THE INTEGRATION POLICY FIELD: DOERS, SAYERS AND WITNESSES

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Every policy and every piece of legislation have their milieu. It is impossible to dislocate them from time and their socio-political context. This is because they respond to societal issues, as they are perceived and framed by elites at a given time and in a given place, and incorporate prescriptions, ideas and solutions based on the prevailing perspectives and conceptual categories. If the latter are robust and proper, the regulatory effect of policies and legislation is both effective and beneficial to citizens and residents. But if policies and legislation are driven by ideology, misconceptions and partial perspectives then their long-term sustainability is in doubt. New approaches and new perspectives will eventually be articulated by these seeking policy change and thus better and more effective regulation.

The policy field of third country national (i.e., non-EU migrant) integration constitutes no exception. Since the late 19th century, and with exception of some breaks, human mobility has been viewed as problematic and threatening in the First World.[1] Categories and concepts were constructed in order to make most migrants 'Others' and to depict the ways in which the host society should relate to them. Hostility, suspicion, oppression, discrimination and racism in host societies informed policies, legislation and discourses which essentially legitimised a border-obsessed territorialism[2], societal unease and often closure as well as power politics. The term power, here, refers to hierarchical relations, including the ideological construction of indigenous superiority and alien inferiority, and measures of migration enforcement and control.

In the academic literature the categories of ethnocultural exclusion, assimilation (- the melting pot metaphor), integration (- the relegation of differences to the private realm) and pluralism or multicultural accommodation (- respect and the politics of recognition) sought to reflect and further influence policy

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[1] S. Castles & M. Miller (1993) *The Age of Migration. International Population Movements in the Modern World* (Basingstoke: Macmillan Press); G. Freeman (1995) 'Modes of immigration politics in liberal democratic states', *International Migration Review*, Vol. 29(4), pp. 881-902; E. Guild, K. Groenendijk & S. Carrera (eds.) (2009) *Illiberal, Liberal States: Immigration, Citizenship and Integration in the EU*, Ashgate; C. Joppke (1998) *Challenge to the Nation-State: Immigration in Western Europe and North America* (Oxford: Oxford University Press); D. Kostakopoulou (2008) *The Future Governance of Citizenship* (Cambridge: Cambridge University Press); D. Kostakopoulou (2010) 'The Anatomy of Civic Integration', *Modern Law Review*, Vol. 73(6), pp. 933-958.

[2] D. Kostakopoulou (2001), Citizenship, Identity and Immigration in the European Union: Between Past and Future (Manchester: Manchester University Press).

perspectives and measures. In the 1970s, cultural politics and security studies started having an impact on academic and public policy debates owing to the incorrect conflation of mobile individuals with moving cultures allegedly threatening to fragment culturally cohesive national societies and/or to change them beyond recognition.[3] In the 1980s and 1990s, the pace of globalisation, civil society uprisings and social movements as well as international and supranational legal frameworks were key triggers for change in how migrants and their contributions were viewed. Public policy displayed a more positive appreciation of ethnocultural and religious diversity and a more rights-based approach to migration, incorporation and citizenship.[4]

This change in perspectives and policies towards third country migrants in the EU, however, did not last. In the new millennium, international terrorism, governmental debt and the diminution of affluence in societies coupled with an increasingly influential neonationalist political agenda brought about migration restriction, gradual societal closure and the enforcement of migration controls. Even mobility regimes for highly skilled managers, researchers and students did not escape such restrictions, thereby giving the impression of the existence of a 'war on talent'. Once again, the nationalisation of politics and publics went hand in hand with the racialisation of migrants, a trend towards personalisation (i.e., questions were asked about personal moral culpability, personal beliefs and affections) and the commodification and greater exploitation of migrant resources (i.e., there was a greater emphasis on the distinction between the 'good migrant', that is someone with skills, qualifications and wealth and the 'undeserving' lower skilled migrant who might drain social resources).[5]

In accordance with the dominant policy perspective, non-EU migrants had to 'integrate' into the host societies and national authorities could obtain proof of that via the imposition of mandatory civic integration and language classes and tests. The Netherlands took the lead on the displacement of the multiculturalist paradigm by enacting the 1998 Newcomer Integration Act which required newcomers to attend language and 'social orientation' courses. The UK followed the same path by enacting the Nationality, Immigration and Asylum Act 2002 which tightened naturalization requirements by introducing the requirement of knowledge of 'Life in the UK' test and formalising the linguistic requirement. Since then, several EU Member States, both old and new, raised the level of knowledge required for eligibility for naturalization, adopted compulsory oral and written tests requiring increasing levels of linguistic competence and familiarity with issues relating to national politics, history, geography, rights and customs.[6] Although official justifications of mandatory integration emphasize its facilitative role in the new citizens' insertion into host societies, most scholars agree that it has restricted access to rights, benefits, family reunification and to nationality. It has also prolonged migrants' exclusion from full participation and has

[3] A. Favell (1998) *Philosophies of Integration. Immigration and the Idea of Citizenship in France and Britain* (Houndmills: Palgrave).

[4] S. Benhabib (2004) *The Rights of Others* (Cambridge: Cambridge University Press); S. Carrera (2009) *In Search of the Perfect Citizen? The Intersection between Integration, Immigration and Nationality in the EU* (Leiden: Martinus Nijhoff Publishers); D. Kostakopoulou (2006) 'Thick, Thin and Thinner Patriotisms: Is This All There Is?' *Oxford Journal of Legal Studies*, Vol. 26(1), pp. 73-106; B. Parekh (2000) *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (London: Palgrave); R. Rumbaut (1999) 'Assimilation and Its Discontents: Ironies and Paradoxes', in Hirschman et al. (eds.), *The Handbook of International Migration: The American Experience* (New York: Russell Foundation) pp. 172–195; A. Zolberg (1998) 'Matters of State: Theorising Immigration Policy', *International Migration in the Remaking of America* (New York: Russell Sage Foundation).

[5] S. Carrera (2009), note 4 above; R. Van Oers, E. Ersboll and D Kostakopoulou (2010) *A Redefinition of Belonging? Language and Integration Tests in Europe* (The Hague: Brill Publishers/Martinus Nijhoff).

[6] Ibid.

limited numbers, be they numbers of entries into the country or temporary residence permits or settlements and passport holders.

Many undesirable consequences stem from this. The first, is that integration discourse and policy has also made acceptable the idea that the progressive incorporation of the vast majority of newcomers relies on a process of 'conversion' into suitable societal members, akin to the time of religious salvation in the past, during which non-nationals are not entitled receive the same standard of protection afforded to citizens and thus must 'earn' their rights. Newcomers must thus become both 'sayers', that is, they must declare their commitment to the national project, and 'doers', that is, to adopt responsible behaviours. This has eroded the inviolable character of rights in western liberal societies and legitimised the differentiation among human beings on the basis of nationality, and implicitly race and religion. Once this step is taken, rights become contingent, variable on the basis of nationality and subject to contraction by governmental elites.

The second worrying trend is the generalised assumption that both successful and unsuccessful integration can be measured by objective indicators. It is thus implied that integration is a linear process which can be completed by the end of a specified period and can somehow be verified. In reality, however, the process is much more complex.

Integration policies and measures leave an indelible mark on individuals and impact on their attitude and behaviour irrespective of the outcome of the formal process of testing one's knowledge of the host society or linguistic competence. If one's fundamental rights (e.g., the right to family reunification or the right to health) and, more importantly, human dignity are restricted without legitimate reasons, one's future life will be shaped by such negative experiences. And all experience accumulates; memory cannot always suppress traumatic experiences. If a government signals that third country nationals are unwanted by making them meet many requirements in order to gain permission to live and work there over a longer residency period, multiplying the checks and tests at various points, placing hurdles on settlement and citizenship acquisition, and threatening their removal if they fail to pass tests or for misdemeanours, generalised mistrust will ensue.

This is where empathy, respect for personhood and active listening promise to yield better results. OPPORTUNITIES uncovers several missing pieces in crafting sustainable policies of incorporation of non-EU migrants. It prioritises listening to those who are actually affected and bearing witness to their stories, dreams and aspirations. Persons and their lives, and not incidents or indicators, ought to govern policy. No person's life is disposable or negligible. Only deep-seated and complex prejudices create a presumption that those who are different from the members of majority communities deserve less rights, less protection and undignified treatment. Conversely, a broader perspective based on empathy and an ethic of listening to the Other recognises the ability of human beings to create new knowledge, experiences, products, processes, culture, social relations and interactions, educational perspectives, employment opportunities and roles through their activities, imagination and drive. In this respect, integration is thus associated with what persons can do and the practices they engage with as they live their lives rather than with who they are or where they come from. Empowering and encouraging individuals, be they settled citizens and residents or newcomers, to fully develop their skills and resources can foster creative and dynamic societies, mutually beneficial socioeconomic relations and effective social inclusion policies.

OPPORTUNITIES seeks to articulate a fairer narrative on migration and integration. As stated in 'Migration and Narrative: Key Terms and Concepts', 'integration policies, and the demands made by states

for (better) integration of migrants, often fall short of treating migrants as full members of, and equal participants, in the community'.[7] This presupposes not only the promotion of intercultural understanding,[8] but also the creation of a public arena which subscribes to the principles of a 'level telling field'.[9] A level telling field is open to all participants and permits the sharing of experiences, rights claims, arguments and perspective with a view to designing policies and strategies that are fair and respectful of the values of the European Union, such as, respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities (Article 2 TEU).

Five key policy recommendations which flow form the above are:

1. The Member States and the European Union should problematise how 'integration' is framed and how policy objectives are devised and framed.
2. Respect for persons, irrespective of their nationality, and human rights are necessary preconditions for the creation of inclusive societies and social cooperation among persons and groups.
3. Integration policy should be dis-aligned from security objectives, counter-terrorism and surveillance technologies, to which vast amounts of money and time are devoted, and aligned with the promotion of the fundamental values of the EU and the general principles of EU law.
4. Migrants and their families should be recognised as both 'sayers' and 'doers', that is, active participants in policy dialogues and potential enhancers of societies' economic growth, prosperity, cultural enrichment and dynamism.
5. It is only by insisting on a level telling field that preconceptions about alleged crimes of arrival, 'bogus' persons, 'luxury' migrants, burdens, suspects and restrictive conditionalities can be superseded by genuine quests for equal treatment, access to socio-economic, political and cultural rights and effective policies of social inclusion that reflect the values of multicultural democracies.

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[7] Carolin Gebauer and Roy Sommer (eds.), 2021, p. 33.

[8] Ibid, p. 33.

[9] Ibid, pp. 36-7.

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