferred from Britain and France to Germany.² On the other hand, xenophobia literally means fear of foreigners or strangers, while Hobsbawm defines it as, being against the foreigners by excluding them from ‘our’ already existing state.³ This kind of fear develops in natives whenever there is a recession or crisis in the economy. Whenever such slump or crisis exists in a society the unemployment failing to recognise the reality, tend to ventilate their frustration on more vulnerable targets, where immigrants and minorities are always in the forefront. In the words of Eric J. Hobsbawm, “...what is being defended against strangers is jobs, and there is a certain truth in the proposition. The major social base of European racist

¹. Castles, quoted in Paul Iganski and Sidney Jacobs, “Racism, Immigration and Migrant Labour”, in Tony Spbey, (ed.), *Britain in Europe: An Introduction to Sociology*, London, (Routledge, 1997), p. 155.

². Jochen Blaschke, “New Racism in Germany”, in Daniele Joly (ed.), *Scape Goats and Social Actors*, Hampshire, (Macmillan Press Ltd., 1998), p. 56.

³. E. J. Hobsbawm, “Ethnicity and Nationalism in Europe Today”, in G. Balakrishnan (ed.), *Mapping the Nation*, London, (Verso, 1996), p. 258.

movements such as the French National Front appears to be in the native working class, the major activities or such movements appear to be working class young men--skin heads and the like – and a long era of full or virtually guaranteed employment ended, in Western Europe during the 1970s, in Central and Eastern Europe at the end of the 1980s. Since then Europe is once again living in societies of mass unemployment and job uncertainty...the relatively sudden rise of xenophobic parties, or the xenophobic issue in politics, is largely due to this.”⁴ At the same time “National xenophobia shading into racism is almost universal.”⁵ Such kind of xenophobia is directed against foreigners only not against their culture, but in the process of political manifestation, these xenophobic and racist groups use the factor of cultural difference to mobilise natives against the foreigners.⁶ This kind of Euro-racism will be further strengthened by linking it to the immigrants and minorities issue. At the same time, there was sudden rise in the far right wing and racist parties in the 1980s and the 1990s for other reasons. The immigrant flows in the 1980s and 1990s have shown great deep impact on the nationalism within the West European countries. There was resurgence in using the national symbols like the flag, anthem,

⁴. Hobsbawm, n.3, p. 263.

⁵. *Ibid.*, p. 262.

⁶. *Ibid.*, p. 263.

the past etc, which has taken a aggressive turn and has been showing deep tendencies like racism and xenophobic violence even reaching normal peaceful countries like Norway and Sweden.⁷

In addition, in the post-war period and until 1970s, due to the strong anti-colonial movements, ethnic movements, secessionist, national and freedom movements were strong in their fight for democracy and human rights. In this fight, all these movements became broadly the natural allies of the communism. During this time communism was in a strong position to defend their rights due to which the youth and the middle-aged were broadly in left. But, since the 1980s and after the break-up of the Soviet Union, these movements changed in character by developing a kind of notion 'people, blood and soil'. Hence, we find increasing intolerance, growth of right wing parties, racist, neo-nazi groups all over in the 1980s, where in the 1990s these groups also started gaining electorally.⁸ These parties talk of the State sovereignty by glorifying the history of the nation. In such cases, the parties built on these platforms view the policy on immigration as one of the major sovereign holds of the nation. These parties for that purpose view immigration as the national identity question and thus the expressions of

⁷. Goran Therborn, *European Modernity and Beyond: The Trajectory of European Societies, 1945-2000*, London, (Sage Publications, 1995), p. 242.

⁸. Tore Bjorgo, "Introduction", Tore Bjorgo (ed.), *Terror From the Extreme Right*, London, (Frank Cass, 1995), pp. 1-2.

racism and xenophobia are legitimised.⁹ Hence all the extreme right wing and racist political parties today enjoy minimum electoral support throughout Europe, which rise the question of national unity and identity.¹⁰ Right wing groups justify their violence and xenophobic philosophy by offering a political agenda. The media also contributes to it by bringing in comparisons between the immigrants and the natives through provisions like housing, social security benefits, etc.,¹¹ which adds fuel to the fire.

In the 1960s racism and xenophobic ideologies resurfaced, receiving new support in the Great Britain and Switzerland under the banner of *National Front* and *the Schwarzenback referendum*, which was followed by Holland and France in the form of *Centrumpartij* and *Front National* in the 1970s, then came Belgium and West Germany in the 1980s as *Vlaams Blok* and *Republikaner* respectively.¹² Thus, the already present right wing movements in the 1980s have capitalised the changes that took place in the 1990s to expand their electoral support.¹³

⁹. Mark Mitchell and Dave Russell, "Immigration, Citizenship and the Nation-State in the New Europe", in Brian Jenkins and Spyros A. Sofos (eds.), *Nation and Identity in Contemporary Europe*, London, (Routledge, 1996), p. 74.

¹⁰. Ibid.

¹¹. Alasdair Stewart, "Migrants, Minorities and Security in Europe", *Conflict Studies*, 252, June 1992, p. 18.

¹². Frank Bovenkerk, Robert Miles and Gilles Verbunt, "Racism, Migration and the State in Western Europe: A Case for Comparative Analysis", *International Sociology*, vol.5(4), December 1990, pp.475-476.

¹³. Dov Waxman, "Immigration and Identity: A New Security Perspective in Euro-Maghreb Relations", *Conflict Studies*, no. 302, September 1997, p. 2.

The rise of extreme right wing parties in the 1990s has benefited from the fear psychosis of the livelihood of a mass exodus of East Europeans and people from the former Soviet Union, especially after its break-up in 1991 into West Europe. This had led almost all-extreme right wing parties to demand an end or control of immigration, the repatriation of immigrants, and the withdrawal of political and social rights given to immigrants.¹⁴ However, apart from gains in some local elections, most of these parties were unable to influence results in state and federal elections until the 1990s.¹⁵ These right wing parties transform the immigrants into scapegoats by picturing them as "dark-haired Muslims", "they don't speak language properly", "they are dirty and unclean", "they are pimps and drug-pushers" and "they are controlled by foreign forces". In other words, the immigrants anti-social behaviour threatens the life of whites. Moreover, in all the cases the right wing groups project themselves as the champions of economic and political rights of the whites and opponents of an "immigrant invasion".¹⁶

Extreme, Far-right wing parties across Western Europe have some fundamental differences, when it comes to presenting their philosophy to the

¹⁴ Bovenkerk, Miles and Verbunt, n. 12, p. 476.

¹⁵ Stuart Bentley, "Merrick and the British Campaign to Stop Immigration: Populist Racism and Political Influence", *Race & Class*, vol. 36(3), January-March 1995, p. 57.

¹⁶ Martin Evans, "Languages of Racism within Contemporary Europe", in Brian Jenkins and Spyros A. Sofos (eds.), *Nation and Identity in Contemporary Europe*, London, (Routledge, 1996), p. 45.

masses in an appealing manner. In Britain, it is race and colour as a biological entity. In the Netherlands, it is social undesirability of minorities, and in countries like France and Germany it is cultural and national origins.¹⁷ At the same time, these parties seem to be gaining increasing popularity day-by-day and are bringing in pressures on the national governments to bring increasingly tighter immigration laws.¹⁸ On other hand, the national government in order to minimise the growing popularity of racist and xenophobia groups, are promulgating tighter laws on immigration, which seems to legitimise the stance of extreme right wing parties and help them to gain popularity. Hence, across the whole of West European countries one can see the simultaneous growth of these parties and the tightening of immigration laws.

At the same time, national governments are apparently unable to control the inflow of immigrants by a state policy are sponsoring and encouraging certain kind of xenophobia and racism. For example, the state indulges itself in the acts in order to deter the immigrants: (a) refusal of work permits to parents whose children were born in the country; (b) compulsory AIDS test to grant students from Africa; (c) refusal of ID cards by certain town corporations; (d) refusal of DNA blood tests for immigrants

¹⁷. Bovenkerk, Miles and Verbunt, n. 12, p. 476.

¹⁸. Bentley, n. 15.

trying to prove their blood relations for family reunions; and (e) refusal of admission for immigrant children to municipal schools.¹⁹ These are some of the factors that contribute to the racial discrimination like the housing factor; the chances for immigrants and ethnic minorities get an unequal treatment compared to the native whites.²⁰

The immigrants and minorities are successfully marginalised even in the social sectors controlled by the State. For example, the refugees in the 1990s have been facing a change in the attitude of the government, the media, natives etc., who exercise 'human deterrence' so as not to attract more refugees and asylum-seekers thereby explicitly adopting the policy of non-integration, which in turn, seeks to legitimise and encourage racism and xenophobia.²¹ Thus, Mark Mitchell and Dave Russell consider racism in Europe is not simply "a knee-jerk reaction to the perceived threat of further mass migration from the South and East".²² However, this notion is only partly true in the sense that racism in Europe has to be dealt with seriously, but on the other hand mass migration from East and the South is one of the belief that was encashed by the racist groups in appealing to the youth and in

¹⁹. Solon Ardittis, "Labour Migration and the Single European Market: A Synthetic and Prospective Note", *International Sociology*, vol. 5(4), December 1990, p. 467.

²⁰. *Ibid*, pp. 468-469.

²¹. Daniele Joly, "A New Asylum Regime in Europe", in Francis Nicholson and Patrick Twomey (eds.), *Refugees Rights and Realities: Evolving International Concepts and Regimes*, Cambridge, (Cambridge University Press, 1999), pp. 345-346.

²². Mitchell and Russell, n. 9. p. 74.

urging them to foment violent attacks against immigrants. A survey shows that all the elite has listed 'migration' in the major four problems being faced by the Europe in the 1990s.²³

Immigrants in Europe are being marginalised more and more both in the society and the labour market. Due to this marginalisation, most of them turn towards the 'underground' or 'informal' economy, thereby making no contribution to the host society. This change leads to more restrictive migratory policies which, in turn, fosters changes in the attitudes of the natives towards immigrants in the form of xenophobia and racism.²⁴ Immigrants from the Third World take up the secondary jobs in the market, while the clandestine and unregistered immigrants take up any form of work and are generally seldom unemployed, as they accept any kind of working conditions they turn out to be highly competitive in the labour market.²⁵ As they are illegal and on the other hand as they mostly work in underground economy, they can neither form trade unions nor can they fight for their better working conditions and wages and also for political rights. This makes

²³. Gallya Lahav, "Ideological and Party Constraints on Immigration Attitudes in Europe", *Journal of Common Market Studies*, vol. 35(3), September 1997, p. 387.

²⁴. Enrico Pugliese, "New International Migrations and the "European Fortress" in Costis Hadjimichalis and David Sadler (eds.), *Europe at the Margins: New Mosaics of Inequality*, Chichester, (John Wiley & Sons, 1995), pp. 65-66.

²⁵. *Ibid*, pp. 53 and 55.

them further marginalised as local trade unions do not fight for them as they are illegal and their employers also do not guarantee any security benefits.

After reunification, growing unemployment led to marginalised resented groups to be mobilised by the right wing movements with slogans like 'Germany for Germans'. This kind of aggression on foreigners and minorities gives them a kind of group solidarity and satisfaction.²⁶ Thus, reunification which had a tremendous negative impact on the economic front has thus led to disgust and frustration, which was being ventilated out in the form of hostility and violence towards foreigners. Hence, the neo-Nazis and skinheads tend to be concentrated in the East Germany.²⁷ Due to its past, Germany has had a very liberal asylum law. Since asylum-seekers, refugees and immigrants were treated in a more generous manner than any other European country, many immigrants considered it in terms of getting welfare benefits only.²⁸ Also with the reunification of Germany Turkish immigrants who number over 2 million in united Germany had to face the wrath of former East Germans who for the first time are experiencing unemployment.²⁹ In the post-wall period, the main targets of racist groups

²⁶. Jurgen Fijalkowski, "Aggressive Nationalism and Immigration in Germany", in Richard Caplan and John Feffer (eds.), *Europe's New Nationalism: States and Minorities in Conflict*, Oxford, (Oxford University Press, 1996), p. 144.

²⁷. Mitchell and Russell, n. 9. p. 75.

²⁸. *Ibid.*

²⁹. J. Robert Wegs and Robert Ladrech, *Europe Since 1945: A Concise History*, 4th ed., 1996, p. 167.

were left-wing squatters and communist monuments and then came the slogans like, “Turks out!”, “Jews out!”, and “Ruskies up against the walls!”.³⁰ The immigrants are looked with such hostility, that unemployment at the rate of 10 per cent in Germany, Germans are not willing to do the rough and menial work, which is generally done by Turks and other immigrants.³¹

Though some far right parties were banned, they took rebirth with same ideology, but with different names. All these parties follow a strong anti-immigrants and anti-minority philosophy. The German People's Union (Deutsche Volks union or DVU) founded in 1971, promotes aggressive xenophobia and anti-Semitism. In 1990, it doubled its membership. Its single theme was the Federal Republic of Germany asylum policy.³² Similarly the Nationalistic Front (Nationalistische Front), and German Alternative (Deutsche Alternative or DA) both were outlawed in 1992 by the Interior Ministry and both derive their ideology straight from pre-1945 Nazi party, while DA was formed under the name of *Nationale Alternative* (NA).³³

³⁰. Paul Hockens, *Free to Hate: The Rise of the Right in Post-Communist Eastern Europe*, (London, 1994), p. 45.

³¹. Peter H. Merkl, “Radical Right Parties in Europe and Anti-Foreign Violence: A Comparative Essay”, in Tore Bjorgo (ed.), *Terror From the Extreme Right*, London, (Macmillan Press Ltd., 1995), p. 99.

³². Hockens, n. 30, pp. 52-53.

³³. *Ibid*, pp. 53-54.

The DVU appeals to the voters by using the existing insecurity and fears about foreigners as foes. They call migrants and minorities as 'vagabound gypsies', 'lazy poles', 'criminal asylum-seekers' and 'Jews who blackmail the Germans'³⁴ and all the right wing propagates with *Volkisch*, xenophobic, ethnocentric, racist slogans like *Heimatverlust* (loss of home), *Balkanisation* (fear of imported ethnic conflicts), *Ueberfremdung* (foreignisation) and *ueberflutung*(flooding).³⁵ In spite of the less number of foreigners present in the eastern part of Germany, racist violence is more there.³⁶ While many of the attacks are concentrated in rural coastal areas and near the Polish borders,³⁷ shows that this part of Germany is facing more immigrant pressures. The number of criminal assaults committed by the right wing extremists and young people rose by 50 per cent, viz. to 2,285 in 1992.³⁸ In Berlin, in the month of October 1999 the neo-nazis group attacked, what is Europe's largest Jewish Cemetery, where the victims of the Third Reich were buried. Attack took place on the day of commemorating

³⁴. Blaschke, n. 2, p. 68.

³⁵. Hermann Kurthen, "Germany at the Crossroads: National Identity and the Challenges of Immigration", *International Migration Review*, vol. 29(4), winter 1995, p. 927.

³⁶. Alan B. Krueger and Jorn-Steffen Pischke, "A Statistical Analysis of Crime Against Foreigners in Unified Germany", *Journal of Human Resources*, vol. 32(1), winter 1997, p. 208.

³⁷. *Ibid*, pp. 53-54.

³⁸. The *Bundesamt fur Verfassungsschutz* cited that figure 2,285 in press conference of the Minister of Interior on February 6, 1993. Quoted in Jurgen Fijalkowski, "Aggressive Nationalism and Immigration in Germany", in Richard Caplan and John Feffer (eds.), *Europe's New Nationalism: States and Minorities in Conflict*, Oxford, (Oxford University Press, 1996), p. 145.

the reunification of Germany, where swastikas were also found in the place.³⁹

In the Scandinavian countries, racist parties view immigrants as a threat to their national security. For example, the Norwegian and Danish anti-immigrant activists use the theory of 'Islam conspiracy' whereby Muslims seek to conquer the world are settling in foreign countries more and more as a part of their holy war or 'Jehad'.⁴⁰ Racist parties in Scandinavia are also gaining fast where *Folkebevegelsen Mot Innvandring* (FMI, the People's Movement Against Immigration) split off to form *Norge Mot Innvandring* (NMI, Norway Against Immigration) has become leading party of violence and consider the political opponents as 'traitors' due to the immigration issue.⁴¹ The Norwegian and Danish anti-immigrant groups portray their struggle and also compare it with the anti-Nazi resistance movement, while in Sweden *Vitt Ariskt Motsland* (VAM, White Aryan Resistance) view their fight as the extension of Nazis struggle in Germany.⁴² However, in both cases they draw inspiration from Nazi philosophy. Since Norway and Denmark were occupied by the Nazi troops, they project

³⁹. *The Hindu*(New Delhi), October 7th 1999.

⁴⁰. Tore Bjorgo, "Extreme Nationalism and Violent Discourses in Scandinavia: 'The Resistance', 'Traitors', and 'Foreign Invaders'", in Tore Bjorgo (ed.), *Terror From the Extreme Right*, London, (Frank Cass, 1995), p. 209.

⁴¹. *Ibid.*, p. 189.

⁴². *Ibid.*, p. 196.

themselves as anti-Nazi, in the case of Sweden as they were not occupied by Nazis, they do not face any problem at the domestic front regarding the inspiration from Nazi.

In the 1980s, there have been nearly 200 attacks against asylum-seekers and immigrants in the Scandinavian countries, with steep rise in Sweden in the 90s.⁴³

In the French case, the extreme right wings argues about the cultural difference between the natives and the immigrants, who are mostly Maghrebians and the subsequent difficulties in assimilating them. Thus, they argue for the repatriation of the immigrants. The far right wing party, Front National, has its break in the 1984 elections. In Italy in the post-war period, only the *Movimento Sociale Italiano* (MSI) was active as the neo-fascist party. It got 9 per cent in 1972 but declined to 7 per cent in 1983.⁴⁴ In 1984, the Commission of Enquiry of the European Parliament on fascism and racism concluded that 'Italy is one of the European countries where there are a very low number of racial incidents.'⁴⁵ But by the end of the 1980s and in the early 1990s, there was growing intolerance attitude towards the immigrants in Italy. An estimate shows that Italy has 850,000 to 900,000

⁴³. Bjorgo, n. 40, p. 201.

⁴⁴. Gordon Smith, *Politics in Western Europe: A Comparative Analysis*, 4th ed., (London, 1983), p. 145.

⁴⁵. Giovanna Campani, "Immigration and Racism in Southern Europe: The Italian Case", *Ethnic and Racial Studies*, vol. 16(3), July 1993, p. 517.

foreign population, which is less than 2 per cent of the Italian population, but the civil society is characterised in Italy by a climate of hostility, indifference and xenophobia. This was mainly due to the poor delivery of social services, the problems of housing, the spread of informal economy.⁴⁶ Traders and small business men in towns like Florence, Pisa, Rimini, Cesena, etc. organised anti-immigrant demonstrations, which received favourable echoes from some sections of the local population and authorities.

Until the 1990s the far right parties had not shown much gains in electoral politics. With the founding of the *Movimiento Social Espanol* (MSE), there is a growing trend in Spain. The MSE defines itself as a 'radical nationalistic movement'. MSE demands also include that the Catalan and Basque nationalist movement be outlawed.⁴⁷

In Portugal, the far right poses even lesser threat than Spain. *Movimento de Accao Nacional* (MAN) and other small skinhead neo-Nazi groups are there, demanding the repatriation of Blacks and other non-Europeans. However in 1991, MAN was referred to the constitutional tribunal, which imposed ban on its political activities.⁴⁸ But, in Spain, there

⁴⁶. Campani, n. 45.

⁴⁷. David Corkill, "Multiple National Identities, Immigration and Racism in Spain and Portugal", in Brian Jenkins and Spyros A. Sofos, *Nation and Identity in Contemporary Europe*, London, (Routledge, 1996), pp. 167-168.

⁴⁸. *Ibid.*

has been a consistent rise in its xenophobic and racist tendencies in the 1990s. Recent studies show that 30 per cent of Spaniards show these tendencies, while the number of neo-Nazi activities, according to the police doubled from 1998-99.⁴⁹ Thus, even in the countries of traditionally peaceful countries and the people who used to be migrants in the 60s and 70s have adopted the racist and xenophobic tendencies.

Austria, which also had a 'black past', the Freedom Party has gained second position in the 1999 election. Joerg Haider, the "Yuppie fascist" leader of the Freedom Party carries many of the hallmarks of the old nazi rhetoric. This party advocates anti-establishment populism, xenophobia with anti-Semitism, which only recalls the Austria's Nazi past.⁵⁰ In the 1999 election campaign Haider claimed that the Austrian labour market was being flooded with workers from outside, the Party's supporters suggested that half a million unemployed in Austria have to confront half a million immigrants.⁵¹ The blue-collar jobholders in Austria view Haider as the ardent defender against the immigrants who would steal their jobs for lower wages. At the same time, many criticisms made by Haider had forced other Austrian mainstream political parties were forced to adopt anti-immigrant

⁴⁹. *The Economist* (London), February 19-25, 2000, p. 55.

⁵⁰. *New Statesman* (London), February 2000, p. 14.

⁵¹. *Ibid.*

stance.⁵² For instance, Haider's demand for *Ueberfremdung* (over foreignisation) had forced the Austrian government of Social Democrats and People's Party to curb immigration, where out of 8 million Austrian, less than 10 per cent are foreigners.⁵³ Words like "migrant" and "asylum-seeker" have been the platform that the right has been founded and have adopted by all the negative associations. Due to this, Haider is gaining greater sympathy in Bavaria, Switzerland, northern Italy and French Savoy places where there is a fear of 'swamping' by immigration and a nostalgia for the Nazi past.⁵⁴ The main issue in Freedom Party getting strong opposition from abroad is mainly due to its anti-European integration stance. This is evident from the campaign that carried strong opposition to enlargement of the European Union towards the East and opposes the surrendering of sovereignty to Brussels.⁵⁵ This kind of racism gaining power in a country like Austria will have serious geographical implications as it is situated in the heart of Europe.

Britain the country of 'multi-culturalism' has got into the grip of xenophobia long before any other country. There were several instances of anti-immigrant positions adopted by British political parties. There were

⁵² *The Guardian Weekly*, February 10-16, 2000.

⁵³ *Ibid.*

⁵⁴ *The Guardian Weekly*, February 17-23, 2000.

⁵⁵ *New Statesman* (London), February 2000, p. 15.

opposition towards the African and Caribbean immigrants. British public opinion, successfully moulded by the tabloid press and the right wing media, felt that their country had become a magnet for refugees from all over the world, due to the generous social welfare benefits and soft asylum laws, but in reality it receives less applications than many other countries.⁵⁶ At the same time, many people in Britain believe that the racist attacks were encouraged by far-right British National Party, where in 1993 when they won their first local council seat in Isle of Dogs in London, there was a 300 per cent rise in the number of racist incidents recorded by police.⁵⁷ There was a case Sheffield, where racism was found even in organ transplanting in which a white man's kidney was given specifically to another white.⁵⁸ Also, there were racial attacks in city of London in the month of April 1999. There were bomb explosions in thickly populated immigrant areas. Though, there were no electoral success for the far-right, still they are sticking to violence, and terrorism, the main groups being 'Combat-18' and 'the White Wolves'.⁵⁹ Thus, the myth that the British society is tolerant and holds the tradition of 'multi-culturalism' is shattered.

⁵⁶. *The Hindu*, April 16 2000.

⁵⁷. Paul Iganski and Sidney Jacobs, "Racism, Immigration and Migrant Labour", in Tony Spibyey,(ed.), n. 1, pp. 156-157.

⁵⁸. *The Hindu*, July 8, 1999.

⁵⁹. *The Hindu*, May 2, 1999.

While it is argued that racism and xenophobia is a recent phenomenon gaining in Europe due to the presence of foreign workers, but history shows that it existed even before. Still, in all the member countries the presence of foreign workers is being resented more and more, due to which parties like the Freedom Party are gaining electorally. A survey by the European Commission revealed that racism in varying forms and degree is widespread in the Union.⁶⁰ In France and Norway, the success of the rightist parties came at the expense of the immigrants. Jean-Marie Le Pen's National Front's campaign in the 1980s "send them back home" came as a blow to the immigrants.⁶¹ While many of the Greek and Italian immigrants were accepted in the northern Europe, the Arabs and the Turks, who remain rather exclusive did not gain it. Moreover, North Africans suffered a lot due to the fear of terrorism and Muslim fundamentalism among the natives.⁶² By and large, the targets of racism have been Muslim immigrants for their strict observance of Islamic faith and culture. Muslims were made more vulnerable targets after the Rushdie affair in Britain, violence and hostility towards Turkish immigrants in Germany and towards North Africans in France and Italy.⁶³

⁶⁰. *The Hindu*, October 8, 1999.

⁶¹. J. Robert Wegs and Robert Ladrech, n. 29, p. 167.

⁶². *Ibid.*

⁶³. Dov Waxman, n. 13, pp. 21-22.

The Commission of the European Communities observed in 1992 that "nearly all countries report increased numbers of racist incidents and attacks on foreigners and individuals belonging to ethnic, racial linguistic minorities".⁶⁴ In France a reported of 2,237 racist violent incident took place, in Germany there was a tenfold increase between 1990-91, in Britain from 1989 to 1993 the number doubled nearly from 4,682 to 8,700, same is the case with Italy and Denmark.⁶⁵ All this time in Germany 'Turks' have had to face the brunt, gypsies, Asian, African and Carribbean minorities in Britain. In France attacks against the North Africans grew only in the 1980s and the 1990s, which incidentally this was the period where Western Europe has seen the rise in the immigrants number in the form of asylum-seekers and refugees.⁶⁶

In the late 1990s, the far right wing parties have gained electorally in France, Germany, Austria and Switzerland. This was due to the surge of immigrants from Balkans and East Europe and a growing unemployment rate.⁶⁷ Like in Austria and Switzerland, there are energetic extremist right wing movements that are knocking on the political doors including

⁶⁴ Iganski and Jacobs, n. 57, p. 155.

⁶⁵ *Ibid*, pp. 155-157.

⁶⁶ *Ibid*.

⁶⁷ *The Hindu*, October 5th 1999.

Germany, where they hold seats in four states out of sixteen.⁶⁸ The immigration of gypsies from the Eastern Europe had led to further strong distrust and disgust among the natives. These gypsies were called as 'Rumanians', 'Sinti' and 'Roma' etc and any political responsibility towards them was denied and thus their arrival marked the beginning of racist riots.⁶⁹ Today in Europe the political discourses are potraying migrants from the East as the 'hordes', 'mass exodus' and so on stirring the past fears that the barbarians from the east are invading the industrialised west, while this helps the racist groups to justify their violence it has become a nightmare for the immigrants.⁷⁰ At the other end, media and right wing politicians exaggerate and manipulate the issue of immigration and right wing violence with sensational stories on immigrants, where a small percentage of them are involved in drug-pushing, petty crimes and other illegal economic activities. Right wing parties articulate this kind of sentiments and fears into a successful support for them.⁷¹ The racist and xenophobic tendencies are getting on to even the politically figures. French President Francois Mitterand stated that the "threshold of tolerance has been reached", similarly

⁶⁸. *Time* (New York), February 14, 2000, p. 25.

⁶⁹. Blaschke, n. 2, p. 66.

⁷⁰. Helga Leitner, "International Migration and Politics of Admission and Exclusion in the Post-War Europe", *Political Geography*, vol. 14(3), April 1995, p. 263.

⁷¹. Kurthen, n. 35, p. 927.

Italian author and scholar, Umberto Eco declared that Africans entering Europe will give rise to "World genetic mutation".⁷² Thus, the immigration has become an emotional issue almost in all the West European countries. The hostility towards foreigners though in a less crude form has crept into traditional right wing parties and the nationalistic rhetorics have forced even the Social Democrats to adopt a tough stance towards immigrants.⁷³

Although the immigrants are being targeted at the cultural and social level, the West European societies have miserably failed to integrate and assimilate them into the mainstream life of the society. This was mainly due to the fact that the European countries right from the 1950s have viewed immigrant labour as temporary and rotation labour. This had a great impact on the second and third generation i.e., children of original immigrants, were also not integrated into the society. At this stage, the second generation neither they can go back nor can stick to the host societies, thereby getting caught in the middle. There are many high-school dropouts and high unemployment rate in second generations, highlight this fact, which in the later stages turns as a catalyst to social unrest.⁷⁴ For example, the German

⁷². *Economist*, 19 May 1990 quoted in Raymond A. Smith, "The European Community and the Challenge of New Migrants", *World Review*, vol. 32(2), June 1993, p. 9.

⁷³. Grete Brochmann, "Fortress Europe" and the Moral Debt Burden: Immigration from the "South" to the European Economic Community", *Cooperation and Conflict*, vol. 26(1), 1991, p. 190.

⁷⁴. Leitner, n. 70, p. 265.

laws, regarding immigrants does not allow foreigners to integrate into the German society. The naturalisation process of foreigners which according to the Basic Law has to be through German blood. Due to this, it is very difficult to become a citizen thereby making it difficult for the immigrants to participate in the cultural and political activities. As a result, they are marginalised and do not develop any kind of integrity with the host society. The national community constantly involved in the superiority of its 'own' economic and cultural structure, thus in this kind of solidarity, sections of working class also involve in the agitation against immigrants presence, in their respective states, this will still be further encouraged and increased due to the slump in the economy and the fuel added by the right wing movements.⁷⁵ At the same point, the European Union encounters difficulties since electoral gains of right wing and racist parties gave rise to anti-integrationist parties.

Today the movement of people, on one hand is highly restricted and on the other, they are not integrated into the host societies, to deter other people to come in. Until and unless the host societies try to integrate (by granting them minority and political rights etc.) the immigrants and minorities, the kind of national imagination that gives rise to xenophobia and

⁷⁵. Robert Miles and Victor Satzewich, "Migration, Racism and 'Post Modern' Capitalism", *Economy and Society*, vol. 19(3), August 1990, p. 352.

racism will survive and exist. For this, though there were some directives adopted and issued by the European Commission, at the supra-national level, a strong and determined political will is absent at the national governments level. This lack of will at the national governments level has brought the immigration as an 'issue' into the forefront of the European Union's agenda in the 1990s, which is discussed in the next chapter.

CHAPTER - IV

EVOLVING COMMON IMMIGRATION POLICY

The evolution of a common immigration policy is a major challenge confronted by member states of the European Union. The process of evolving common immigration policy demands more co-operation and co-ordination among the Member States. On the other hand, immigrants are entering "soft" countries like Italy, Greece, Spain and Portugal in the Southern part and are vanishing beyond the Alps into northern Europe to countries like France, Germany and Scandinavian. This is happening because the economy of the Southern Members is slowly expanding, where it needs labour to work mainly on the agricultural sector. Immigrants thus are entering these countries and work sometime in the agriculture and vanish to the North. This has made countries like France and Germany to bring pressure on the Southern countries so as to contain the flow of immigrants. Even the pressure is not showing any impact on these 'soft targets' for which there should be a common external frontier so as to stop the flow from third countries.

Member States, apart from trying to harmonise the different national immigration policies are also attempting to control the immigrants' flow. For instance, Member States at the supra-national level are providing aid to the

countries of origin, mainly to African countries through Lome and Younde Conventions and to the East European countries by investing in that region heavily and providing technological assistance and by taking up other developmental projects in the region. In this way, the Union is trying to create favourable conditions in the countries of origin, which can stop immigrants from moving out of the country. On the other hand, Member States of the EU are facing problems due to immigrants, mainly because they are not skilled and hence do some menial work or hard labour. Hence, the national governments face serious problems as the immigrants do not contribute much for the economy. But on the other end, the immigrants take up those jobs which the natives refuse to do, thus a contradiction exists in the economic front. The notion that in order to save the national and cultural identities, sovereignty, much more restrictions should be imposed on the flow of the immigrants. But even though a single nation imposes strict laws on immigration still the immigrants enter that country from other nations by using them as transit points. EU is forcing the countries with strict laws to go for a supranational policy on the immigration in order to control the external frontiers effectively. Thus, the Member States are swaying between the effective controlling of immigrants through the Commission on one side and on the other side the loosing of sovereign authority over the issue of

immigration. As Member States are not in a position to do away with anyone of them, have adopted a strategy to decide by consensus on the common immigration policy, through 'intergovernmentalism'.

Growing immigration has also led to the growth of right wing parties in both Eastern and Western Europe. This has created greater difficulties in evolving a common immigration policy, encouraged xenophobic tendencies, and led to more restrictive immigration policies.

The movement of people from one State to another State was incorporated in the Universal Declaration of Human Rights and the Helsinki Final Act of 1975. Where both recognise and consider the exit of a person from a nation state as the basic human right, while the entry is regarded as a question of sovereignty and hence can be denied as the legal right. On the other hand, the sovereign nations view the free movement of people into their territory as a danger posed to their cultural integrity and national identity along with the sovereign authority of the State.¹ This is viewed from such angle, primarily because of the geographical admission, work permits, civil and political rights, which constitutes of political rights to immigrants including access to citizenship. Hence, the interests of the nation govern the national laws on immigration.

¹ Helga Leitner, "International Migration and the Politics of Admission and Exclusion in Post War Europe", *Political Geography*, vol. 14(3), April 1995, p. 261.

The first attempt to put the idea of Citizens' Europe into concrete form dates back to the summit of the heads of state or government of 1974, soon after the 1973 Report on European Identity came out and at the same time as the Tindemans Report on the European Union was published. Citizens Europe was simply a declaration of intentions aimed at promoting European identity. However, it was not until the Maastricht Treaty, that a judicial basis was to be given to the notion of citizenship of the European Union.² The process of evolving a common immigration policy at the Union level has been a rather long and difficult path and has evolved step-by-step to this current stage. These include the Single European Act, (1986) which laid the foundation, the intergovernmental conferences leading to the Maastricht Treaty, (1992) and the Amsterdam Treaty, (1998). Some Member States, which worked outside the European Union, concluded the Schengen Agreement. But immigration became an European policy issue only with the conclusion of the Treaty of the European Union. Prior to that it was preceded by the Ad-Hoc Intergovernmental Group on Immigration in 1986.³

² Marco Martiniello, "European Union Citizenship, Immigration, and Asylum", in Philippe Barbour, *The European Union Handbook*, London, (Fitzroy Dearborn Publishers, 1996), p. 261

³ Desmond Dinan (ed.), *Encyclopaedia of the European Union*, London, (Lynne Rienner Publishers, 1998), p. 269.

SINGLE EUROPEAN ACT

The Single European Act envisaged the creation of the Single Market involving the free movement of labour, capital, goods and services, has transferred the issues of immigration and asylum to supra-national authorities. As a result immigration policy of one state has become direct and immediate concern of other Member States within the European Union.⁴ Immigration as a policy and issue at the European Community level started with the 1986 Single European Act envisaging a Single Market with no internal barriers. This, in turn, led to the evolution of the logic of greater controls at the external frontiers.⁵ The Single European Act for the first time stressed greater co-operation and co-ordination among Member States for the control of external policies.

Article 8a of the Single European Act made two declarations: Firstly, that the Member States had the right to 'tackle such measures as they judge necessary for the purpose of controlling immigration from third countries' and secondly, "in order to promote the free movement of persons the Member States shall co-operate, without prejudice to the powers of the

⁴. Mark Mitchell and Dave Russell, "Immigration, Citizenship and the Nation-State in the New Europe", in Brian Jenkins and Spyros A. Sofos, (eds.), *Nation and Identity in Contemporary Europe*, London, (Routledge, 1996), p. 55.

⁵. Andrew Geddes, "Immigrant and Ethnic Minorities and the European Union's 'Democratic Deficit'", *Journal of Common Market Studies*, vol. 33(2), June 1995, p. 205.

Community, in particular as regards the entry movement and residence of nationals of third countries".⁶ The Act also stipulated that "nothing in the provisions of the SEA shall affect the right of Member States to take such measures as they consider necessary for the purpose of controlling immigration from third countries, and to combat crime, traffic in drugs and illicit trading in works of art and antiques."⁷ However, the Single European Act failed to specify what kind of mechanism should be adopted by Member States to deal with immigration. It also did not mention the exact status of EC nationals. Nevertheless, the Act stressed the need to control external frontiers effectively in order to establish a Single Market. The SEA also made internal migration within the European Community a non-issue for the first time as the citizens of Member States were guaranteed visa-free entry to other Member States and the provisions like settling, work permits were all guaranteed under EC laws. The Treaty of the European Union (TEU) or the Maastricht Treaty (1992) further improved the process of deepening of the common immigration policy.

⁶. Geddes, n. 5, p. 205.

⁷. Andrew Convey and Marek Kupiszewski, "Keeping Up with Schengen: Migration and Policy in the European Union", *International Migration Review*, vol. 29(4), winter 1995, p. 941.

TREATY OF THE EUROPEAN UNION

The Maastricht Treaty or the Treaty of the European Union gave the Community the competence to act in the areas of immigration and asylum, albeit a limited one, by making immigration the 'Third Pillar' of the EU along with security and judicial matters. In reality, this gave the EU powers to harmonise visa policies and regularise internal controls regarding the movement of non-EU nationals.⁸ The Maastricht Treaty envisaged that nationals of the member states will become the citizens of the European Union as a kind of second nationality. In fact, it opens with the statement, "every person holding the nationality of member state shall be a citizen of the Union."⁹ This ensured that the Union citizens would be entitled to move and reside freely in the Member States. due to this, the barriers between the nations have come down, which also resulted in the free movement of immigrants. As a result, the national governments saw the need to control the external borders of the EC territory where they viewed and identified this as primarily a security problem, even though it was recognised as economic and demographic problems as well. This, in turn called for the need for harmonising immigration and refugee policies at the supra-national levels.¹⁰

⁸. Mitchell and Russell, n. 4, p. 58.

⁹. Convey and Kupiszewski, n. 7, p. 939

¹⁰. Leitner, n. 1, pp. 272-273.

At the same period the Commission has developed more general proposals like, harmonising measures to control migration, combat illegal migration; regularise residence and work permits; common approach to the right of asylum; fixing common criteria for family reunification; strengthening the integration of legal immigrants etc, some of these proposals were envisaged in the Treaty of the European Union.¹¹

The Treaty of the European Union provides for the following provisions in it:

1. Article K.1.1 on Asylum policy;
2. Article K.1.2 on rules on governing the crossing the external borders of the Member States;
3. Article K.1.3 on Immigration policy and policy regarding non-EC nationals, which includes:
 - a. Conditions of entry and movement by third country nationals;
 - b. Conditions of residence by third country nationals, including family reunion and access to employment; and
 - c. Combating unauthorised immigration, residence and work permits by third country nationals.¹²

¹¹. Leitner, n. 1, p. 273.

¹². *Ibid.*

The Maastricht Treaty obliges Member States, "to cooperate within a single institutional structure on matters now recognised formally as being of common interest."¹³ Thus, several initiatives have been taken at European level in order to evolve a common immigration policy. But this does not imply that Member States have renounced their sovereignty in immigration Policy. Thus, the Maastricht Treaty, is an achievement, albeit a limited one which has tend to give the European Commission a kind of formal authority.¹⁴

INTERGOVERNMENTALISM AND IMMIGRATION

Intergovernmental co-operation has been prevalent regarding immigration policy for some time. The TREVI Group (Terrorism, Radicalism, Extremism, and International Violence) of senior officials from member states' ministers for justice and home affairs co-ordinated to fight terrorism, drug trafficking, organised crime and illegal immigration, etc. However, all these areas were later incorporated in the Treaty of the European Union under the Third Pillar.¹⁵ However, efforts to evolve a common immigration regime have been increasing as a result of mounting Europe-wide pressures from the Member States through intergovernmental

¹³. Editorial Material for ACP Delegations, *Newsletter*, no. 8, October 1994.

¹⁴. Mitchell and Russell, n. 4, p. 57.

¹⁵. Dinan (ed.), n. 3, p. 467.

conferences and at times from the European Union itself.¹⁶ This has led to greater realisation by governments that they cannot consolidate immigration laws in isolation within the European Union framework, where the laws in one Member State prove the laws in another State futile and ineffective.¹⁷

The first step came in a meeting of Interior Ministers in London, where the Ad Hoc Group on immigration was established. And in 1989 this informal intergovernmentalism agreed on both asylum procedures and external frontiers of the European Community. However, steps were taken through the Free Movement Coordinators Group, which drew up the "Palma-Programme" --- "a veritable charter of measures vital for the free movement of persons". This led to the signing of the Dublin Convention on 15 June 1990.¹⁸ The harmonisation process moved forward through a intergovernmental agreement concluded by EC Member States, immigration ministers in London in November 1992, under an Ad-Hoc Group on immigration. This arrangement sought to repatriate asylum-seekers of so-called 'manifestly unfounded' applications and send them back to the first safe haven or 'third host country' that the asylum seekers had passed through to reach the European Community. This agreement created a kind of

¹⁶. Mitchell and Russell, n. 4, p. 58.

¹⁷. *Ibid*, p. 60.

¹⁸. Geddes, n. 5, p. 206.

fence in the borders of the Community and a 'buffer zone' bordering the countries of the Member States.¹⁹ At the same time, there was a shift in policy making from human rights and humanitarian foras to governmental and intergovernmental foras. It seems that concern over asylum issues and protection of refugees has now become a "concern" and the "protection" of the borders of the receiving countries.²⁰

In the aftermath of the Schengen Agreement and the Dublin Convention, some of the Member States of the EU seek to evolve a long term strategy regarding the reduction of immigrant numbers, through harmonisation of policies. This strategy, firstly relates to control and restriction at the entry level through tight measures, secondly immigration over and above asylum is harmonised and envisaged for selected cases like humanitarian aims and employment under the Ad-Hoc Group on Immigration, thirdly, it includes the policy on treatment to asylum seekers and obtaining de facto status and fourthly, it relates to long-term measures so as to prevent the immigrants departing from countries of origin. However, in the report to the Maastricht summit, the above were included under the

¹⁹. Mitchell and Russell, n. 4, p. 61.

²⁰. Daniele Joly, "Whose Protection? European Harmonisation on Asylum Policy, in Daniele Joly(ed.), *Scape Goats and Social Actors*, Hampshire, (Macmillan Press Ltd., 1998), p. 497.

causes of immigration pressure, suggesting cooperation towards the removal of these pressures.

The Edinburgh meeting also reiterated and added on the principles of cooperation, which includes preservation and restoration of peace in order to reduce the number of asylum and refugee seekers and also encouraging the displaced people to stay near their home in a safe area. For which general aid and economic cooperation that leads to social and economic development are included.²¹ In the 1991 Luxembourg Summit, Chancellor Helmut Kohl suggested communitarising the immigration and asylum policy and called on immigration ministers to develop a work programme which would no longer be concerned solely to the internal borders. The disproportionate flow of migrants and refugees to European Community through Germany and the political limitations, opposition of Social Democrats, all of the stoked extreme right wing parties threatening the governing CDU, all these make clear that German government would favour a European policy in the area of immigration and asylum that would help, manage and legitimise more restrictive policies.²² The Ad Hoc Group on immigration, within three months laid down the priority objectives, which included:

²¹. Joly, n. 20, p. 458.

²². Andrew Moravcsik, *The Choice for Europe*, London, (UCL Press, 1998), p. 396.

1. policy harmonisation on admission for reasons of family reunion, entering into gainful employment or on humanitarian grounds;
2. a common policy on immigration of illegal in nature and on expulsion; and
3. policy harmonisation on national policies admitting third country nationals for work purposes.²³

In the asylum policy areas, three priority tasks were identified:

- a. Application and implementation of the Dublin Convention;
- b. Harmonising of rules on identification of unfounded applications on the principle of first host country and on a harmonised application of Article 1a of the Geneva Convention and the creation of a Centre d' Information, de Reflexion et d'Echange (CIREA) as a means of sharing information between Member States CIREA was established in June 1992. (de LobKowicz, 1993b)²⁴

The pre-IGC reflection Group of Foreign Ministers' personal representatives considered that immigration matters must be put fully under the community competence and also identified reasons for its failure:

- a. Unclear objectives and poor scheduling;

²³. Geddes, n. 5, p. 208.

²⁴. *Ibid.*

- b. Lack of a normative legislative framework for citizens' rights;
- c. Complex working structures that impede decision making.²⁵

But the executive branches of national governments, which are independent in consulting their National Parliaments, carried on all these negotiations. Hence, the European Parliament opposed this and criticised such independent negotiations without any role of the European Union. It is also trying hard to pull these policy areas under the Union's decision-making.²⁶ In a meeting in Copenhagen of the immigration officials and the Home Affairs Ministry of the European Union Member States endorsed a common belief that asylum-seekers and economic refugees come from Africa and South Asia, while the United Nations High Commissioner for Refugees shows that the EU's asylum seekers problem is predominantly European in origin, i.e., from eastern and southern Europe.²⁷

As Mark Mitchell and Dave Russell point out, the emergent European immigration regime, "is not simply an aggregate of multilateral agreements such as the Schengen Convention and trans-national initiative emanating from the working group on immigration. Indirectly, it is also the product of a

²⁵ Dinan (ed.), n. 3, p. 270.

²⁶ Geddes, n. 5, p. 209.

²⁷ *The Hindu*(New Delhi), 18th October, 1999.

complex variety of individual governments initiative flowing from shared discourses and normative standards."²⁸

THE SCHENGEN AND DUBLIN CONVENTIONS

The Schengen Convention has its origins in the Fountainebleau Council of the European Communities in June 1984.²⁹ In 1985, at a village called Schengen, where the borders of Germany, France and Luxembourg meet, these three states along with Belgium and the Netherlands agreed on the phase out checks on the movement of the people at their common borders. This was followed by signing of the convention to implement in the year 1990, intergovernmental arrangements to remove internal frontiers and strengthen external frontiers. In the Convention applying the Schengen Accords of 14 June 1990, the following security measures were adopted to uplift the loss of security suffered due to the abolition of border controls: harmonisation of visa policies, surveillance of external frontiers; freedom of movement of aliens; criteria for designating the country responsible for processing an application for asylum; co-operation between police forces and the legal authorities in matters converted by a criminal law; extradition; delegation of responsibility for enforcing criminal judgements; narcotics; fire arms and ammunition and the computerised network for exchange of

²⁸. Mitchell and Russell, n. 4, p. 64.

²⁹. Convey and Kupiszewski, n. 7, p. 942.

information between the police.³⁰ Moreover, the following provisions were agreed upon and included in the Accord:

1. A joint automated search system, the Schengen Information System (SIS), which allows Member States, in accordance with the laid down criteria, to set up and maintain data files on persons and certain objects like fire arms, blank documents, identity documents, registered bank notes and vehicles which have been stolen, misappropriated or lost etc. the police forces of other Member States can then access to the files as well as their natural investigation sections. A technical support unit in Strasbourg ensures that the data files are kept completely up to date;
2. Close checks at all crossing points on the external borders of Schengen land to be carried out in as uniform manner as possible;
3. Increased co-operation among the police forces in the region around the internal borders through the building up of a communications structure, joint exercises, cross-border observation and right to pursuit;
4. The obligation to supply Member States with any information that may be of assistance in crime prevention;
5. Increased co-operation in the fight against drugs and drug-related crime;
6. Harmonisation of the laws governing the possession of fire arms in the Member States.

For, for the first time outside the European Community the Schengen Agreement has introduced a mechanism to detect which Member State is responsible for examination of asylum request. The Treaty on European

³⁰. Raghu Dayal, "Going Footloose in Europe", *The Economic Times*(New Delhi), 17 June 1995.

Union provides for the organisation of a Union wide network to the exchange of information within a European Police Force (EUROPOL). A uniform visa policy was also introduced through the Schengen Agreement, where the foreigners for the short term visit will get a uniform visa valid for 90 days throughout the Schengen Community.

The signing of the Schengen Agreement was severely criticised. Europe was accused of trying to build a fence around its borders, while the American press depicted this Convention as the creation of "Fortress Europe".³¹ The term was very much synonymous with the restrictions imposed on the level of immigration. At the same time, the impact of the political disputes faced by the Member States domestically are delaying the implementation of the Schengen Convention. For instance, in June 1995, the French government concerned at the successes of the Far Right wing parties in the municipal elections, decided to reintroduce internal border controls, thereby eliminating them for a three month trial period.³²

There are some similarities between the Schengen Convention and the Maastricht Treaty. These two are two parallel policy trends in the European Union regarding the policy of immigration. The targetting for implementing

³¹. *Time Magazine*, 26 August 1991, quoted in Gertjan Dijkink, *National Identity and Geographical Visions of Maps of Pride and Pain*, (London, 1996), p. 9.

³². Mitchell and Russell, n. 4, p. 61.

the Schengen Convention was missed in three occasions due to the technical difficulties involved in SIS.³³ The Schengen Accord was joined by all the EU Member States with the only exception of Britain and Denmark. Eventually, the Schengen Agreement was incorporated in the Amsterdam Treaty thereby making it a Commission level policy making area.

The Dublin Convention on the right of asylum was signed in 1990 by all Member States except Denmark. The Dublin Convention is almost the same as the Schengen Convention but for its major objective, which was to prevent asylum-seekers from submitting multiple applications for asylum to several members simultaneously. Moreover, asylum seekers whose applications had been rejected by one Member State were to be returned to their country of origin rather than having their applications routed to other Member States. This was further harmonised by the advancements made by the intergovernmental meetings.³⁴ Thus, the Dublin Convention tries to determine the Member country responsible for examining the applications lodged for asylum in one of the Member States. It particularly aims to prevent the multiple number of applications applied by the asylum seekers. To meet this the Member States are in the process of establishing a computerised fingerprint recognition system (EURODAC) for asylum.

³³. Raghu Dayal, n. 30.

³⁴. Mitchell and Russell, n. 4, p. 61.

seekers.³⁵ This was mainly to deter the asylum seekers from shopping around to choose the soft country with easy laws for asylum. This also helps the Member States to find the asylum seeker even after 'vanishing' from the country of entry. This primarily lays the responsibility on the first receiving country so that the other Member States can escape from the problem of getting burdened of illegal asylum-seekers. The Dublin Convention entered into force from 1 September 1997.

The European Parliament has been critical of the Schengen Agreements and other intergovernmental bodies such as the TREVI Group of Ministers and the Ad-Hoc Group on Immigration which attempt to ensure with the surveillance and exclusion of foreigners. In December 1989 the European Parliament passed a resolution expressing its concern over these intergovernmental institutional arrangements acting outside the competence of European institutions, because of the potential negative effects on the rights of migrant workers and refugees, and also because of the undemocratic, secretive nature of the policy formation process.³⁶ The Expert Committee of the European Parliament also pushed for legislation, which would not apply not only to EC citizens but to all residents of the EC, and for founding of an Immigrants' Charter. Although the proposal for an

³⁵ Dinan, n. 3, pp. 141-142.

³⁶ Leitner, n. 1, p. 273.

Immigrants Charter was carried by the European Parliament, its implementation is more a question of its direct impact and effect on each Member State's legislations.³⁷ The question of working within the framework has been for the time being solved by the incorporation of the Schengen Convention in the Amsterdam Treaty.

THE AMSTERDAM TREATY, 1998

The Amsterdam Treaty incorporated the Schengen arrangement into the Union's single institutional framework, applying the system of "closer cooperation", the thirteen Schengen countries will continue their cooperation within the legal order established by the new treaty.³⁸ The areas related to visa policy, terms for issuing residence permits to immigrants, asylum procedures and rules governing judicial co-operation in civil matters.³⁹ The Amsterdam Treaty calls for the stage-by-stage establishment of an area of freedom, security and justice across the European Union. It lays down specific measures to create a common European policy on controls and authorisation to enter via the Union's external borders especially in the areas of control and movement of people dealing with asylum-seekers and

³⁷. Leitner, n. 1, p. 273.

³⁸. *A New Treaty for Europe*, 2nd ed., European Communities, Brussels, (European Commission, 1997), p.

9.
³⁹. *Ibid.*

immigration questions, within five years of its entry into force, measures will be adopted by Member States in areas such as:

1. Removing controls on people crossing internal borders –whether EU citizens or nationals of non-member countries.
2. In respect of controls at all the EU's external borders the establishment of common standards and procedures for checking people; common rules on visas for intended stays of no more than three months; a common list of non-member countries whose nationals must hold visas when crossing external borders, and a list of non-member countries whose nationals are exempt from this requirement.

Other elements which the Member States must introduce include:

- a. Common procedures and conditions for the issue of visas by Member States;
- b. A uniform format for visas;
- c. Definition of the terms on which nationals of non-member countries shall be free to travel within the EU for three months.

Within these requirements, Member States are able to negotiate special agreements with non-member countries, provided they respect EU laws and other relevant international agreements. Regarding asylum, the new

treaty lays down the criteria and mechanisms for determining which Member State is responsible for considering an application for asylum submitted by a national of a non-member country in one of the Member States. The treaty also defines minimum standards for:

- a. The reception of asylum-seekers in Member States;
- b. Classifying nationals of non-member countries as refugees;
- c. Procedures in Member States for withdrawing refugee status;
- d. Temporary protection for displaced persons from non-member countries who cannot return to their countries and persons who otherwise need international protection.

In the areas of immigration, the new treaty lays down:

- a. The terms of entry and residence in the EU and standards for procedures for the issue of long term visas and residence permits by Member States;
- b. Standards for dealing with illegal immigration and illegal residence, and the repatriation of illegal residents;
- c. The rights of citizens of non-member countries who are legally resident in a Member State and the terms on which they may reside in other Member States.⁴⁰

⁴⁰. *Questions and Answers to the Treaty of Amsterdam*, European Communities, Brussels, (European Commission, 1997), p. 11.

Britain and Ireland secured an opt-out from its provisions when Amsterdam Treaty incorporated the Schengen Agreement into the TEU and committed the continental EU members to open their internal borders by 2004.⁴¹ Some states like Britain are concerned that the complete removal of frontier controls will make it more difficult to detect and track such undesirable practices as the illegal movement of drugs, terrorists and immigrants.⁴² Britain adopted this kind of position because of two reasons: firstly, that any government in power in Britain cannot afford to surrender their sovereignty to the European Union as it is an emotional issue back home; secondly, is the British claim that it has got natural boundaries on all sides where immigrants of illegal nature cannot swim the English Channel.

The Federal Republic of Germany is most vulnerable since it takes a disproportionate share of EU immigrants, was the most consistent promoter of greater EU involvement in immigration policy. It sought in particular to have the EU endorse its bilateral agreements with countries of eastern and central Europe on policies of returning immigrants to transit countries, while the Member States with 'natural boundaries' were most strongly opposed to

⁴¹. Dinan, (ed.), n. 3, p. 269.

⁴². Neill Nugent, *The Government and Politics of the European Community*, 2nd ed., Hamshire, (Macmillan Press Ltd., 1991), p. 254.

greater supranational involvement, where Britain signalled a veto—though they were keen on strengthening intra-EU networks of police cooperation, while France, fell between the two but remained generally concerned to prevent a strong role for supra-national institutions in the sensitive area of migration.⁴³ On the other hand, some of the EU countries feared that the absence of borders would enhance the already existing imbalance in the distribution of asylum-seekers, who tend to congregate in the more ‘prosperous’ and rich place, viz. in the northern countries. In the years 1988-90, about 80 per cent of all asylum applications lodged in the European Community were submitted to two countries. Germany 60 per cent and France 20 per cent. While the South European countries such as Italy, Greece, Portugal and Spain were perceived as transit countries from which asylum-seekers travelled on. This was the concern that contributed to the creation of the Schengen Group, launched in 1985 by the Benelux countries, Germany and France.⁴⁴

The supra-national migration regime represent a response to a situation in which individual European States no longer have the capacity to exercise potential and complete control over policies relating to migration,

⁴³. Andrew Moravcsik and Kalypso Nicolaidis, “Explaining the Treaty of Amsterdam: Interests, Influence, Institutions”, *Journal of Common Market Studies*, vol. 37(1), March 1999, p. 63.

⁴⁴. Joly, n. 20, pp. 496-497.

rather than denoting a weakening of the nation state. The partial loss of legal sovereignty is the price that must be paid for maintaining a measure of state autonomy in the face of mounting pressures.⁴⁵ Hence, immigration and asylum matters are fast becoming subsumed within an organisational structure consisting of a Council of Interior and Justice Ministers of the EU, a permanent Secretariat for handling all 'third pillar' issues, along with a Committee of member state representatives and a working group on migration.⁴⁶ On the other hand, the European Commission is pushing hard for a greater role of the Commission in the immigration policy-making.

CONCLUSION

The evolving regime that is based on international governance to which treaty organisations such as the EFTA, the European Economic Area and the Nordic Union also makes a significant contribution. The internalisation of migration management has also been extended by the growth of a range of re-admission agreements between various West and East European states, facilitating the return of unwanted immigrants in exchange to aid, investment and compensatory packages for countries accepting the returnees and asylum-seekers in transit. Such agreements have

⁴⁵. Mitchell and Russell, n. 4, p. 58.

⁴⁶. M. King "Fortress Europe", Occasional Paper no. 6, University of Leicester, Centre for the Study of Public Order, 1994, quoted in Mitchell and Russell, n. 4, p. 55.

also had the effect of extending the geographic reach of the emergent immigration regime eastwards as well as helping to create a 'buffer zone' between 'inner' and 'outer' Europe.⁴⁷ One measure designed to control entry has been to impose visa requirements on nationals of Eastern European countries, in particular when they will give rise to movements of population. Another initiative has been to prepare readmission agreements with 'frontline' East European countries bordering Western Europe, thus creating a 'sanitary belt'. To deal with countries of origin some limited aspects of policies addressing the causes of population movements are also implemented at Community level.⁴⁸

International labour migration is difficult to address through a common policy since it erodes national sovereignty and national identity, but at the same time, gives rise to a sudden flow of refugees. The principal tools have been the Schengen group and Dublin Trevi groups, which are pushing forward the border free Europe, common visa policies, harmonising refugee and asylum policies and also greater information sharing and co-operation among the police to control illegal activities through the borders.⁴⁹ On the

⁴⁷ Mitchell and Russell, n. 4, p. 57.

⁴⁸ Joly, n. 20, p. 499.

⁴⁹ Wayne A. Cornelius, Philip L. Martin, and James Hollifield, "Introduction: The Ambivalent Quest for Immigration Control", Wayne A. Cornelius, Philip L. Martin and James Hollifield, (eds.), *Controlling Immigration: A Global Perspective*, Stanford, (Stanford University Press, 1994), p. 32.

other hand, EU officials are facing the challenge of implementing a border free Europe fully, while at the same time countering illegal immigration, false asylum claims, drug smuggling, and terrorism. EU officials are therefore pushing for further harmonisation of asylum and refugee policies more than ever before.⁵⁰ The policy making by the European Commission is more dependent on the third pillar, viz. Justice and Home Affairs (JHA), which includes asylum policy, crossing of external borders, and immigration policy. (Articles k 1[1] to [3]). Immigration policy is further categorised into conditions of residence and employment, and the combating of illegal entry, residence and work. The JHA meetings led to a plethora of resolutions, recommendations and conclusions, whose form and legal basis have been challenged again by the European Parliament. The resolutions cover family reunification (1993), admission for employment (1994), admission for self-employment (1994), admission for study (1994), minimum guarantees for asylum procedures (1995), burden sharing with regard to displaced persons (1995) and third country nationals with long term residence (1996). The recommendations were on expulsion (1992) dealing with over stayers, illegal immigrants, and refused asylum seekers, on illegal employment and

⁵⁰. Cornelius, n. 49, p. 33.

expulsion (1993), which deals with checks and subsequent expulsion of third country nationals; and on concerted action on expulsion (1995).⁵¹

The three-pillar design limited the role of Court, Commission, and Parliament in migration policy while strengthening that of the European Council. The only substantive change was agreement to decide common third-country visa regulations by unanimous vote and after 1996 by qualified majority with the Commission enjoying a non-exclusive right of proposal. This change extended neither to asylum nor to immigration policy.⁵²

The European Commission's role in evolving a common immigration policy is a very crucial one. In the Commission's view, immigration policy cannot remain outside the community structure. Since the 1970s, it has been seeking to achieve better coordination among EU member states policies of their actions in this field. For instance in its communication to the Council of Ministers on 23 February 1994, the Commission highlighted the fact that it is surrounded by a patchwork of diverse laws and regulations, made individually by Member States that have been unwilling to treat immigration as a responsibility of the Community as a whole. A considerable step forward was nevertheless taken toward a common immigration policy by the establishment of a "Europe with frontiers" on 1 January 1993. This came

⁵¹. Dinan, n. 3, p. 270.

⁵². Moravcsik, n. 22, p. 452.

from a decision of the European Council of June 1991 in Luxembourg, which led to the signing of the Dublin Convention on the control of the Community's external frontiers. Despite its limitations, this decision "represented an important turning point." This, according to the Commission, signified the twelve had recognised the "geopolitical and socio-economic background against which immigration and asylum issues had to be viewed was changing rapidly and called for a different level of co-operation than before moving beyond procedure into substance." The Commission's communication of February 1994, along the three main lines was a significant one: action to reduce migratory pressure, especially through enhanced cooperation with the countries of origin so as to dry up the stream of migrants; better immigration controls; and finally, a deeper study of policies for promoting integration.⁵³ Article 100c of the Treaty on the European Union sets out a common visa policy, asylum policy, rules governing the crossing of external borders, immigration policy and policy regarding nationals of third countries are all characterised as matters of common interest, as are combating illegal entry, residence and work, combating drug addiction and international fraud, for setting up a European police office, Europol.

⁵³. Editorial Material for ACP Delegations, n. 13.

Thus, on the one hand, some Member States of EU have sought to evolve a common policy towards immigration so that they retain their sovereignty over this issue. On the other hand, the European Commission and the European Parliament and other supranational institutions are trying hard to increase their role of play in evolving common immigration policy and also in its decision making arena. While the national governments seem to be going slow, the European Commission is also encountering difficulties in implementing a border-free Europe. However, individual nations' initiatives have proved to be more fruitful than the institutional framework. Instead of rapidly evolving a consensus on the common immigration policy, Member States are in fact, creating buffer zones with the countries outside the Union and especially those that lie on their border in order to accept the unwanted immigrants for a mere aid package. On the other hand, Member States have started signing agreements in order to stop the movement of the immigrants in their homeland only. To that end, they seek to target development aid. As long as there remains development gap a continuous flow of people from the Third World countries to the European Union and elsewhere will be difficult to control.

CHAPTER - V
CONCLUSION

The legacy of migration to Europe has its deep roots in its colonial history. Initially the European powers encouraged migration within their colonies promising a better standard of living for the immigrants to meet their post-war reconstruction needs. Immigrants, however, were not provided with any kind of civil and political rights. They were provided with work permits, indicating clearly that their stay is only temporary. While the flow of immigrants continued without any interruption till the end of the 1960s, the economic recession in the wake of the oil shock in 1973 prompted European countries to take stringent action to curb migratory inflows and tightening immigration laws. The accession of Greece in 1981, and Spain and Portugal in 1985 to the European Community transformed these countries to destination countries as they were "soft destinations" to reach and later to vanish into the heartland of Europe. The establishment of the 'Single Market' and the abolition of borders for the transfer of capital, goods, services and labour freely seemed to come as a boon for illegal immigrants.

The 1990s witnessed a tremendous change in migratory patterns, like an upsurge in the inflow of refugees due to the ethnic crisis in Bosnia

followed by Kosovo, large number of applications from asylum-seekers and finally the origin of potential immigrants shifted to Central and East European countries. The character of asylum seekers changed drastically from political to economic in nature, thereby putting more burden on Europe. Both at the supra-national level and at the individual member countries level, the member states of the European Union increasingly seek to raise increasing barriers to curb immigration.

Immigrants in Europe do not enjoy political rights and they are unorganised politically. This problem is more acute in the case of illegals as they work for minimum wages in inhuman conditions. Immigrants generally become the scape-goats for right wing extremist parties for both real and imagined ills of European societies. In fact, many immigrants do the manual and unskilled labour, which natives refuse to do. The immigrants mainly work as agricultural labourers, construction workers and other manual labour like in hotels etc.

Europe has widely responded to the inflow of immigrants flow with greater xenophobic tendencies and racist attitudes. in the 1990s. However, racism and xenophobia is not new to Europe. It is deeply rooted in its imperialistic past the colonial powers' theory of 'race superiority'. Reliance on such anti-immigration platforms has enabled the Right Wing extremists

have gained politically all over the European Union. These parties, among others, advocate and campaign for enhancement of national sovereignty. For instance, Joerg Haider's Far Right wing party which is in power in Austria, is carrying on an anti-European Union campaign, which is hindering the progress of the European Union.

Countries like Germany are urging the promulgation of a common European immigration policy to counter the Far Right wing parties. But without a common approach towards racism, it will be difficult to evolve a common policy despite some progress in this area through the Schengen and Dublin Conventions. On the other hand, Britain is not in favour of common immigration policy as it feels that it can safeguard its borders as it does not share common borders with any other member country other than Ireland. In many of the Member countries there is a strong opinion against losing sovereignty in vital areas like immigration. Hence, not much has yet been achieved on this issue. There is a growing skepticism about the kind of "fortress" that is being established in the EU. However, European Union also needs technical and skilled manpower from other parts of the world. It should therefore seek to curb racism and xenophobia and chore meaningfully integrate immigrants into European priorities.

SELECT BIBLIOGRAPHY

BOOKS

- Alston, Philip, Mara Bustelo and James Heenan (eds.), *The European Union and Human Rights*, Oxford: Oxford University Press, 1999.
- Anderson, B., *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, London: Verso, 1993.
- Anthias, F. and Yuval-Davis, N., *Racialized Boundaries*, London: Routledge, 1992.
- Ardagh, J., *Germany and the Germans after the Unification*, London: Penguin Books, 1991.
- Baldwin-Edwards, M. and Schain, M. (eds.), *The Politics of Immigration in Western Europe*, London: Cassell, 1994.
- Barbour, Philippe, (ed.), *The European Union Handbook*, London: Fitzroy Dearborn Publishers, 1996.
- Barker, M., *The New Racism*, London: Junction Books, 1981.
- Baubock, Rainer, *Transnational Citizenship: Membership and Rights in International Migration*, Aldershot: Edward Elgar, 1994.
- Baubock, Rainer, (ed.), *From Aliens to Citizens: Redefining the Status of Immigrants in Europe*, Aldershot and Vienna: Avesbury and European Centre, Vienna, 1994.
- Bjorgo, Tore, (ed.), *Terror from the Extreme Right*, London: Frank Cass, 1995.
- Bjorgo, Tore and Robert Witte (eds.), *Racist Violence in Europe*, London: Macmillan, 1993.
- Bohning, W. R., *Studies in International Labour Migration*, London: Macmillan Press Ltd., 1984.
- Bolaria, B. S., and Rosemary Von Elling Bolaria, (eds.), *International Labour Migrations*, Delhi: Oxford University Press, 1997.
- Booth, Heather, *The Migration Process in Britain and West Germany*, Aldershot: Avebury, 1992.

- Buijss, Gina, (ed.), *Migrant Women: Crossing Boundaries and Changing Identities*, Oxford: Berg, 1993.
- Caplan, Richard and John Feffer, *Europe's New Nationalism, States and Minorities in Conflict*, Oxford: Oxford University Press, 1996.
- Castles, S. and G. Kosack, *Immigrant Workers and the Class Structure in Western Europe*, Oxford: Oxford University Press, 1973.
- Castles, S. and M. Miller, *The Age of Migration: International Population Movements in the Modern World*, London: Macmillan, 1993.
- Cohen, Robin, *Frontiers of Identity: The British and the Others*, Longman: Essex, 1994.
- Cohen, Robin (ed.), *The Cambridge Survey of World Migration*, Cambridge: Cambridge University Press, 1995.
- Collinson, Sarah, *Beyond Borders: West European Migration Policy Towards the 21st Century*, London: Royal Institute of International Affairs, 1993.
- Collinson, S., *Europe and International Migration*, London: Pinter, 1995.
- Collinson, S., *Migration, Visa and Asylum Policies in Europe*, London: H. M. S. O., 1995.
- Colomer, Joseph M., (ed.), *Political Institutions in Europe*, London: Routledge, 1996.
- Cornelius, Wayne A., Philip L. Martin and James F. Hollifield (eds.), *Controlling Immigration: A Global Perspective*, Stanford: Stanford University Press, 1994.
- Dinan, Desmond, (ed.), *Encyclopedia of the European Union*, London: Lynce Riener Publishers, 1998.
- Duff, Andrew, John Pinder and Roy Pryce, (eds.) *Maastricht and Beyond*, London: Routledge, 1994.
- Dummet, A. and A. Nicol, *Subjects, Citizens, Aliens and Others: Nationality and Immigration Law*, London: Weidenfield and Nicolson, 1990.
- Edge, Dave, *Immigrant Labour and Government Policy: The cases of the Federal Republic of Germany and France*, Gower: Hants, 1987.
- Ford, G., *Fascist Europe: The Rise of Racism and Xenophobia*, London: Photo Press, 1992.
- Goodman, S. F., *The European Union*, 3rd ed., Hampshire: Macmillan Press Ltd., 1996.

- Guild, E and J. Niessen, *The Developing Immigration and Asylum Policies of the European Union*, The Hague, Kluwer Law international, 1996.
- Hadjimichalis, Costis and David Sadler, Eds., *Europe at the Margins: New Mosaics of Inequality*, Chichester: John Wiley & Sons, 1995.
- Hamilton, Kimberly A., (ed.), *Migration and the New Europe*, London: Frank Cass, 1996.
- Hammer, T., (ed.), *European Immigration Policy: A Comparative Study*, Cambridge: Cambridge University Press, 1985.
- Hargreaves, Alec and Jeremy Leaman (eds.), *Racism, Ethnicity and Politics in Contemporary Europe*, London: Edward Elgar, 1995.
- Hargreaves, Alec G., and Mark McKinney (eds.), *Post-Colonial Minorities in France*, London: Routledge, 1997.
- Hollifield, J. F., *Immigrants, Markets and State: The Political Economy of Post-War Europe*, Cambridge: Harvard University Press, 1992.
- Jackson, J. A., (ed.), *Migration*, Cambridge: Cambridge University Press, 1969.
- Jenkins, Brian and Spyros A. Sofos, *Nation and Identity in Contemporary Europe*, London: Routledge, 1996.
- Joly, Daniele, *Scapegoats and Social Actors: The Exclusion and Integration of Minorities in Western Europe and Eastern Europe*, Hampshire: MacMillan Press Ltd., 1998.
- Jones, Catherine, *Immigration and Social Policy in Britain*, London: Tavistock, 1977.
- Joppke, Christian and Steven Lukes, (eds.), *Multicultural Questions*, Oxford: Oxford University Press, 1999.
- King, R., (ed.), *The New Geography of European Migrants*, London: Belhaven Press, 1993.
- Klaasen, L. H and P. Drew, *Migration Policy in Europe*, Hants: Saxonhouse, 1973.
- Laird, Richard, *East-West Migration*, Cambridge: Cambridge University Press, 1992.
- Layton-Henry, Zig, *The Politics of Immigration: Immigration, 'Race' and 'Race' Relation in Post-War Britain*, Oxford: Blackwell, 1992.
- Layton-Henry, Zig and Zlotnik Henia, *The Politics of Immigration*, Cambridge: Cambridge University Press, 1992.

- Longdon, Peter, (ed.), *Migration Models Macro and Micro Approaches*, London: Belhaven Press, 1991.
- Marrus, Michael R., *The Unwanted: European Refugees in the Twentieth Century*, Oxford: Oxford University Press, 1985.
- Merkel, Peter, H., and Leonard Weinberg (eds.), *Encounters with the Contemporary Radical Right*, Boulder: Co:Westview Press, 1993.
- Miles, R., *Racism*, London: Routledge, 1989.
- Miles, Robert, *Racism After 'Race Relations'*, London: Routledge, 1993.
- Miles, R. and D. Thranhardt, *Migration and European Integration: The Dynamics of Inclusion and Exclusion*, London: Pinter, 1995.
- Milward, A. S., *The European Rescue of the Nation State*, London: Routledge, 1992.
- Moravcsik, Andrew, *The Choice for Europe: Social Purpose & State Power From Messina to Maastricht*, London: UCL Press Ltd., 1998.
- Mosse, G., *Towards the Final Solution: A History of European Racism*, London: Dent, 1978.
- Nicholson, Frances and Patrick Twomey (eds.) *Refugee Rights and Realities: Evolving International Concepts and Regimes*, Cambridge: Cambridge University Press, 1999.
- Robinson, Vaughan, *Migration and Public Policy*, Cheltenham: Edward Elgar Publishing Limited, 1999.
- Rocha-Trindade, Maria Beatric (ed.), *Recent Migration Trends in Europe: Europe's New Architecture*, Lisbon: Universidade Aberta, 1993.
- Schierup, Carl-Urik, *Migration, Socialism and the International Division of Labour: The Case of Yugoslavia*, Aldershot: Avebury, 1990.
- Silverman, M., *Deconstructing the Nation: Immigration, Racism and Citizenship in Modern France*, London: Routledge, 1992.
- Therborn, Goran, *European Modernity and Beyond: The Trajectory of European Societies 1945-2000*, London: Sage Publications, 1995.
- Thranhardt, Dietrich, (ed.), *Europe: A New Immigration Continent: Policies and Politics in Comparative Perspective*, Munster-Hamburg: Lit Verlag, 1992.

Ugur, Mehmet, (ed.), *Policy Issues in the European Union: A Reader in the Political Economy of European Integration*, Kent: Greenwich University Press, 1995.

Waever, O., Buzan, B., M. Kelstrup and P. Lemaitre, *Identity, Migration and the New Security Agenda in Europe*, London: Pinter, 1993.

Wrench, John and John Solomos (eds.), *Racism and Migration in Western Europe*, Oxford: Berg Publishers, 1993.

ARTICLES

Baldwin-Edwards, Martin, "Emerging European Immigration Regime: Some Reflections on Implications for Southern Europe", *Journal of Common Market Studies*, 35(4), December 1997, pp. 497-519.

Barsotti, Odo, and Laura Lecchini, "Changes in Europe's International Migration Flows", *Journal of Regional Policy*, 8:3, July/September, pp. 399-424.

Bentley, Stuart, "Merrick and the British Campaign to stop Immigration", *Race and Class*, 36(3), January-March 1995, pp. 57-72.

Bodega, Juan A. Cebrian, Teresa Franchini, Gloria Lora-Tamayo and Asuncion Martin-Lou, "Recent Migrations from Morocco to Spain", *International Migration Review*, vol. xxix (3), 1995, pp. 800-819.

Bohning, W. R., "Integration and Immigration Pressures in Western Europe", *International Labour Review*, (Geneva), vol. 130(4), 1991, pp. 445-458.

Bohning, W. R., "International Migration in Western Europe: Reflections at Five Years", *International Labour Review*, vol. 118, no. 4, 1979, pp. 401-414

Boehnke, Klaus, John Hagan and Gerd Hefler, "On the Development of Xenophobia in Germany: The Adolescent Years", *Journal of Social Issues*, 54(3) fall 1998, pp. 585-602.

Boenkerk, Frank, Robert Miles and Gilles Verbunt, "Racism, Migration and the State in Western Europe: A Case for Comparative Analysis", *International Sociology*, vol. 5(4), 1990, pp. 475-490.

Brubaker, Rogers, "Migrations of Ethnic Unmixing in the "New Europe"", *International Migration Review*, 32(4) winter 1998, pp. 1047-65.

Brubaker, William Rogers, "Immigration, Citizenship and the Nation-State in France and Germany: A Comparative Historical Analysis", *International Sociology*, vol. 5(4), December 1990, pp. 379-408.

- Bulusu, L., "Recent Patterns of ... From and To the United Kingdom", *Population Trends*, 46, 1986, pp. 35-39.
- Callevi, G., "Regulation of Immigration in 1993: Pieces of the European Community Jig-Zaw Puzzle", *International Migration Review*, vol. 26, 1992, pp. 353-372.
- Campani, Giovanna, "Immigration and Racism in Southern Europe: The Italian Case", *Ethnic and Racial Studies*, vol. 16(3), July 1993, pp. 507-535.
- Carter, F.W., R. A. French and J. Salt, "International Migration Between ... and West in Europe", *Ethnic and Racial Studies*, vol. 16(3), July 1993, pp. 407-491.
- Castells, Manuel, "Immigrant Workers and Class Struggles in Advanced Capitalism: The West European Experience", *Politics and Society*, 5, 1975, pp. 33-66.
- Castleman, Barry I., "The Function of Labour Immigration in Western European Capitalism", *New Left Review*, 73, 1972, pp. 3-21.
- Castles, S., "Guests Who Stayed The Debate on Foreigners Policy in the German Federal Republic", *International Migration Review*, 19, 1985, pp. 517-34.
- Convey, Andrew and Marek Kupiszewski, "Keeping up with Schengen: Migration and Policy in the European Union", *International Migration Review*, 29(4), winter 1995, pp. 939-963.
- Cullen, Holly, "From Migrants to Citizens? EC Policy on International Education", *International and Comparative Law Quarterly*, vol. 45, Part 1, January 1996, pp. 109-129.
- Eaton, Martin, "Foreign Residents and Illegal Immigrants: os negros en Portugal", *Ethnic and Racial Studies*, vol. 16(3), July 1993, pp. 536-562.
- Fassmann, Heinz, and Rainer Munz, "Patterns and Trends of International Migration in Western Europe", *Population and Development Review*, 18: 3, 1992, pp. 457-480.
- Fehrenbach, Heide, "Rehabilitating Fatherland: Race and German Remasculinisation", *Signs*, 24(1), autumn 1998, pp. 107-27.
- Fekete, Liz, "Popular Racism in Corporate Europe", *Race & Class*, 41(1-3), October 1998-March 1999, pp. 189-97.
- Feldblum, Miriam, "Paradoxes of Ethnic Politics: The Case of Franco-Maghrebis in France", *Ethnic and Racial Studies*, vol. 16(1), January 1993, pp. 52-74.

- Fernhout, Roel, "Europe 1993 and its Refugees", *Ethnic and Racial Studies*, 16(3), July 1993, pp. 492-506.
- Friedrichs, Jurgen, "Ethnic Segregation in Cologne, Germany, 1984-94", *Urban Studies*, 35 (10), October 1998, pp. 1745-63.
- Geddes, Andrew, "Immigrant and Ethnic Minorities and the EU's Democratic Deficit", *Journal of Common Market Studies*, 33(2) June 1995, pp. 197-218.
- Halfmann, Jost, "Immigration and Citizenship in Germany: Contemporary Dilemmas", *Political Studies*, 45(2) June 1997, pp. 260-74.
- Heisler, M. O., "Migration, International Relations and the New Europe: Theoretical Perspectives from Institutional Political Sociology", *International Migration Review*, 26(2), 1992, pp. 596-621.
- Ireland, P. F., "Immigration and Politics in the EC", *Journal of Common Market Studies*, 29(5), 1991, pp. 457-80
- Jain, R.K., "'Fortifying the Fortress': Immigration and Politics in the EU", *International Studies*, 34(2), April-June 1997, pp. 163-92.
- Jain, R.K., "An East German Perspective", *World Focus*, July 1991, pp. 7-9.
- Jain, R.K., "East-West Migration in the Nineties", *Journal of Peace Studies*, vol. 3, no. 16-17, May-August 1996, pp. 44-61.
- Jain, R.K., "Germany Polity in Transition", *International Studies*, vol. 36(3), 1999, pp. 253-275.
- Jain, R.K., "Migration in Germany: Issues and Responses", *India International Centre Quarterly*, vol. 2 (49), winter 1993, pp. 19-38.
- Joppke, Christian, "Asylum and State Sovereignty of Germany, US and Britain", *Comparative Political Studies*, 30(3), June 1997, pp. 259-98.
- Karapın, Roger, "Radical Right and Neo-Fascist Political Parties in Western Europe", *Comparative Politics*, 30(2), January 1998, pp. 217-34.
- Kartha, Tara, "Re-emergence of Racism: Germany After Unification", *Strategic Analysis*, vol. 15(11), pp. 1038-55.
- Kay, D. and R. Miles, "The Role of Migrant Workers? The Case of the European Volunteer Workforce", *Journal of Refugee Studies*, 1(3/4), 1988, pp. 214-236.

- Kayser, Bernard, "European Migrations: The New Pattern", *International Migration Review*, vol. 11, no. 2, pp. 232-240.
- Kostakopoulou, Dora, "Is there an Alternative to 'Schengenland'", *Political Studies*, 46(5), December 1998, pp. 886-902.
- Krueger, Alan B and Jorn Pischke, "Statistical Analysis of Crime Against Foreigners in Unified Germany", *Journal of Human Resources*, 32(1) winter 1997, pp. 182-209.
- Kuther, H. and M. Minkenberg, "Germany in Transition: Immigration, Racism and the Extreme Right," *Nations and Nationalism*, vol. 1(2), 1995, pp. 175-196.
- Lahav, Gallya, "Ideological and Party Constraints on Immigration Attitudes in Europe", *Journal of Common Market Studies*, 35(3), September 1997, pp. 377-406.
- Leitner, Helga, "International Migration and the Politics of Admission and Exclusion in post war Europe", *Political Geography*, 14(3), April 1995, pp. 259-78.
- Leitner, Helga, "Reconfiguring the Spatiality of Power: The Construction of a Supranational Migration framework for the EU", *Political Geography*, 16(2) February 1997, pp. 123-43.
- Leveav, Remy, "Maghrebi Immigration to Europe: Double Insertion or Double Exclusion?", *Annals of the American Academy of Political and Social Science*, 524, November 1992, pp. 170-80.
- Martin, Philip, Elmar Honekopp, and Hans Ulmann, "Europe 1992: Effects on Labour Migration", *International Migration Review*, 24:91, fall, 1990, pp. 591-603.
- Meissner, Davis, "Managing Migrations", *Foreign Policy*, no, 85-86, spring 1992, 67-83.
- Miles, Robert, "A Rise of Racism and Facism in Contemporary Europe? Some Reflections on its Nature and Extent", *New Community*, 20(4), 1994, pp. 547-62.
- Miles, Robert, "Introduction—Europe 1993: The Significance of Changing Patterns of Migration", *Ethnic and Racial Studies*, vol. 16(3), July 1993, pp. 459-466.
- Miles, R., "Labour Migration, Racism and Capital Accumulation in Western Europe Since 1945: An Overview", *Capital and Class*, 28, 1986, pp. 49-86.
- Miles, Robert and Victor Satzewich, "Migration, Racism and 'Postmodern' Capitalism", *Economy and Society*, 19(3), August 1990, pp. 334-358.
- Miriam Feldbum, "Paradoxes of Ethnic Politics: The Case of Franco-Maghrebis in France", *Ethnic and Racial Studies*, 16(1) January 1993, pp. 52-74.

- Morris, Lydia, "Governing at a Distance: The Elaboration of Controls in British Immigration", *International Migration Review*, 32(4) winter 1998, pp. 948-73.
- Ogden, Philip E, "Immigration to France since 1945: Myth and Reality", *Ethnic and Racial Studies*, vol. 14, no. 3, July 1991, pp. 294-317.
- O'Keefe, David, "Recasting the Third Pillar", *Common Market Law Review*, 32, 1995, pp. 893-920.
- Peach, Ceri, "South Asian and Caribbean ethnic minority housing choice in Britain", *Urban Studies*, 35(10), October 1998, pp. 1657-80.
- Power, Jonathan, "Europe's Army of Immigrants", *International Affairs*, vol. I (3), July 1995, pp. 372-386.
- Range, Peter Ross, "Europe Faces an Immigrant Tide", *National Geography*, 183(5), May 1993, pp. 94-126.
- Roosens, Eugeen, "Migration and Caste Formation in Europe: The Belgian Case", *Ethnic and Racial Studies*, 11:2, 1988, pp. 207-217.
- Schutte, J. J. E., "Schengen: Its Meaning for the Free Movement of Persons in Europe", *Common Market Law Review*, vol. 28, 1991, pp. 549-570.
- Seibel, Anne Marie, "Deutschland ist doch ein Einwanderungsland geworden: Proposals to address Germany's Status as a Land of Immigration", *Vanderbilt Journal of Transnational Law*, 30(4), October 1997, pp. 905-48.
- Smith, Raymond A., "EC and the Challenges of New Migrants", *World Affairs*, 32(4), June 1993, pp. 5-17.
- Stewart, Alasadir, "Migrants, Minorities and Security in Europe", *Conflict Studies*, no. 252, June 1992, pp. 1-33.
- Straubhaar, Thomas and Klaus F. Zimmermann, "Towards a European Migration Policy", *Population and Research Policy Review*, 12(3), 1993, pp. 225-42.
- Valderrama, C. de., "The New Hosts: The Case of Spain", *International Migration Review*, vol. 27(1), spring 1993, pp. 169-181.
- Verhaeran, Raphel-Emmanuel, "Future Trends in International Migration to Europe", *International Migration Review*, 27(3), fall 1993, pp. 630-38.
- Waxmen, Dov, "Immigration & Identity: A New Security Perspective in Euro-Maghreb Relations", *Conflict Studies*, 302, September 1997, pp. 1-29.

Wiener, Myron, "Security, Stability and International Migration", *International Security*, winter 1992, pp. 91-110.

Wiener, M., "International Migration and International Relations", *Population and Development Review*, vol. 11, 1985, pp. 441-455.

Zimmerman, Klaus F., "Tackling the European Migration Problem", *Journal of Economic Perspectives*, 9(2), spring 1995, pp. 45-62.

Zollberg, A., "The Next Waves: Migration Theory for a Changing World", *International Migration Review*, 3, 1989, pp. 403-430.